

Agenda of Special Meeting

The Board of Trustees Canutillo ISD

A Special meeting of the Board of Trustees of Canutillo ISD will be held July 28, 2009, beginning at 6:00 PM in the Canutillo ISD Administration Office, 7965 Artcraft, El Paso, TX 79932.

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

1. General Functions
 - A. Call to Order
 - B. Roll Call
 - C. Consent Agenda
 1. Consider approval of budget amendment 3
 2. Consider approval of TASB Localized Update 85, affecting local policies as listed below (First Reading)
 - a. BDAA(Local) Officers and Officials - Duties and Requirements of Board Officers
 - b. CNB (Local) Transportation Management: District Vehicles
 - c. CQ(Local) Electronic Communication and Data Management
 - d. DBB(Local) Employment Requirements and Restrictions: Medical Examinations and Communicable Diseases
 - e. FL(Local) Student Records
 - f. GRA(Local) Relations with Governmental Entities - Local Government Authorities
 3. Review and recommendation of EJ(Local) Academic Guidance Program (First Reading) 6
 4. Review and recommendation of ED(Local) Organization of Instruction (First Reading) 8
 5. Review and recommendation of BP(Local) Administrative Regulations (First Reading) 10
 6. Review and recommendation of DEC(Local) Compensation and Benefits: Leaves and Absences (First Reading) 12
 7. Review and recommendation of DEA(Local) Compensation and Benefits: Salaries, Wages and Stipends (First Reading) 50
 8. Review and recommendation of CDA(Local) Other Revenues: Investments 56
 - D. Board of Trustee Business
 1. Recognition of Dr. Pauline Dow
 - E. Reports
 1. Transportation Report 61

	Presenter: Mr. Juan Miranda	
2.	Compliance Calendar Report	66
	Presenter: Ms. Martha Carrasco	
2.	Instruction and Student Affairs	
A.	Consider adoption of Student Code of Conduct for 2009-2010 as per Policy BF(Local)	67
	Presenter: Dr. Pauline Dow	
3.	Business and Finance	
A.	Consider approval of Extension of RFP 06-12 Student Insurance	103
	Presenter: Mr. Tony Reza	
B.	Consider approval of purchase of Language Proficiency Assessment Materials	105
	Presenter: Mr. Antonio Del Campo	
C.	Consider approval of purchase Dell Laptop Computers for NECHS	108
	Presenter: Ms. Peggy Gustafson & LuAnn Escobar	
D.	Consider approval of purchase of desktop computers	110
	Presenter: Ms. Pat Araujo	
4.	Personnel	
A.	Executive Session	
B.	Consider approval of recommendation for Public Information Officer	
5.	Budget Workshop	112
	Presenter: Mr. Tony Reza	
6.	Adjournment	

If, during the course of the meeting, discussion of any item on the agenda should be held in a closed meeting, the Board will conduct a closed meeting in accordance with the Texas Open Meetings Act, Government Code, Chapter 551, Subchapters D and E. Before any closed meeting is convened, the presiding officer will publicly identify the section or sections of the Act authorizing the closed meeting. All final votes, actions, or decisions will be taken in open meeting.

CANUTILLO INDEPENDENT SCHOOL DISTRICT
OFFICE OF THE SUPERINTENDENT
POST OFFICE BOX 100
CANUTILLO, TEXAS

Agenda Item: _____

Date: July 28, 2009

Subject: Career & Technology Education – BJE#6749

Presented By: Tony Reza

Consent Agenda __X__

ACTION

1. BACKGROUND INFORMATION:

The enclosed budget amendment is to reallocate funds from functions 13, 21, 31, and 36 to function 11 to provide funds to purchase computers for the CATE classrooms at CHS.

2. SUPERINTENDENT RECOMMENDATION:

The Superintendent recommends approval of the requested budget amendment.

3. ACTION REQUESTED:

The Board of Trustees approves the requested budget amendment.

MOTION _____ SECOND _____

AYES _____ NAYS _____

Date: 7/22/09

Reason:

FUNDING SOURCE: STATE CAREER EDUCATION FUNDS

PURPOSE OF AMENDMENT: TO PURCHASE COMPUTERS FOR CATE CLASSROOMS AT
CANUTILLO HIGH SCHOOL

HOW WILL THIS IMPACT EDUCATION: THIS WILL PROVIDE NEWER COMPUTERS FOR THE
CLASSROOMS THAT WILL NOT REQUIRE AS MUCH MAINTENANCE

WHAT CAMPUS/DISTRICT GOALS WILL BE MET: GOAL 3

Mode: **Change**

F3=Exit

F5=Reset F12=Cancel

Cancel? N

TO: Roger Parks, Interim Superintendent

THROUGH: Tony Reza, Executive Director Financial Services

FROM: Kathy Ellis, Assistant Business Manager

SUBJECT: Career & Technology Department- BJE# 67491

DATE: July 22, 2009

BUDGET CODE	CURRENT BUDGET	CHANGE	AMENDED BUDGET
199.11.6299.74.917.9.22 Misc Contracted Svcs	6,285.00	(4,404.98)	1,880.02
199.11.6397.00.917.9.22 Fixed Assets - Other	42,756.00	(5,779.45)	36,976.55
199.11.6398.00.917.9.22 Fixed Assets - Technology	-	24,278.43	24,278.43
199.13.6112.00.917.9.22 Substitutes	985.00	(390.50)	594.50
199.13.6411.69.917.9.22 Employee Travel	6,000.00	(3,857.89)	2,142.11
199.13.6419.00.917.9.22 Non-Employee Travel	1,616.00	(1,285.32)	330.68
199.13.6499.00.917.9.22 Misc Operating Expense	1,159.00	1,920.00	3,079.00
199.21.6299.00.917.9.22 Misc Contracted Svcs	100.00	(100.00)	-
199.21.6411.89.917.9.22 In City Mileage Reimbursement	1,000.00	(193.60)	806.40
199.21.6497.69.917.9.22 Postage	151.00	(151.00)	-
199.21.6499.00.917.9.22 Misc Operating Expense	49.00	120.00	169.00
199.31.6399.69.917.9.22 General Supplies	1,900.00	(541.69)	1,358.31
199.31.6411.00.917.9.22 Employee Travel	3,903.00	(1,901.25)	2,001.75
199.31.6499.69.917.9.22 Misc Operating Expense	197.00	(97.50)	99.50
199.36.6412.00.917.9.22 Student Travel	38,076.00	(6,600.00)	31,476.00
199.36.6494.00.917.9.22 Transportation Charges	500.00	(15.25)	484.75
199.61.6499.00.917.9.22 Misc Operating Expense	1,000.00	(1,000.00)	-

REASON FOR AMENDMENT REQUEST - This budget amendment is to reallocate funds from functions 13, 21, 31 and 36 to function 11 to provide funds to purchase computers for the CATE classrooms.

Interim Superintendent

Executive Director Financial Services

Date

7/22/09

Date

**CANUTILLO INDEPENDENT SCHOOL DISTRICT
OFFICE OF THE SUPERINTENDENT
POST OFFICE BOX 100
CANUTILLO, TEXAS**

Agenda Item: Revision to EJ(LOCAL) Academic Guidance Program (First reading)

Date: July 22, 2009

Subject: Revision to EJ(LOCAL)

Presented By: Dr. Pauline Dow, Associate Superintendent Consent Agenda X

ACTION

1. BACKGROUND INFORMATION:

Proposed revision to the Guidance and Counseling Services, and Areas of Student Need sections of EJ(LOCAL).

2. SUPERINTENDENT RECOMMENDATION:

Recommend to approve revision to EJ(LOCAL) as indicated on the attached document.

3. BOARD ACTION REQUESTED:

Move to approve revisions to EJ(LOCAL) Academic Guidance Program (First reading).

MOTION: _____ SECOND: _____

FOR: _____ AGAINST: _____

ACADEMIC GUIDANCE PROGRAM

GUIDANCE AND
COUNSELING
SERVICES

The District's guidance and counseling services shall be designed primarily to provide ongoing assistance to enhance the educational development of all students [following the State and National model while supporting the school counselors core values.](#) ~~and~~ [Services](#) shall be included in and monitored through the District and campus planning process. [See BQ series]

AREAS OF STUDENT
NEED

The services may assist individuals or groups of students in:

1. Improving academic achievement.
2. Improving school attendance.
3. Improving school attitudes.
4. Developing self-confidence.
5. Developing healthy interpersonal relationships.
6. Developing life satisfaction.
7. Obtaining information to assist in choosing a potential career.
8. Researching available scholarships.
9. Obtaining information about colleges.

[Guidance and Counseling services should be delivered in compliance with the percentages agreed on the principal/counselor agreement or as directed by the state. \(See TEMPECS II\)](#)

[Counselors will follow the ASCA \(American School Counseling Association\) domains:](#)

- [Academic](#)
- [Career](#)
- [Personal/Social](#)

Guidance services shall be coordinated with the regular instructional program so that they contribute to a unified educational program. Guidance services shall operate with central coordination and shall be a cooperative project of the entire professional staff. Teachers shall use opportunities in the classroom, in extracurricular activities, and in contacts with parents to achieve guidance objectives. Qualified counselors shall supervise the standardized testing program and provide personal, academic, and career guidance to students who need such services. [See FFE]

**CANUTILLO INDEPENDENT SCHOOL DISTRICT
OFFICE OF THE SUPERINTENDENT
POST OFFICE BOX 100
CANUTILLO, TEXAS**

Agenda Item: Revision to ED(LOCAL) Organization of Instruction (First reading)

Date: July 22, 2009

Subject: Revision to ED(LOCAL)

Presented By: Dr. Pauline Dow, Associate Superintendent Consent Agenda X

ACTION

1. BACKGROUND INFORMATION:

Proposed revision to the District schools organization.

2. SUPERINTENDENT RECOMMENDATION:

Recommend to approve revision to ED(LOCAL) to read as follows:

The District schools shall be organized for instruction as follows:

1. Elementary: Pre-K-5
2. Middle school: Grades 6-8
3. High school: Grades 9-12.

3. BOARD ACTION REQUESTED:

Move to approve revisions to ED(LOCAL) Organization of Instruction (First reading)

MOTION: _____ SECOND: _____

FOR: _____ AGAINST: _____

ORGANIZATION OF INSTRUCTION

The District schools shall be organized for instruction as follows:

1. Elementary: Pre-K-~~6~~5
2. Middle school: Grades ~~6~~7-8
3. High school: Grades 9-12.

**CANUTILLO INDEPENDENT SCHOOL DISTRICT
OFFICE OF THE SUPERINTENDENT
POST OFFICE BOX 100
CANUTILLO, TEXAS**

Agenda Item: Revision to BP(LOCAL) Administrative Regulations (First reading)

Date: July 22, 2009

Subject: Revision to BP(LOCAL)

Presented By: Dr. Pauline Dow, Associate Superintendent Consent Agenda X

ACTION

1. BACKGROUND INFORMATION:

Proposed revision to Availability section of BP(LOCAL).

2. SUPERINTENDENT RECOMMENDATION:

Recommend to approve revision to Availability section of BP(LOCAL) to read as follows:

All administrative regulations, including manuals, guides, handbooks, and forms, shall be kept up-to-date and shall be made accessible to staff and the public [on the District's website](#), and as required by the Public Information Chapter of the Government Code. [See GBA].

3. BOARD ACTION REQUESTED:

Move to approve revisions to BP(LOCAL) Administrative Regulations (First reading).

MOTION: _____ SECOND: _____

FOR: _____ AGAINST: _____

ADMINISTRATIVE REGULATIONS

DEVELOPMENT

The Superintendent and administrative staff shall be responsible for developing and enforcing procedures for the operation of the District. Procedures must be consistent with Board policy and law and shall be designed to promote the achievement of District goals and objectives.

These procedures shall constitute the administrative regulations of the District and shall consist of guides, handbooks, and forms, as well as other documents defining standard operating procedure and designated "Regulations."

All administrative regulations shall be under the direction of the Superintendent; variations from defined procedures shall be with the prior approval of the Superintendent. Administrative regulations are subject to Board review but shall not be adopted by the Board. In case of conflict between the administrative regulations and policy, policy shall prevail.

REVISION

Administrative regulations may be amended at any time by the Superintendent or designated staff, with the prior approval of the Superintendent.

OFFICIAL COPY

The official copy of all documents constituting administrative regulations shall be kept in the Superintendent's office, and the Superintendent or designee shall be responsible for their accuracy. If discrepancies occur among different copies of administrative regulations distributed throughout the District, the official copy shall be regarded as authoritative.

AVAILABILITY

All administrative regulations, including manuals, guides, handbooks, and forms, shall be kept up-to-date and shall be made accessible to staff and the public [on the District's website, and](#) as required by the Public Information Chapter of the Government Code. [See GBA]

**CANUTILLO INDEPENDENT SCHOOL DISTRICT
OFFICE OF THE SUPERINTENDENT**

Agenda Item: Revision to DEC(LOCAL) Compensation and Benefits: Leaves and Absences
(First reading)

Date: July 22, 2009

Subject: Revision to DEC(Local)

Presented By: Renée O'Donnell

ACTION

1. BACKGROUND INFORMATION:

Proposed revisions to DEC(LOCAL).

2. SUPERINTENDENT RECOMMENDATION:

Recommend to approve revisions to DEC(LOCAL), except page 16 which is under legal review.

3. BOARD ACTION REQUESTED:

Move to approve revisions to DEC(LOCAL) Leaves and Absences, except for page 16 which is under legal review (First reading).

MOTION: _____ SECOND: _____

FOR: _____ AGAINST: _____

DEC(LOCAL) Policy Development Worksheet

Compensation and Benefits: Leaves and Absences

Revised 5/19/09

Contact Information
District: Canutillo ISD
County-District number: 071907
Your name: Dr. Pauline Dow

The **Leaves and Absences Starting Points** incorporates changes from a number of new laws (discussed in the explanatory material accompanying this worksheet) along with editorial changes designed to make policy DEC(LOCAL) easier to read and use. Completing the worksheet that follows will help the district review and update its practices regarding leaves and absences.

Even if your district does not amend its existing practices regarding leaves and absences, it is crucial that you complete the worksheet so that your policy will reflect the changes in law.

Please Note: Because leave provisions are incorporated into employee contracts, TASB attorneys caution that a district should not reduce an employee's leave entitlement after the penalty-free resignation date (45 days before the first day of instruction). Please contact the district's attorney or TASB Legal Services if you have questions.

Completing the worksheet electronically

Your policy consultant will be able to process this policy change more quickly if you complete this worksheet in Word using the document provided online in the *Policy Service Resource Library* at http://www.tasb.org/services/policy/mytasb/starting_points/leave/.

Please be aware that the district's current DEC(LOCAL) policy will be replaced by new policy text based on your responses to this worksheet. You will need to paste into the worksheet or attach any provisions from your current DEC(LOCAL) policy you wish to retain.

Key Steps:

1. Please make certain you have completed the contact information at left.
2. Read carefully through the attached explanatory material that accompanies this document (also available online in the **Starting Points** section of the *Policy Service Resource Library*). Sections and blocks in the worksheet match corresponding labels in the explanatory text.
3. In the worksheet's left-hand column labeled **Make choices here**, type an "X" beside every statement that applies for each block of policy. If you have questions or extra comments, please type them below the heading labeled "District comments/questions."
4. In the right-hand column labeled **Make changes here**, you can fill in empty blanks, alter the default policy text, or paste locally crafted policy text where you think it ought to go. Word's "Track Changes" feature will annotate all of your edits. If you need help with Track Changes (to turn off the "balloons," for instance) Ctrl+click the following links for instructions in [Word 2007](#) and [Word 2003](#).
5. Before the board has adopted your new policy, e-mail the completed worksheet to your policy consultant or Policy.Service@TASB.org with the words "DEC Worksheet" in the subject line. Your policy consultant will prepare a draft of the new policy for you and your board of trustees to review and adopt.
6. Make plans to communicate the new policy to your staff and to adjust or develop administrative regulations or procedures, as needed, to align with this new policy. DEC is considered an employment policy that must be provided to contract employees.
7. Be sure to notify us of adoption at pol-support@tasb.org so we can update the district's *Policy On Line* and our records.

Call your policy consultant at 800-580-7529 or 512-467-0222 if you have any questions.

DEC(LOCAL) Policy Development Worksheet

Compensation and Benefits: Leaves and Absences

Revised 5/19/09

Completing the worksheet on paper

If completing the worksheet electronically and e-mailing it are not options for you, then please mark a hard copy of the worksheet clearly and mail the completed form to:

TASB Policy Service
P.O. Box 400
Austin, TX 78767-0400

Keep a copy for your records!

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This document is provided for educational purposes only and contains information to facilitate a general understanding of the law. It is not an exhaustive treatment of the law on this subject nor is it intended to substitute for the advice of an attorney. It is important for you to consult with the district's attorneys in order to apply these legal principles to specific fact situations.

Recommended Local Policy Provisions

Section I—Definitions and Administration	Make changes here
<p style="text-align: center;">Section I, block 1</p> <p><i>Indicate your choice by typing an “x” below:</i></p> <p>___ The text is acceptable as presented.</p> <p><u>X</u> The text needs the modifications shown at right.</p> <p><i>District comments/questions (type below):</i></p>	<p style="text-align: center;">Make changes here</p> <p>DEFINITIONS</p> <p>FAMILY</p> <p>The term “immediate family” is defined as:</p> <ol style="list-style-type: none"> 1. Spouse. 2. Son or daughter, including a biological, adopted, or foster child, a son- or daughter-in-law, a stepchild, a legal ward, or a child for whom the employee stands <i>in loco parentis</i>, <u>up to the age of 18 or if they have a disability as defined by the ADA.</u> 3. Parent, stepparent, parent-in-law, or other individual who stands <i>in loco parentis</i> to the employee. 4. Sibling, stepsibling, and sibling-in-law. 5. Grandparent and grandchild. 6. Any person residing in the employee’s household at the time of illness or death. <p>For purposes of the Family and Medical Leave Act (FMLA), the definitions of spouse, parent, son or daughter, and next of kin are found in DECA(LEGAL).</p> <p>FAMILY EMERGENCY</p> <p>The term “family emergency” shall be limited to disasters and life-threatening situations involving the employee or a member of the employee’s immediate family.</p> <p>WORKDAY</p> <p>A “workday” for purposes of earning, use, or recording shall mean the number of hours per day equivalent to the employee’s usual assignment, whether full-time or part-time.</p>

Recommended Local Policy Provisions

Section I—Definitions and Administration	Make changes here	Make changes here
<p>Section 1, block 2 (optional)</p> <p><i>Indicate your choice by typing an “x” below:</i></p> <p>___ Omit this text—the district does not use this provision.</p> <p><input checked="" type="checkbox"/> The text is acceptable as presented.</p> <p>___ The text needs the modifications shown at right.</p> <p><i>District comments/questions (type below):</i></p>	<p>DEFINITIONS, continued</p> <p>Optional paragraph:</p> <p>CATASTROPHIC ILLNESS OR INJURY</p> <p>A catastrophic illness or injury is a severe condition or combination of conditions affecting the mental or physical health of the employee or a member of the employee’s immediate family that requires the services of a licensed practitioner for a prolonged period of time and that forces the employee to exhaust all leave time earned by that employee and to lose compensation from the District. Complications resulting from pregnancy shall be treated the same as any other condition.</p>	
<p>Section I, block 3</p> <p><i>Indicate your choice by typing an “x” below:</i></p> <p><input checked="" type="checkbox"/> Alternative #1 is preferred.</p> <p><input checked="" type="checkbox"/> Alternative #2 is preferred.</p> <p>___ The text needs the modifications shown at right.</p> <p><i>District comments/questions (type below):</i></p>	<p>AVAILABILITY</p> <p>Alternative #1</p> <p>The District shall make paid leave for the current year available for use at the beginning of the school year.</p> <p>Alternative #2</p> <p>The District shall make state personal leave for the current year available for use at the beginning of the school year. Local leave shall be made available as earned.</p>	

Recommended Local Policy Provisions

Section I—Definitions and Administration	Make changes here	Make changes here
<p>Section I, block 4</p> <p><i>Indicate your choice by typing an “x” below:</i></p> <p><input checked="" type="checkbox"/> The text is acceptable as presented.</p> <p><input type="checkbox"/> The text needs the modifications shown at right.</p> <p><i>District comments/questions (type below):</i></p>	<p>AVAILABILITY, continued</p> <p>The District shall not approve paid leave for more workdays than have been accumulated in prior years plus those to be earned during the current year. Any absences beyond available paid leave shall result in deductions from the employee’s pay.</p>	
<p>Section I, block 5</p> <p><i>Indicate your choice by typing an “x” below:</i></p> <p><input checked="" type="checkbox"/> The text is acceptable as presented.</p> <p><input type="checkbox"/> The text needs the modifications shown at right.</p> <p><i>District comments/questions (type below):</i></p>	<p>EARNING LEAVE</p> <p>An employee shall not earn leave when he or she is in unpaid status.</p> <p>An employee using full or proportionate paid leave shall be considered to be in paid status.</p> <p>When an employee has used more leave than he or she has earned, the District shall deduct the cost of unearned leave days from the employee’s final paycheck for the year or from the last paycheck after the employee ceases to be employed by the District.</p>	

Recommended Local Policy Provisions

Section I—Definitions and Administration	Make changes here	Make changes here
<p>Section I, block 6</p> <p><i>Indicate your choice by typing an “x” below:</i></p> <p><input checked="" type="checkbox"/> Alternative #1 is preferred.</p> <p><input type="checkbox"/> Alternative #2 is preferred.</p> <p><input type="checkbox"/> Alternative #3 is preferred.</p> <p><input type="checkbox"/> The text needs the modifications shown at right.</p> <p>See also PAID OFFSET LEAVE on page 6 of the explanatory text and in Section VI, block 2 of this worksheet.</p> <p><i>District comments/questions (type below):</i></p>	<p>RECORDING</p> <p>Leave shall be recorded as follows:</p> <p>Alternative #1</p> <ol style="list-style-type: none"> 1. For positions for which a substitute is normally required, leave shall be recorded in half-day increments, even if a substitute is not employed. 2. For positions for which a substitute is not normally required, leave shall be recorded on an hourly basis. 3. If the employee is taking intermittent FMLA leave, leave shall be recorded in one-hour increments. 4. [for offsetting districts] If the employee chooses to offset leave against workers' compensation benefits, leave shall be recorded in the amount used. <p>Alternative #2</p> <ol style="list-style-type: none"> 1. Leave shall be recorded in half-day increments for all employees. 2. If the employee is taking intermittent FMLA leave, leave shall be recorded in one-hour increments. 3. [for offsetting districts] If the employee chooses to offset leave against workers' compensation benefits, leave shall be recorded in the amount used. <p>Alternative #3</p> <ol style="list-style-type: none"> 1. Leave shall be recorded in increments of one hour for all employees. 2. [for offsetting districts] If the employee chooses to offset leave against workers' compensation benefits, leave shall be recorded in the amount used. 	

Recommended Local Policy Provisions

Section I—Definitions and Administration	Make changes here	Make changes here
<p>Section I, block 7</p> <p><i>Indicate your choice by typing an “x” below:</i></p> <p><u> X </u> The text is acceptable as presented.</p> <p><u> </u> The text (or the list order) needs the modifications shown at right.</p> <p><i>District comments/questions (type below):</i></p>	<p>ORDER OF USE</p> <p>Earned compensatory time shall be used before any available paid state and local leave. [See DEA]</p> <p>Unless an employee requests a different order, available paid state and local leave shall be used in the following order, as applicable:</p> <ol style="list-style-type: none"> 1. Local leave. 2. State sick leave accumulated before the 1995–96 school year. 3. State personal leave. 	

Recommended Local Policy Provisions

Section I—Definitions and Administration	Make changes here	Make changes here
<p>Section I, block 8</p> <p><i>Indicate your choice by typing an “x” below:</i></p> <p><input checked="" type="checkbox"/> Alternative #1 is preferred.</p> <p><input type="checkbox"/> Alternative #2 is preferred.</p> <p><input type="checkbox"/> The text needs the modifications shown at right.</p> <p><i>District comments/questions (type below):</i></p>	<p>CONCURRENT USE OF LEAVE</p> <p>When an absent employee is eligible for FMLA leave, the District shall designate the absence as FMLA leave.</p> <p><i>Alternative #1</i></p> <p>The District shall require the employee to use temporary disability leave and paid leave, including compensatory time, concurrently with FMLA leave.</p> <p><i>Alternative #2</i></p> <p>Temporary disability leave shall apply after all paid leave and compensatory time is exhausted, and all shall run concurrently with FMLA leave.</p>	
<p>Section I, block 9</p> <p><i>Indicate your choice by typing an “x” below:</i></p> <p><input checked="" type="checkbox"/> The text is acceptable as presented.</p> <p><input type="checkbox"/> The text needs the modifications shown at right.</p> <p><i>District comments/questions (type below):</i></p>	<p>An employee receiving workers’ compensation income benefits may be eligible for paid or unpaid leave. An absence due to a work-related injury or illness shall be designated as FMLA leave, temporary disability leave, and/or assault leave, as applicable.</p>	

Recommended Local Policy Provisions

Section I—Definitions and Administration	Make changes here	Make changes here
<p>Section I, block 10</p> <p><i>Indicate your choice by typing an “x” below:</i></p> <p><u> X </u> The text is acceptable as presented (with the value for consecutive workdays provided at right).</p> <p><u> </u> The text needs the modifications shown at right, in addition to the value provided for consecutive workdays.</p> <p><i>District comments/questions (type below):</i></p>	<p>MEDICAL CERTIFICATION</p> <p>An employee shall submit medical certification of the need for leave if:</p> <ol style="list-style-type: none"> 1. The employee is absent more than 3 consecutive workdays because of personal illness or illness in the immediate family; 2. The District requires medical certification due to a questionable pattern of absences or when deemed necessary by the supervisor or Superintendent; 3. The employee requests FMLA leave for the employee’s serious health condition or that of a spouse, parent, or child; or 4. The employee requests FMLA leave for military caregiver purposes. <p>In each case, medical certification shall be made by a health-care provider as defined by the FMLA. [See DECA(LEGAL)]</p> <p>Note: For District contribution to employee insurance during leave, see CRD(LOCAL).</p>	

Recommended Local Policy Provisions

Section II—State Personal Leave	Make changes here	Make changes here
<p>Section II, block 1</p> <p><i>Indicate your choice by typing an “x” below:</i></p> <p><input checked="" type="checkbox"/> The text is acceptable as presented.</p> <p><input type="checkbox"/> The text needs the modifications shown at right.</p> <p><i>District comments/questions (type below):</i></p>	<p>STATE PERSONAL LEAVE</p> <p>For purposes of this section, each employee shall earn state personal leave up to the statutory maximum of five workdays annually at the rate established in administrative regulations.</p> <p>The Board requires employees to differentiate the manner in which state personal leave is used:</p> <p>NON-DISCRETIONARY USE</p> <p>Non-discretionary use of leave shall be for the same reasons and in the same manner as state sick leave accumulated before May 30, 1995. [See DEC(LEGAL)]</p>	<p>Optional paragraph:</p> <p>Non-discretionary use also includes leave for well-baby care within the first year after birth, adoption, or placement of a child.</p>
<p>Section II, block 2 (optional)</p> <p><i>Indicate your choice by typing an “x” below:</i></p> <p><input checked="" type="checkbox"/> Omit this text—the district does not use this provision.</p> <p><input type="checkbox"/> The text is acceptable as presented.</p> <p><input type="checkbox"/> The text needs the modifications shown at right.</p> <p><i>District comments/questions (type below):</i></p>		

Recommended Local Policy Provisions

Section II—State Personal Leave	Make changes here	Make changes here
<p>Section II, block 3</p> <p><i>Indicate your choice by typing an “x” below:</i></p> <p><input checked="" type="checkbox"/> The text is acceptable as presented.</p> <p><input type="checkbox"/> The text needs the modifications shown at right.</p> <p><i>District comments/questions (type below):</i></p>	<p>STATE PERSONAL LEAVE, continued</p> <p>DISCRETIONARY USE</p> <p>Discretionary use of leave is at the individual employee’s discretion, subject to limitations set out below.</p> <p>LIMITATIONS</p> <p>REQUEST FOR LEAVE</p> <p>The employee shall submit a written request for discretionary use of state personal leave to the immediate supervisor or designee in advance in accordance with administrative regulations. In deciding whether to approve or deny state personal leave, the supervisor or designee shall not seek or consider the reasons for which an employee requests to use leave. The supervisor or designee shall, however, consider the effect of the employee’s absence on the educational program or District operations, as well as the availability of substitutes.</p>	
<p>Section II, block 4 (optional)</p> <p><i>Indicate your choice by typing an “x” below:</i></p> <p><input type="checkbox"/> Omit this text—the district does not use this provision.</p> <p><input checked="" type="checkbox"/> The text is acceptable as presented (with the value for consecutive workdays provided at right).</p> <p><input type="checkbox"/> The text needs the modifications shown at right, in addition to the value provided for consecutive workdays.</p> <p><i>District comments/questions (type below):</i></p>	<p>Optional paragraph:</p> <p>DURATION OF LEAVE</p> <p>Discretionary use of state personal leave shall not exceed 3 consecutive workdays.</p>	

Recommended Local Policy Provisions

Section III—Local Leave	Make choices here	Make changes here
<p style="text-align: center;"><i>Place an "x" in the blank if the district does not provide local leave in addition to state personal leave, then skip forward to FAMILY AND MEDICAL LEAVE in Section IV below. (See page 4 of the explanatory text for more information.)</i></p>		
<p>Section III, block 1</p> <p><i>Indicate your choice by typing an "x" below:</i></p> <p><input checked="" type="checkbox"/> Alternative #A-1 is preferred.</p> <p><input type="checkbox"/> Alternative #A-2 is preferred.</p> <p><input type="checkbox"/> Alternative #A-3 is preferred.</p> <p><input type="checkbox"/> The text needs the modifications shown at right.</p> <p><i>District comments/questions (type below):</i></p>	<p style="text-align: center;">LOCAL LEAVE</p> <p><i>Alternative #A-1</i> All employees</p> <p><i>Alternative #A-2</i> Professional and paraprofessional employees shall earned local leave in accordance with administrative regulations as described below: 180-197 day work calendars earn 5.0 local leave 198-215 day work calendars earn 6.0 local leave. 216+ day work calendars earn 7.0 local leave.</p> <p><i>Alternative #A-3</i> Paraprofessional/auxiliary employees</p>	
<p>Section III, block 2</p> <p><i>Indicate your choice by typing an "x" below:</i></p> <p><input checked="" type="checkbox"/> The text is acceptable as presented (with the number of workdays of local leave provided at right).</p> <p><input type="checkbox"/> The text needs the modifications shown at right, in addition to the number of workdays of local leave</p>	<p>shall earn 5 workdays of paid local leave per school year in accordance with administrative regulations.</p> <p><u>180-197 day work calendars earn 5.0 local leave</u></p> <p><u>198-215 day work calendars earn 6.0 local leave.</u></p> <p><u>216+ day work calendars earn 7.0 local leave.</u></p>	

Recommended Local Policy Provisions

Section III—Local Leave	
Make choices here	Make changes here
<p>provided.</p> <p><i>District comments/questions (type below):</i></p>	

Recommended Local Policy Provisions

Section III—Local Leave	Make changes here	Make changes here
<p>Section III, block 3</p> <p><i>Indicate your choice by typing an “x” below:</i></p> <p>___ Alternative #B-1 is preferred.</p> <p>___ Alternative #B-2 is preferred (with the number of workdays provided at right).</p> <p><u>X</u> Alternative #B-3 is preferred.</p> <p>___ The text needs the modifications shown at right.</p> <p><i>District comments/questions (type below):</i></p>	<p>LOCAL LEAVE, continued</p> <p><i>Alternative #B-1</i></p> <p>Local leave shall be noncumulative.</p> <p><i>Alternative #B-2</i></p> <p>Local leave shall accumulate to a maximum of workdays.</p> <p><i>Alternative #B-3</i></p> <p>Local leave shall accumulate without limit.</p>	
<p>Section III, block 4</p> <p><i>Indicate your choice by typing an “x” below:</i></p> <p>___ Alternative #C-1 is preferred.</p> <p><u>X</u> Alternative #C-2 is preferred.</p> <p>___ The text needs the modifications shown at right.</p> <p><i>District comments/questions (type below):</i></p>	<p><i>Alternative #C-1</i></p> <p>Local leave shall be used according to the terms and conditions of state sick leave accumulated before the 1995–96 school year. [See DEC(LEGAL)]</p> <p><i>Alternative #C-2</i></p> <p>Local leave shall be used according to the terms and conditions of state personal leave. [See STATE PERSONAL LEAVE, above]</p>	
<p>Please note: <i>If the district has an extended sick leave program, a sick leave pool, or a sick leave bank, your policy consultant will insert those provisions here in the district’s policy. To ensure that your consultant has the correct text, please complete the appropriate Supplemental Local Policy Provisions located at the end of this worksheet.</i></p>		

Recommended Local Policy Provisions

Section IV—Family and Medical Leave	Make changes here
<p>Make choices here</p> <p>Place an "X" in the blank if the district has fewer than 50 employees and does not extend FMLA benefits to employees, then skip forward to TEMPORARY DISABILITY LEAVE in Section V below. (See page 5 of the explanatory text for more information.)</p>	
<p>Section IV, block 1</p> <p><i>Indicate your choice by typing an "x" below:</i></p> <p><input type="checkbox"/> Alternative #1 is preferred.</p> <p><input type="checkbox"/> Alternative #2 is preferred.</p> <p><input type="checkbox"/> Alternative #3 is preferred.</p> <p><input type="checkbox"/> Alternative #4 is preferred.</p> <p><input checked="" type="checkbox"/> Alternative #5 is preferred.</p> <p><input type="checkbox"/> The text needs the modifications shown at right.</p> <p><i>District comments/questions (type below):</i></p>	<p>FAMILY AND MEDICAL LEAVE</p> <p>TWELVE-MONTH PERIOD</p> <p>For purposes of an employee's entitlement to FMLA, the 12-month period shall</p> <p><i>Alternative #1</i> begin on the first duty day of the school year.</p> <p><i>Alternative #2</i> be July 1 through June 30.</p> <p><i>Alternative #3</i> be the calendar year.</p> <p><i>Alternative #4</i> be measured backward from the date an employee uses FMLA leave.</p> <p><i>Alternative #5</i> be measured forward from the date an individual employee's first FMLA leave begins.</p>

Recommended Local Policy Provisions

Section IV—Family and Medical Leave	Make changes here
<p align="center">Make choices here</p> <p>Section IV, block 2</p> <p><i>Indicate your choice by typing an “x” below:</i></p> <p><input checked="" type="checkbox"/> Alternative #1 is preferred.</p> <p><input type="checkbox"/> Alternative #2 is preferred.</p> <p><input type="checkbox"/> The text needs the modifications shown at right.</p> <p><i>District comments/questions (type below):</i></p>	<p align="center">Make changes here</p> <p>FAMILY AND MEDICAL LEAVE, continued</p> <p>COMBINED LEAVE FOR SPOUSES</p> <p><i>Alternative #1</i></p> <p>If both spouses are employed by the District, the District shall limit FMLA leave for the birth, adoption, or placement of a child, or to care for a parent with a serious health condition, to a combined total of 12 weeks. The District shall limit military caregiver leave to a combined total of 26 weeks. [See DECA(LEGAL)]</p> <p><i>Alternative #2</i></p> <p>If both spouses are employed by the District, the District shall not limit FMLA leave for the birth, adoption, or placement of a child, or to care for a parent with a serious health condition, to a combined total of 12 weeks, nor shall the District limit military caregiver leave to a combined total of 26 weeks. [See DECA(LEGAL)]</p>

Recommended Local Policy Provisions

Section IV—Family and Medical Leave	Make changes here
<p align="center">Make choices here</p> <p>Section IV, block 3</p> <p><i>Indicate your choice by typing an “x” below:</i></p> <p><input checked="" type="checkbox"/> Alternative #1 is preferred.</p> <p><input type="checkbox"/> Alternative #2 is preferred.</p> <p><input type="checkbox"/> The text needs the modifications shown at right.</p> <p><i>District comments/questions (type below):</i></p>	<p align="center">Make changes here</p> <p>FAMILY AND MEDICAL LEAVE, continued</p> <p>INTERMITTENT OR REDUCED SCHEDULE LEAVE</p> <p><i>Alternative #1</i></p> <p>The District shall not permit use of intermittent or reduced schedule FMLA leave for the care of a newborn child or for the adoption or placement of a child with the employee. [See DECA(LEGAL) for use of intermittent or reduced schedule leave due to a medical necessity.]</p> <p><i>Alternative #2</i></p> <p>The District shall permit use of intermittent or reduced schedule FMLA leave for the care of a newborn child or for the adoption or placement of a child with the employee. [See DECA(LEGAL) for use of intermittent or reduced schedule leave due to a medical necessity.]</p>

Recommended Local Policy Provisions

Section IV—Family and Medical Leave	Make changes here
<p align="center">Make choices here</p> <p>Section IV, block 4</p> <p><i>Indicate your choice by typing an “x” below:</i></p> <p><u> X </u> The text is acceptable as presented.</p> <p><u> </u> The text needs the modifications shown at right.</p> <p><i>District comments/questions (type below):</i></p>	<p align="center">Make changes here</p> <p>FAMILY AND MEDICAL LEAVE, continued</p> <p>CERTIFICATION OF LEAVE</p> <p>If an employee requests leave, the employee shall provide certification, as required by FMLA regulations, of the need for leave. [See DECA(LEGAL)]</p> <p>FITNESS-FOR-DUTY CERTIFICATION</p> <p>If an employee takes FMLA leave due to the employee’s own serious health condition, the employee shall provide, before resuming work, a fitness-for-duty certification. If the District will require certification of the employee’s ability to perform essential job functions, the District shall provide a list of essential job functions to the employee with the FMLA designation notice.</p> <p>END OF SEMESTER LEAVE</p> <p>If a teacher takes leave near the end of the semester, the District may require the teacher to continue leave until the end of the semester. [See DECA(LEGAL), LEAVE AT THE END OF A SEMESTER]</p> <p>FAILURE TO RETURN</p> <p>If, at the expiration of FMLA leave, the employee is able to return to work but chooses not to do so, the District may require reimbursement of premiums paid by the District during the leave. [See DECA(LEGAL), RECOVERY OF BENEFIT COST]</p>

Recommended Local Policy Provisions

Section V—Temporary Disability Leave	
Make choices here	Make changes here
<p>Section V, block 1</p> <p><i>Indicate your choice by typing an "x" below:</i></p> <p><input checked="" type="checkbox"/> The text is acceptable as presented.</p> <p><input type="checkbox"/> The text needs the modifications shown at right.</p> <p><i>District comments/questions (type below):</i></p>	<p>TEMPORARY DISABILITY LEAVE</p> <p>Any full-time employee whose position requires educator certification by the State Board for Educator Certification or by the District shall be eligible for temporary disability leave. The maximum length of temporary disability leave shall be 180 calendar days. [See DBB(LOCAL) for temporary disability leave placement and DEC(LEGAL) for reinstatement.]</p> <p>An employee's notification of need for extended absence due to the employee's own medical condition shall be forwarded to the Superintendent or designee as a request for temporary disability leave.</p>

Recommended Local Policy Provisions

Section VI—Workers' Compensation	Make changes here
<p align="center">Section VI, block 1</p> <p><i>Indicate your choice by typing an "x" below:</i></p> <p><input checked="" type="checkbox"/> The text is acceptable as presented.</p> <p><input type="checkbox"/> The text needs the modifications shown at right.</p> <p><i>District comments/questions (type below):</i></p>	<p align="center">Make changes here</p> <p>Note: Workers' compensation is not a form of leave. The workers' compensation law does not require the continuation of the District's contribution to health insurance. [See CRD(LOCAL) regarding payment of insurance contribution during employee absences.]</p> <p>WORKERS' COMPENSATION</p> <p>An absence due to a work-related injury or illness shall be designated as FMLA leave, temporary disability leave, and/or assault leave, as applicable.</p>
<p align="center">Section VI, block 2</p> <p><i>Indicate your choice by typing an "x" below:</i></p> <p><input type="checkbox"/> Alternative #1 is preferred.</p> <p><input checked="" type="checkbox"/> Alternative #2 is preferred.</p> <p><input type="checkbox"/> The text needs the modifications shown at right.</p> <p><i>District comments/questions (type below):</i></p>	<p><i>Alternative #1</i></p> <p>An employee eligible for workers' compensation income benefits, and not on assault leave, may elect in writing to use paid leave.</p> <p><i>Alternative #2</i></p> <p>PAID LEAVE OFFSET</p> <p>An employee eligible for workers' compensation income benefits, and not on assault leave, may elect in writing to use available partial-day increments of paid leave to make up the difference between the employee's income benefits and the pre-injury wage. [See CRE]</p>

Recommended Local Policy Provisions

Section VII—Miscellaneous	
Make choices here	Make changes here
<p>Section VII, block 1</p> <p><i>Indicate your choice by typing an “x” below:</i></p> <p><input checked="" type="checkbox"/> The text is acceptable as presented.</p> <p><input type="checkbox"/> The text needs the modifications shown at right.</p> <p><i>District comments/questions (type below):</i></p> <p><i>Please note: If the district has an annual reimbursement of leave program or reimburses leave upon separation of employment, your policy consultant will insert those provisions here in the district’s policy. To ensure that your consultant has the correct text, please complete the appropriate Supplemental Local Policy Provisions located at the end of this worksheet.</i></p>	<p>COURT APPEARANCES</p> <p>Absences due to compliance with a valid subpoena or for jury duty shall be fully compensated by the District and shall not be deducted from the employee’s pay or leave balance.</p>

Supplemental Local Policy Provisions

Along with the policy text above, we have developed a supplemental worksheet of optional provisions pertaining to extended sick leave, sick leave pools, sick leave banks, annual reimbursement of leave, and reimbursement of leave upon separation. These provisions will not be appropriate for every district. Since many districts use one or more of these concepts, however, the enclosed samples may serve as the basis for policy text. Please consider these provisions carefully, complete only the portions of this worksheet that are applicable to your district, and review the provisions with the district's attorney.

Section VIII—Extended Sick Leave (Optional)	Make changes here
<p><u> X </u> Place an X in the blank if the district does not currently offer or wish to adopt an extended sick leave program, then please skip forward to the next section of the worksheet.</p>	
<p>Section VIII, block 1</p> <p>Which group of employees would be eligible for extended sick leave?</p> <p>Indicate your choice by typing an “x” below:</p> <p>___ Alternative #1 is preferred.</p> <p>___ Alternative #2 is preferred.</p> <p>___ Alternative #3 is preferred.</p> <p>___ The text needs the modifications shown at right.</p> <p>District comments/questions (type below):</p>	<p>EXTENDED SICK LEAVE</p> <p>After all available state and local leave days have been exhausted,</p> <hr/> <p><i>Alternative #A-1</i> an employee</p> <hr/> <p><i>Alternative #A-2</i> a full-time employee</p> <hr/> <p><i>Alternative #A-3</i> a professional employee</p> <hr/>

Section VIII—Extended Sick Leave (Optional)	Make changes here
<p>Section VIII, block 2 <i>(Please fill in the blank at right with the maximum number of workdays.)</i></p> <p><i>For what purposes can extended sick leave be used?</i></p> <p><i>Indicate your choice by typing an “x” below:</i></p> <p>___ Alternative #B-1 is preferred.</p> <p>___ Alternative #B-2 is preferred.</p> <p>___ Alternative #B-3 is preferred.</p> <p>___ X Alternative #B-4 is preferred.</p> <p>___ The text needs the modifications shown at right.</p> <p><i>District comments/questions (type below):</i></p>	<p>Make changes here</p> <p>EXTENDED SICK LEAVE, continued</p> <p>shall be granted in a school year a maximum of workdays of extended sick leave to be used</p> <p><i>Alternative #B-1</i> only for the employee’s own personal illness or injury, including pregnancy-related illness or injury.</p> <p><i>Alternative #B-2</i> only for the employee’s own catastrophic illness or injury, including pregnancy-related illness or injury.</p> <p><i>Alternative #B-3</i> for the employee’s personal illness or injury, including pregnancy-related illness or injury, or for absences related to the illness or injury of a member of the employee’s immediate family.</p> <p><i>Alternative #B-4</i> for the employee’s catastrophic illness or injury, including pregnancy-related illness or injury, or for absences related to the catastrophic illness or injury of a member of the employee’s immediate family.</p>

Section VIII—Extended Sick Leave (Optional)	Make changes here
<p>Section VIII, block 3</p> <p><i>Choose one or both of the following <u>only</u> if the district wishes to restrict or delay eligibility for extended sick leave.</i></p> <p><i>Indicate your choice by typing an “x” below:</i></p> <p>___ Omit this text—the district does not use either restriction.</p> <p>___ Alternative #C-1, with the number of workdays filled in at right.</p> <p>___ Alternative #C-2, with the number of workdays filled in at right.</p> <p>___ Alternatives #C-1 and #C-2, with the numbers of workdays filled in at right.</p> <p>___ The text needs the modifications shown at right.</p> <p><i>District comments/questions (type below):</i></p>	<p>Make changes here</p> <p>EXTENDED SICK LEAVE, continued</p> <p>To be eligible for extended sick leave, the employee shall have been absent at least</p> <p><i>Alternative #C-1</i></p> <p>___ consecutive workdays.</p> <p><i>Alternative #C-2</i></p> <p>___ workdays without pay.</p>
<p>Section VIII, block 4</p> <p><i>Indicate your choice by typing an “x” below:</i></p> <p>___ The text is acceptable as presented.</p> <p>___ The text needs the modifications shown at right.</p> <p><i>District comments/questions (type below):</i></p>	<p>A written request for extended sick leave must be accompanied by medical certification of the illness or injury.</p>

Section VIII—Extended Sick Leave (Optional)	Make changes here
<p data-bbox="272 1627 305 1906">Section VIII, block 5</p> <p data-bbox="326 1171 391 1906"><i>What amount will be deducted from the employee's pay for each day of extended sick leave taken?</i></p> <p data-bbox="412 1325 444 1906"><i>Indicate your choice by typing an "x" below:</i></p> <p data-bbox="466 1472 498 1906">___ Alternative #D-1 is preferred.</p> <p data-bbox="519 1472 552 1906">___ Alternative #D-2 is preferred.</p> <p data-bbox="573 1472 605 1906">___ Alternative #D-3 is preferred.</p> <p data-bbox="626 1451 659 1906"><input checked="" type="checkbox"/> Alternative #D-4 is preferred.</p> <p data-bbox="680 1241 712 1906">___ The text needs the modifications shown at right.</p> <p data-bbox="773 1346 805 1906"><i>District comments/questions (type below):</i></p>	<p data-bbox="277 674 310 1136">EXTENDED SICK LEAVE, continued</p> <p data-bbox="342 915 375 1136"><i>Alternative #D-1</i></p> <p data-bbox="396 212 493 1136">The average daily rate of pay of a substitute for the employee's position shall be deducted for each day of extended sick leave taken, whether or not a substitute is employed.</p> <p data-bbox="537 915 570 1136"><i>Alternative #D-2</i></p> <p data-bbox="591 212 786 1136">For professional employees, the average daily rate of pay of a substitute shall be deducted for each day of extended sick leave taken, whether or not a substitute is employed. For employees other than professionals, an amount equal to one-third the individual employee's daily rate of pay shall be deducted for each day of extended sick leave taken.</p> <p data-bbox="829 915 862 1136"><i>Alternative #D-3</i></p> <p data-bbox="883 212 1013 1136">The average daily rate of pay of a substitute (or a proportionate amount established by the Board by personnel classification) shall be deducted for each day of extended sick leave taken, whether or not a substitute is employed.</p> <p data-bbox="1057 915 1089 1136"><i>Alternative #D-4</i></p> <p data-bbox="1110 432 1143 1136">Extended sick leave shall be taken with no loss in pay.</p>

Supplemental Local Policy Provisions

Section IX—Sick Leave Pool (Optional)	Make changes here
<p>Make changes here</p> <p>Place an X in the blank if the district does not currently use or wish to adopt a sick leave pool program, then please skip forward to the next section of the worksheet.</p>	
<p>Section IX, block 1</p> <p><i>Is the pool available only for an employee's illness or for the illness of a family member as well?</i></p> <p><i>Indicate your choice by typing an "x" below:</i></p> <p><input checked="" type="checkbox"/> Alternative #A-1 is preferred.</p> <p><input type="checkbox"/> Alternative #A-2 is preferred.</p> <p><input type="checkbox"/> The text needs the modifications shown at right.</p> <p><i>District comments/questions (type below):</i></p>	<p>SICK LEAVE POOL</p> <p>An employee who has exhausted all paid leave and</p> <hr/> <p><i>Alternative #A-1</i></p> <p>who suffers from a catastrophic illness or injury</p> <hr/> <p><i>Alternative #A-2</i></p> <p>who suffers from a catastrophic illness or injury or is absent due to the catastrophic illness or injury of a member of the employee's immediate family</p> <hr/>
<p>Section IX, block 2</p> <p><i>Which type of leave may be donated to the pool?</i></p> <p><i>Indicate your choice by typing an "x" below:</i></p> <p><input type="checkbox"/> Alternative #B-1 is preferred.</p> <p><input type="checkbox"/> Alternative #B-2 is preferred.</p> <p><input checked="" type="checkbox"/> Alternative #B-3 is preferred.</p> <p><input type="checkbox"/> The text needs the modifications shown at right.</p> <p><i>District comments/questions (type below):</i></p>	<p>may request the establishment of a sick leave pool, to which District employees may donate</p> <hr/> <p><i>Alternative #B-1</i></p> <p>only local leave</p> <hr/> <p><i>Alternative #B-2</i></p> <p>only state personal leave</p> <hr/> <p><i>Alternative #B-3</i></p> <p>local leave or state personal leave</p> <hr/>

Supplemental Local Policy Provisions

Section IX—Sick Leave Pool (Optional)	Make changes here	Make changes here
<p>Section IX, block 3</p> <p><i>Indicate your choice by typing an “x” below:</i></p> <p><input checked="" type="checkbox"/> The text is acceptable as presented.</p> <p><input type="checkbox"/> The text needs the modifications shown at right.</p> <p><i>District comments/questions (type below):</i></p>	<p>SICK LEAVE POOL, continued</p> <p>for use by the eligible employee. If the employee is unable to submit the request, a member of the employee’s family or the employee’s supervisor may submit the request to establish a sick leave pool.</p> <p>The pool shall cease to exist when the employee no longer needs leave for the purpose requested, uses the maximum number of days allowed under a pool, or exhausts all leave days donated to the sick leave pool.</p> <p>The Superintendent or designee shall develop regulations for the implementation of the sick leave pool that address the following:</p> <ol style="list-style-type: none"> 1. Procedures to request the establishment of a sick leave pool; 2. The maximum number of days an employee may donate to a sick leave pool; 3. The maximum number of days per school year an eligible employee may receive from a sick leave pool; and 4. The return of unused days to donors. 	
<p>Section IX, block 4</p> <p><i>Indicate your choice by typing an “x” below:</i></p> <p><input checked="" type="checkbox"/> The text is acceptable as presented.</p> <p><input type="checkbox"/> The text needs the modifications shown at right.</p> <p><i>District comments/questions (type below):</i></p>	<p>APPEAL</p> <p>All decisions regarding the establishment or implementation of the District’s sick leave pool may be appealed in accordance with DGBA(LOCAL), beginning with the Superintendent or designee.</p>	

Supplemental Local Policy Provisions

Section X—Sick Leave Bank (Optional)	Make changes here
<p>Make changes here</p> <p><i>X</i> Place an X in the blank if the district does not currently use or wish to adopt a sick leave bank program, then please skip forward to the next section of the worksheet.</p>	
<p>Section X, block 1</p> <p>Which type of leave may be contributed to the bank?</p> <p>Indicate your choice by typing an “x” below:</p> <p>___ Alternative #A-1 is preferred.</p> <p>___ Alternative #A-2 is preferred.</p> <p>___ Alternative #A-3 is preferred.</p> <p>___ The text needs the modifications shown at right.</p> <p>District comments/questions (type below):</p>	<p>SICK LEAVE BANK</p> <p>The District shall establish a sick leave bank that employees may join through contribution of</p> <p>Alternative #A-1 local leave.</p> <p>Alternative #A-2 state personal leave.</p> <p>Alternative #A-3 local leave or state personal leave.</p>
<p>Section X, block 2</p> <p>Can leave be requested only for an employee’s illness or for the illness of a family member as well?</p> <p>Indicate your choice by typing an “x” below:</p> <p>___ Alternative #B-1 is preferred.</p> <p>___ Alternative #B-2 is preferred.</p> <p>___ The text needs the modifications shown at right.</p> <p>District comments/questions (type below):</p>	<p>Leave contributed to the bank shall be solely for the use of participating employees. An employee who is a member of the bank may request leave from the bank if</p> <p>Alternative #B-1 the employee experiences a catastrophic illness or injury and has exhausted all paid leave.</p> <p>Alternative #B-2 the employee or a member of the employee’s immediate family experiences a catastrophic illness or injury and the employee has exhausted all paid leave.</p>

Supplemental Local Policy Provisions

Section X—Sick Leave Bank (Optional)	Make changes here	Make changes here
<p>Section X, block 3</p> <p><i>Indicate your choice by typing an “x” below:</i></p> <p>_____ The text is acceptable as presented.</p> <p>_____ The text needs the modifications shown at right.</p> <p><i>District comments/questions (type below):</i></p>	<p>SICK LEAVE BANK, continued</p> <p>If the employee is unable to request leave from the sick leave bank, a member of the employee’s family or the employee’s supervisor may submit the request.</p> <p>The Superintendent or designee shall develop regulations for the operation of the sick leave bank that address the following:</p> <ol style="list-style-type: none"> 1. Membership in the sick leave bank, including the number of days an employee must donate to become a member; 2. Procedures to request leave from the sick leave bank; 3. The maximum number of days per school year a member employee may receive from the sick leave bank; 4. The committee or administrator authorized to consider requests for leave from the sick leave bank and criteria for granting requests; 5. Other procedures deemed necessary for the operation of the sick leave bank. 	
<p>Section X, block 4</p> <p><i>Indicate your choice by typing an “x” below:</i></p> <p>_____ The text is acceptable as presented.</p> <p>_____ The text needs the modifications shown at right.</p> <p><i>District comments/questions (type below):</i></p>	<p>APPEAL</p> <p>All decisions regarding the sick leave bank may be appealed in accordance with DGBA(LOCAL), beginning with the Superintendent or designee.</p>	

Supplemental Local Policy Provisions

Section XI—Annual Reimbursement of Leave (Optional)	Make changes here
Make choices here	Make changes here
<p><u> X </u> Place an X in the blank if the district does not currently reimburse leave on an annual basis or wish to adopt an annual reimbursement program, then please skip forward to the next section of the worksheet.</p>	
<p>Section XI, block 1</p> <p>Which group of employees would be eligible for an annual reimbursement of leave?</p> <p>Indicate your choice by typing an “x” below:</p> <p>___ Alternative #A-1 is preferred.</p> <p>___ Alternative #A-2 is preferred.</p> <p>___ Alternative #A-3 is preferred.</p> <p>X ___ The text needs the modifications shown at right.</p> <p><i>District comments/questions (type below):</i></p>	<p style="text-align: center;">ANNUAL REIMBURSEMENT OF LEAVE</p> <p><i>Alternative #A-1</i></p> <p style="color: red;">All employees All teachers and food service employees.</p> <hr/> <p><i>Alternative #A-2</i></p> <p>All full-time employees</p> <hr/> <p><i>Alternative #A-3</i></p> <p>All professional employees</p> <hr/>

Supplemental Local Policy Provisions

Section XI—Annual Reimbursement of Leave (Optional)	Make changes here	Make changes here
<p>Section XI, block 2</p> <p><i>Will the district automatically make annual reimbursement to all eligible employees or will the district reimburse leave only if the employee requests reimbursement?</i></p> <p><i>Indicate your choice by typing an “x” below:</i></p> <p>___ Alternative #B-1 is preferred (with the value for maximum reimbursement of unused leave provided at right).</p> <p>___ Alternative #B-2 is preferred (with the value for maximum reimbursement of unused leave provided at right).</p> <p>___ The text needs the modifications shown at right, in addition to the value provided for maximum reimbursement of leave.</p> <p>What type of leave does the district reimburse?</p> <p>___ state</p> <p>___ local</p> <p>___ state and local</p> <p>District comments/questions (type below):</p>	<p>ANNUAL REIMBURSEMENT OF LEAVE, continued</p> <p><i>Alternative #B-1</i></p> <p>shall receive an annual reimbursement of unused [state/local] leave to a maximum of [] days per school year.</p> <p><i>Alternative #B-2</i></p> <p>may request annual reimbursement of unused [state/local] leave to a maximum of [] days per school year.</p> <p>An employee who wishes to receive reimbursement for unused leave must submit his or her written request in accordance with administrative procedures.</p>	

Supplemental Local Policy Provisions

Section XI—Annual Reimbursement of Leave (Optional)	
Make choices here	Make changes here
<p>Section XI, block 3</p> <p><i>Indicate your choice by typing an "x" below:</i></p> <p>___ The text is acceptable as presented.</p> <p>___ The text needs the modifications shown at right.</p> <p><i>District comments/questions (type below):</i></p>	<p>ANNUAL REIMBURSEMENT OF LEAVE, continued</p> <p>Leave shall be reimbursed at a rate established by the Board. Days that are reimbursed shall not be available to that employee for use in the District.</p> <p>The rate established by the Board shall be in effect until a new rate is adopted. Any changes to the rate shall apply beginning with the school year following the adoption of the rate change.</p>

Supplemental Local Policy Provisions

Section XII—Reimbursement of Leave Upon Separation (Optional)	Make changes here	Make changes here
<p>_____ Place an X in the blank if the district does not currently reimburse leave upon separation or wish to adopt such a program, then please skip forward to the next section of the worksheet.</p>		
<p>Section XII, block 1</p> <p>Indicate your choice by typing an “x” below:</p> <p>_____ The text is acceptable as presented.</p> <p><input checked="" type="checkbox"/> The text needs the modifications shown at right.</p> <p>What type of leave does the district reimburse? (Note: This choice will apply throughout this section of the worksheet.)</p> <p>_____ state</p> <p><input checked="" type="checkbox"/> local</p> <p>_____ state and local</p> <p>District comments/questions (type below):</p>		<p>REIMBURSEMENT OF LEAVE UPON SEPARATION</p> <p>The following leave provisions shall apply to [state/local] leave earned beginning on the original effective date of this program.</p> <p>An employee who separates from employment with the District shall be eligible for reimbursement of [state/local] leave under the following conditions:</p> <ul style="list-style-type: none"> • The employee’s separation from employment is voluntary, i.e., the employee is retiring or resigning and is not being discharged or nonrenewed. • The employee provides advance written notice of intent to separate from employment. Contract employees must provide written notice at least 90 days before the last day of employment. Non-contract employees must provide written notice at least two weeks before the last day of employment.

Supplemental Local Policy Provisions

Section XII—Reimbursement of Leave Upon Separation (Optional)	Make changes here
<p style="text-align: center;">Section XII, block 2</p> <p><i>Indicate your choice by typing an “x” below:</i></p> <p><input checked="" type="checkbox"/> Requirement #1 (with the value for years of service provided at right)</p> <p><input type="checkbox"/> Requirement #2 (with the value for days of available state/local leave provided at right)</p> <p><input type="checkbox"/> Requirements #1 and #2 (with corresponding values provided at right)</p> <p><input type="checkbox"/> The text needs the modifications shown at right, in addition to the values provided for years of service and/or days of available leave.</p> <p><i>District comments/questions (type below):</i></p>	<p style="text-align: center;">REIMBURSEMENT OF LEAVE UPON SEPARATION, continued</p> <p><i>Requirement #1</i></p> <ul style="list-style-type: none"> • The employee has at least 6 years of service with the District. <p><i>Requirement #2</i></p> <ul style="list-style-type: none"> • The employee has at least days of available [state/local] leave.

Supplemental Local Policy Provisions

Section XII—Reimbursement of Leave Upon Separation (Optional)	Make changes here
Section XII, block 3 <i>Indicate your choice by typing an “x” below:</i> X ___ The text is acceptable as presented (with the value for maximum number of days of reimbursement provided at right). ___ The text needs the modifications shown at right, in addition to the value provided for the maximum number of days of reimbursement.	REIMBURSEMENT OF LEAVE UPON SEPARATION, continued The employee shall be reimbursed for each day of [state/local] leave, to a maximum of 30 days, at a rate established by the Board. If the employee is reemployed with the District, days for which the employee received payment shall not be available to that employee. The rate established by the Board shall be in effect until the Board adopts a new rate. Any changes to the rate shall apply beginning with the school year following the adoption of the rate change.
<i>District comments/questions (type below):</i>	

Supplemental Local Policy Provisions

Section XIII—Neutral Absence Control Policy (Optional)	
Make choices here	Make changes here
<p><u> X </u> Place an X in the blank if the district does not currently use or wish to adopt a neutral absence control policy. (For more information see page 8 of the explanatory text.)</p>	
<p>Section XIII, block 1 <i>If your district has a policy of Neutral Absence Control, please paste a copy of your policy text into the worksheet.</i></p> <p><i>District comments/questions (type below):</i></p>	<p>NEUTRAL ABSENCE CONTROL POLICY [If the district has a Neutral Absence Control policy, paste text here.]</p>

**CANUTILLO INDEPENDENT SCHOOL DISTRICT
OFFICE OF THE SUPERINTENDENT**

Agenda Item: Revision to DEA(Local) Compensation and Benefits: Salaries, Wages and Stipends (First reading)

Date: July 22, 2009

Subject: Revision to DEA(Local)

Presented By: Renée O'Donnell

ACTION

1. BACKGROUND INFORMATION:

Proposed revision to DEA(Local)

2. SUPERINTENDENT RECOMMENDATION:

Recommend to approve revision to Disaster Pay section of DEA(LOCAL) to read as follows:

The emergency closing of schools during a disaster for any cause shall be at the discretion of the Superintendent. During an emergency closing, all nonexempt employees shall continue to be paid for their regular duty schedule regardless of whether the employee is required to report to work.

Non exempt employees who are required to work during an emergency closing shall be paid at the rate of one and a half times their regular rate of pay for all hours worked up to 40 hours per week. Overtime for time worked over 40 hours in a week shall be calculated and paid according to law. The Superintendent or designee shall approve payments and ensure that accurate time records are kept of actual hours worked during emergency closings.

3. BOARD ACTION REQUESTED:

Move to approve revisions to DEA(LOCAL) Compensation and Benefits: Salaries and Wages (First reading).

MOTION: _____ SECOND: _____

FOR: _____ AGAINST: _____

COMPENSATION AND BENEFITS
SALARIES AND WAGES

DEA
(LOCAL)

The Superintendent shall recommend to the Board for approval compensation plans for all District employees. Compensation plans may include wage and salary structures, stipends, benefits, and incentives.

Compensation plans shall be designed and administered for the purpose of attracting and retaining qualified employees to achieve District goals.

PAY SYSTEMS
DESCRIPTION

The Superintendent shall assign positions to pay ranges that define the minimum and maximum base pay for the positions.

All employees shall be paid within the assigned pay ranges unless exceptions are granted by the Board.

The system shall be designed and administered to accomplish the following:

1. Stay competitive with appropriate labor markets for the various categories of personnel.
2. Recognize the levels of skill, effort, and responsibility required of different jobs.
3. Be fiscally controlled and cost effective.

A copy of the District's pay system shall be available in the administrative offices.

PAY RANGES

Pay ranges for each pay grade shall establish minimum and maximum rates of pay within the range. All pay ranges shall be established by monthly, daily, or hourly base rates to promote consistent treatment of employees who have different work periods. Employees shall be paid within the range of rates established for the position assigned.

The Superintendent shall review pay ranges on an annual basis and recommend adjustments consistent with economic and job market indicators.

PAY ADVANCEMENT

Pay ranges shall be structured to allow the opportunity to increase employee pay within the range for continued service to the District. The Superintendent shall make recommendations regarding employee increases on an annual basis. Recommendations shall be based on consideration of such factors as cost of living indexes, wage increases within competitive job markets, and budget resources. No employee with less than a satisfactory performance evaluation will receive a pay increase.

PAY BUDGET
INCREASE

The Superintendent shall recommend to the Board an amount for employee pay increases as part of the annual budget. Pay in-

COMPENSATION AND BENEFITS
SALARIES AND WAGES

DEA
(LOCAL)

creases beyond the budgeted amount for individuals or positions shall be subject to Board approval.

PAY ADMINISTRATION

Employee pay adjustments shall be administered by the Superintendent or designee in accordance with written procedures to promote impartial and consistent treatment of all employees. Administrative procedures shall include hiring guidelines, promotion guidelines, updating pay ranges, method for calculating and applying a general pay increase, and a process for job classification review.

CLASSIFICATION OF POSITIONS'

Each job in the District shall be assigned to a pay grade based on the level of skill, effort, and responsibility required for the job assignment. The Superintendent shall classify new positions or reclassify existing positions as necessary based on job requirements and comparability to other positions in the District.

The Superintendent or designee shall determine the classification of positions or employees as "exempt" or "nonexempt" for purposes of payment of overtime in compliance with the Fair Labor Standards Act (FLSA).

DISASTER PAY

The emergency closing of schools during a disaster for any cause shall be at the discretion of the Superintendent. During an emergency closing, all nonexempt employees shall continue to be paid for their regular duty schedule regardless of whether the employee is required to report to work.

Nonexempt employees who are required to work during an emergency closing shall be paid at the rate of one and a half times their regular rate of pay for all hours worked up to 40 hours per week. Overtime for time worked over 40 hours in a week shall be calculated and paid according to law. The Superintendent or designee shall approve payments and ensure that accurate time records are kept of actual hours worked during emergency closings.

EXEMPT

The District shall pay employees who are exempt from the overtime pay requirements of the Fair Labor Standards Act on a salary basis. The salaries of these employees are intended to cover all hours worked, and the District shall not make deductions that are prohibited under the FLSA.

An employee who believes deductions have been made from his or her salary in violation of this policy should bring the matter to the District's attention, through the District's complaint policy [see DGBA]. If improper deductions are confirmed, the District will reimburse the employee and take steps to ensure future compliance with the FLSA.

COMPENSATION AND BENEFITS
SALARIES AND WAGES

DEA
(LOCAL)

NONEXEMPT

Nonexempt employees may be compensated on an hourly basis or on a salary basis. Employees who are paid on an hourly basis shall be compensated for all hours worked. Employees who are paid on a salary basis are paid for a 40-hour workweek and do not earn additional pay unless the employee works more than 40 hours.

A nonexempt employee shall have the approval of his or her supervisor before working overtime. An employee who works overtime without prior approval is subject to discipline, up to and including termination, but shall be compensated in accordance with the Fair Labor Standards Act.

COMPENSATORY
TIME

Compensation for overtime hours shall be awarded at one and a half times the employee's regular rate of pay or by time and a half earned in compensatory time. The employee shall be informed in advance if overtime hours will accrue compensatory time rather than pay. Compensatory time earned by nonexempt employees may not accumulate beyond a maximum of 40 hours. If an employee has a balance of more than 40 hours of overtime, the employee will be required to take compensatory time or, at the District's option, will receive overtime pay.

Unless the District receives prior written notification, all absences shall be charged against compensatory time before being charged against sick leave or personal leave.

Compensatory time shall be used by December of the duty year (July–June) in which it is earned. In January of the duty year, the District shall pay an employee overtime for all unused compensatory time remaining at the end of December of the previous duty year. Use of compensatory time may be at the employee's request or as determined by the employee's supervisor to protect the District's schedules and activities.

WORKWEEK
DEFINED

For purposes of FLSA compliance, the workweek for District employees shall be 12:00 a.m. Wednesday until 11:59 p.m. Tuesday.

SUPPLEMENTAL
DUTIES

The Superintendent or designee may assign noncontractual supplemental duties to personnel exempt under the Fair Labor Standards Act, as needed. The employee shall be compensated for these assignments according to the supplemental duty pay schedule established by the Board. These assignments may be discontinued at any time for any reason or no reason, by either party. The assignment of these duties shall not create any expectation of continued assignment to that same duty or any other duty.

Under the Fair Labor Standards Act, extra duty pay assignments for noncontractual (nonexempt) employees may be assigned if the

COMPENSATION AND BENEFITS
SALARIES AND WAGES

DEA
(LOCAL)

duties are occasional and sporadic and are not related to the employee's regular duties. Nonexempt employees performing extra-duty assignments are eligible for paid overtime or compensatory time at a rate of time and a half for all work over 40 hours in a workweek. Therefore, the District shall assign a nonexempt employee as a sponsor for a nonacademic/UIIL activity only if an exempt employee is unavailable for the assignment. The Extra Duty Stipend/Supplemental Pay Increment Schedule published by the District contains additional information.

ADVANCED DEGREE When a professional employee completes a master's or doctorate degree in his or her teaching field or area of work responsibility prior to September 1, a pay increase based on the degree shall begin at that time; for degrees completed in December, a prorated pay increase for the employee shall begin in January.

CREDITABLE SERVICE Employees who are receiving workers' compensation wage benefits and who have no available paid leave shall not earn creditable years of service while absent from duty.

In order to accrue a creditable year of service, an employee must be employed for at least 90 full-time days or the equivalent.

ANNUALIZED SALARY REQUIRED The District shall pay all salaried employees over 12 months, regardless of the number of months employed during the school year. A salaried employee shall receive his or her salary in equal monthly or bimonthly payments, beginning with the first pay period of the school year.

EARLY SEPARATION If a salaried employee separates from service before the last day of instruction, the employee shall receive in his or her final paycheck the unpaid amount the employee has actually earned from the beginning of the 12-month pay period until the date of separation. For purposes of this policy, "separation from service" shall be as defined in IRS regulation 26 CFR 1.409A-1(h).

A salaried employee who separates from service on or after the last day of instruction shall be paid as follows:

1. An employee who is retiring under the Texas Teacher Retirement System shall receive in his or her final paycheck the unpaid amount the employee has actually earned from the beginning of the 12-month pay period until the date of separation. If the employee is eligible and elects to continue enrollment in the District's group health coverage for one or more months of the summer, the employee's share of premiums shall be withheld from the final paycheck.
2. All other employees shall be paid according to the annualized salary provisions above.

Canutillo ISD
071907

COMPENSATION AND BENEFITS
SALARIES AND WAGES

DEA
(LOCAL)

[For provisions on continuation of coverage after resignation, see
CRD(LEGAL).]



Canutillo Independent School District

7965 Artcraft Rd.
El Paso, Texas 79932

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Canutillo, Texas 79835

Mr. Roger Parks
Interim Superintendent

(915) 877-7444
FAX (915) 877-7414
rparks@canutillo-isd.org

MEMORANDUM

TO: Members of the Board of Trustees

FROM: Roger Parks, Interim Superintendent

DATE: July 22, 2009

SUBJECT: Review of CDA(Local)

Please find attached CDA(Local) policy which is being submitted for annual review.

OTHER REVENUES
INVESTMENTS

CDA
(LOCAL)

INVESTMENT
AUTHORITY

The Superintendent or other person designated by Board resolution shall serve as the investment officer of the District and shall invest District funds as directed by the Board and in accordance with the District's written investment policy and generally accepted accounting procedures. The investment officer shall be bonded or shall be covered under a fidelity insurance policy. All investment transactions except investment pool funds and mutual funds shall be executed on a delivery versus payment basis.

APPROVED
INVESTMENT
INSTRUMENTS

From those investments authorized by law and described further in CDA(LEGAL), the Board shall permit investment of District funds in only the following investment types, consistent with the strategies and maturities defined in this policy:

1. Obligations of, or guaranteed by, governmental entities as permitted by Government Code 2256.009.
2. Certificates of deposit and share certificates as permitted by Government Code 2256.010.
3. Fully collateralized repurchase agreements permitted by Government Code 2256.011.
4. A securities lending program as permitted by Government Code 2256.0115.
5. Banker's acceptances as permitted by Government Code 2256.012.
6. Commercial paper as permitted by Government Code 2256.013.
7. No-load money market mutual funds and no-load mutual funds as permitted by Government Code 2256.014.
8. A guaranteed investment contract as an investment vehicle for bond proceeds, provided it meets the criteria and eligibility requirements established by Government Code 2256.015.
9. Public funds investment pools as permitted by Government Code 2256.016.

SAFETY AND
INVESTMENT
MANAGEMENT

The main goal of the investment program is to ensure its safety and maximize financial returns within current market conditions in accordance with this policy. Investments shall be made in a manner that ensures the preservation of capital in the overall portfolio, and offsets during a 12-month period any market price losses resulting from interest-rate fluctuations by income received from the balance of the portfolio. No individual investment transaction shall be undertaken that jeopardizes the total capital position of the overall portfolio.

OTHER REVENUES
INVESTMENTS

CDA
(LOCAL)

The investment policy and investment strategy shall be reviewed by the Board at the end of each fiscal year.

LIQUIDITY AND
MATURITY

Any internally created pool fund group of the District shall have a maximum dollar weighted maturity of 180 days. The maximum allowable stated maturity of any other individual investment owned by the District shall not exceed one year from the time of purchase. The Board may specifically authorize a longer maturity for a given investment, within legal limits.

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

DIVERSITY

The investment portfolio shall be diversified in terms of investment instruments, maturity scheduling, and financial institutions to reduce risk of loss resulting from overconcentration of assets in a specific class of investments, specific maturity, or specific issuer.

MONITORING MARKET
PRICES

The investment officer shall monitor the investment portfolio and shall keep the Board informed of significant declines in the market value of the District's investment portfolio. Information sources may include financial/investment publications and electronic media, available software for tracking investments, depository banks, commercial or investment banks, financial advisors, and representatives/advisors of investment pools or money market funds. Monitoring shall be done at least quarterly, as required by law, and more often as economic conditions warrant by using appropriate reports, indices, or benchmarks for the type of investment.

FUNDS / STRATEGIES

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

OPERATING FUNDS

Investment strategies for operating funds (including any commingled pools containing operating funds) shall have as their primary objectives safety, investment liquidity, and maturity sufficient to meet anticipated cash flow requirements.

AGENCY FUNDS

Investment strategies for agency funds shall have as their objectives safety, investment liquidity, and maturity sufficient to meet anticipated cash flow requirements.

DEBT SERVICE
FUNDS

Investment strategies for debt service funds shall have as their objective sufficient investment liquidity to timely meet debt service payment obligations in accordance with provisions in the bond documents. Maturities longer than one year are authorized provided legal limits are not exceeded.

CAPITAL PROJECTS

Investment strategies for capital project funds shall have as their objective sufficient investment liquidity to timely meet capital

OTHER REVENUES
INVESTMENTS

CDA
(LOCAL)

	<p>project obligations. Maturities longer than one year are authorized provided legal limits are not exceeded.</p>
SAFEKEEPING AND CUSTODY	<p>The District shall retain clearly marked receipts providing proof of the District's ownership. The District may delegate, however, to an investment pool the authority to hold legal title as custodian of investments purchased with District funds by the investment pool.</p>
BROKERS / DEALERS	<p>Prior to handling investments on behalf of the District, brokers/dealers must submit required written documents in accordance with law. [See SELLERS OF INVESTMENTS, CDA(LEGAL)] Representatives of brokers/dealers shall be registered with the Texas State Securities Board and must have membership in the Securities Investor Protection Corporation (SIPC), and be in good standing with the Financial Industry Regulatory Authority (FINRA).</p>
SOLICITING BIDS FOR CD'S	<p>In order to get the best return on its investments, the District may solicit bids for certificates of deposit in writing, by telephone, or electronically, or by a combination of these methods.</p>
INTEREST RATE RISK	<p>To reduce exposure to changes in interest rates that could adversely affect the value of investments, the District shall use final and weighted-average-maturity limits and diversification.</p> <p>The District shall monitor interest rate risk using weighted average maturity and specific identification.</p>
INTERNAL CONTROLS	<p>A system of internal controls shall be established and documented in writing and must include specific procedures designating who has authority to withdraw funds. Also, they shall be designed to protect against losses of public funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees and officers of the District. Controls deemed most important shall include:</p> <ol style="list-style-type: none">1. Separation of transaction authority from accounting and recordkeeping and electronic transfer of funds.2. Avoidance of collusion.3. Custodial safekeeping.4. Clear delegation of authority.5. Written confirmation of telephone transactions.6. Documentation of dealer questionnaires, quotations and bids, evaluations, transactions, and rationale.7. Avoidance of bearer-form securities.

OTHER REVENUES
INVESTMENTS

CDA
(LOCAL)

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

PORTFOLIO REPORT

In addition to the quarterly report required by law and signed by the District's investment officer, a comprehensive report on the investment program and activity shall be presented annually to the Board.



Canutillo Independent School District

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El Paso, Texas 79932

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Canutillo, Texas 79835

Mr. Roger Parks
Interim Superintendent

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FAX (915) 877-7414
rparks@canutillo-isd.org

MEMORANDUM

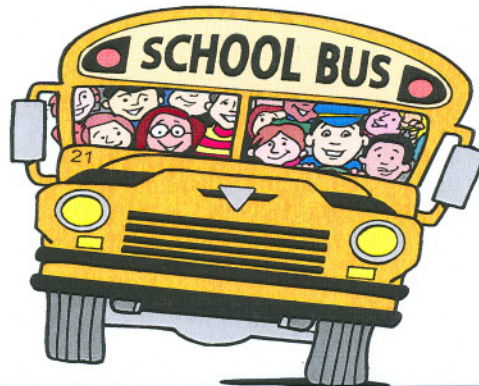
TO: Members of the Board of Trustees

FROM: Roger Parks, Interim Superintendent

DATE: July 22, 2009

SUBJECT: Transportation Report

Juan Miranda, Transportation Supervisor, will provide you with a report to introduce himself and share information about the Transportation Department. Mr. Miranda's report is enclosed.



Canutillo I. S. D. Transportation turning the wheels of Education toward Success

CANUTILLO I. S. D. TRANSPORTATION



INTRODUCTION

- × Juan Miranda, Transportation Supervisor
- × I have been in the business for 16 years.
Started at Socorro I.S. D.
- × Goals: Have a good vision in the direction the District needs to grow using creativity.

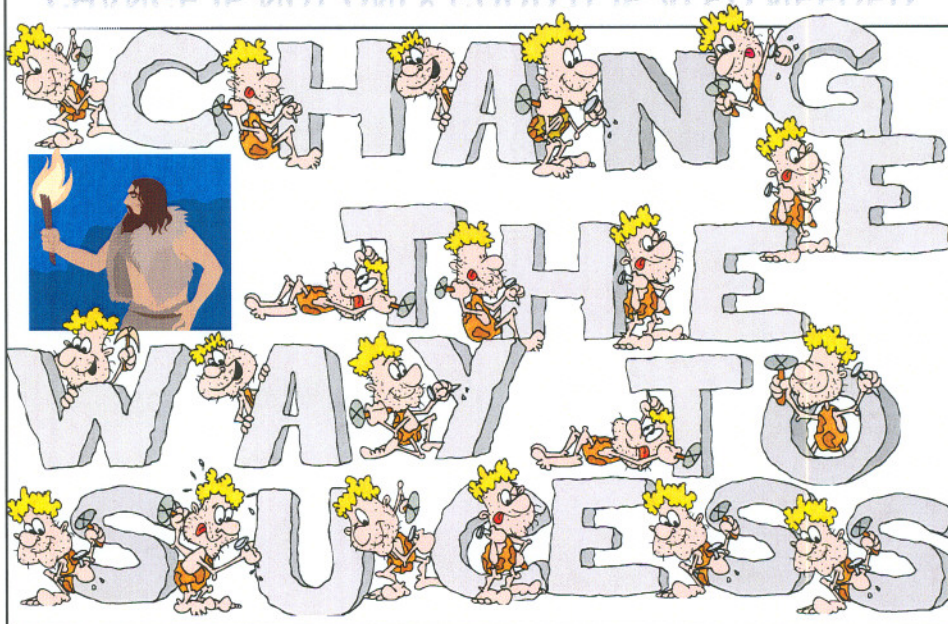


“STRENGTH” SOUTHWEST ASSOCIATION FOR PUPIL TRANSPORTATION

× *“Team work,” I am the President for the Southwest Association for Pupil Transportation “SWAPT” this is an organization that is made of all District Director’s and Transportation Supervisors.*



CHANGE IS NOT ONLY GOOD IT IS ALSO NEEDED.



IDEAS ON HOW TO INCREASE REVENUE

- × *Team work and lifting employee moral.*
- × *Routes need to run on time, safe, and efficient.*
- × *Recheck routes for ridership after sports and academic activities start.*
- × *Combine routes to meet student needs without compromising safety.*

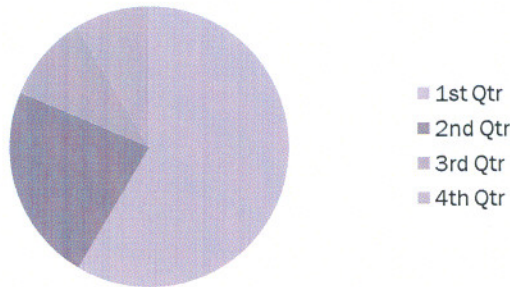


TWO MILE RADIUS WHAT IS OVER CROWDING



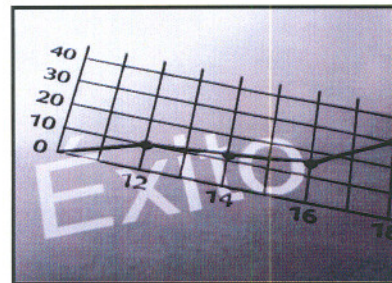
LINEAR DENSITY

- × Formula used by TEA to determine companion that will have us getting back the highest return. Ridership divided by



KEEPING UP WITH GROWTH

- × Buying Buses





Canutillo Independent School District

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Mr. Roger Parks
Interim Superintendent

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rparks@canutillo-isd.org

MEMORANDUM

TO: Members of the Board of Trustees
FROM: Roger Parks, Interim Superintendent
DATE: July 22, 2009
SUBJECT: Compliance Calendar

Martha Carrasco, Internal Auditor, will report on the enclosed compliance calendar.

**CANUTILLO INDEPENDENT SCHOOL DISTRICT
OFFICE OF THE SUPERINTENDENT
POST OFFICE BOX 100
CANUTILLO, TEXAS**

Agenda Item: Adoption of Student Code of Conduct for 2009-2011

Date: July 22, 2009

Subject: Student Code of Conduct

Presented By: Dr. Pauline Dow, Associate Superintendent

Consent Agenda X

ACTION

1. BACKGROUND INFORMATION:

As mandated by Chapter 37 of the Texas Education Code, the District must develop and maintain a local Student Code of Conduct. The Student Code of Conduct for the 2009-11 school years was revised to address changes from the 81th Legislative Session.

2. SUPERINTENDENT RECOMMENDATION:

Recommend adoption of 2009-2011 Student Code of Conduct on first reading, consistent with Adoption and Amendment section of BF(LOCAL).

3. BOARD ACTION REQUESTED:

Move to approve adoption of 2009-2011 Student Code of Conduct as recommended by the Superintendent.

MOTION: _____ SECOND: _____

FOR: _____ AGAINST: _____

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CANUTILLO INDEPENDENT SCHOOL DISTRICT

STUDENT CODE OF CONDUCT

Approved by the Canutillo Board of Trustees: **Board Meeting Date**



Public Notification of Nondiscrimination

Canutillo Independent School District does not discriminate on the basis of race, color, national origin, gender, age, or disability in its employment practices or in providing education services, activities, and programs, including vocational programs, in accordance with Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Educational Amendments of 1972; and Section 504 of the Rehabilitation Act of 1973, as amended.

ACKNOWLEDGMENT

Student Code of Conduct Acknowledgment

Dear Student and Parent:

As required by state law, the board of trustees has officially adopted the Student Code of Conduct in order to promote a safe and orderly learning environment for every student.

We urge you to read this publication thoroughly and to discuss it with your family. If you have any questions about the required conduct and consequences for misconduct, we encourage you to ask for an explanation from the student's teacher or campus administrator.

The student and parent should each sign this page in the space provided below, and then return the page to the student's school.

Thank you.

Roger Parks,

Interim Superintendent

We acknowledge that we have received a copy of the Canutillo Independent School District Student Code of Conduct for the 2009–2011 school years and understand that students will be held accountable for their behavior and will be subject to the disciplinary consequences outlined in the Code.

Print name of student: _____

Signature of student: _____

Print name of parent: _____

Signature of parent: _____

Date: _____

School: _____

Grade level: _____

Please sign this page, remove it, and return it to the student's school. Thank you.

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STUDENT CODE OF CONDUCT

Purpose

The Student Code of Conduct 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), or expulsion from school.

This Student Code of Conduct has been adopted by the Canutillo Independent School District 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.

In accordance with state law, the Code will be posted at each school campus or will be available for review at the office of the campus principal. Additionally, the Code will be posted on the district’s Web site at http://www.canutillo-isd.org/forms/2009-11_CODE_OF_CONDUCT_-_English.pdf . Parents will be notified of any conduct violation that may result in a student being suspended, placed in a DAEP, or expelled.

Contents

This Code is organized into the following sections:

1. School District Authority and Jurisdiction	page # 2
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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 will 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 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;
4. For any school-related misconduct, regardless of time or location;
5. When retaliation against a school employee or volunteer occurs or is threatened, regardless of time or location;
6. When criminal mischief is committed on or off school property or at a school-related event;
7. For certain offenses committed within 300 feet of school property as measured from any point on the school's real property boundary line;
8. For certain offenses committed while on school property or while attending a school-sponsored or school-related activity of another district in Texas;
9. When the student commits a felony, as provided by Education Code 37.006 or 37.0081; and
10. When the student is required to register as a sex offender.

The district has the right to search a vehicle driven to school by a student and parked on school property whenever there is reasonable cause to believe it contains articles or materials prohibited by the district.

The district has the right to search a student's locker **or desk** when there is reasonable cause to believe it contains articles or materials prohibited by the district.

Reporting Crimes

School administrators will report crimes as required by law and will call local law enforcement when an administrator suspects that a crime has been committed on campus.

Revoking Transfers

The district has the right to revoke the transfer of a nonresident student for violating the district's Code.

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.
- Cooperate with and assist the school staff in maintaining safety, order, and discipline.
- Adhere to the requirements of the Student Code of Conduct.

General Conduct Violations

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

Students shall not:

Disregard for Authority

- Fail to comply with directives given by school personnel (insubordination).
- Leave school grounds or school-sponsored events without permission.
- Disobey rules for conduct on school buses.
- Refuse to accept discipline management techniques assigned by a teacher or principal.

Mistreatment of Others

- Use profanity or vulgar language or make obscene gestures.
- Fight or scuffle. (For assault see DAEP Placement and Expulsion.)
- 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, harassment, or making hit lists. (See glossary for all three terms.)
- Engage in conduct that constitutes sexual harassment or sexual abuse, whether by word, gesture, or any other conduct, directed toward another person, including a district student, employee, or volunteer.
- Engage in conduct that constitutes dating violence, including the intentional use of physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control another person with whom the student has or has had a dating relationship.
- 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).
- 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 individuals being recorded or in any way that disrupts the educational environment or invades the privacy of others.

Property Offenses

- Damage or vandalize property owned by others. (For felony criminal mischief see DAEP Placement or Expulsion.)
- Deface or damage school property—including textbooks, 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 Texas Penal Code. (For felony robbery and theft see DAEP Placement and Expulsion.)

Possession of Prohibited Items

- 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;
 - an air gun or BB gun;
 - ammunition;
 - a stun gun;
 - a pocketknife or any other small knife;
 - mace or pepper spray;
 - pornographic material;
 - tobacco products;
 - 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 Expulsion.)

Possession of Telecommunications or Other Electronic Devices

- Display, turn on, or use a **telecommunications device, including** a cellular telephone, or other **electronic** device on school property during the school day.

Illegal, Prescription, and Over-the-Counter Drugs

- Possess or sell seeds or pieces of marijuana in less than a usable amount. (For illegal drugs, alcohol, and inhalants see DAEP Placement and Expulsion.)

- Possess, use, give, or sell paraphernalia related to any prohibited substance. (See glossary for “paraphernalia.”)
- Possess 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 Computers and the Internet

- Violate computer use policies, rules, or agreements signed by the student or the student’s parent.
- 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 computer 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 district students, employees, or volunteers, including off school property if the conduct causes a substantial disruption to the educational environment.
- Send or post electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another’s reputation, or illegal, including off school property if the conduct causes a substantial disruption to the educational environment.
- Use e-mail or Web sites at school to encourage illegal behavior or threaten school safety.

Safety Transgressions

- 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.

Miscellaneous Offenses

- 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 will be designed to improve conduct and to encourage students to adhere to their responsibilities as members of the school community. Disciplinary action will draw on the professional judgment of teachers and administrators and on a range of discipline management techniques. Discipline will be correlated to 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.

Because of these factors, discipline for a particular offense, unless otherwise specified by law, may bring into consideration varying techniques and responses.

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, state and/or federal law will prevail.

In accordance with the Education Code, a student who is enrolled in a special education program may not be disciplined for conduct meeting the definition of 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 will 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 or in combination—for behavior prohibited by the Student Code of Conduct or by campus or classroom rules:

- Verbal correction, oral or written.
- Cooling-off time or “time-out.”
- Seating changes within the classroom.
- Temporary confiscation of items that disrupt the educational process.
- Rewards or demerits.
- Behavioral contracts.
- Counseling by teachers, counselors, or administrative personnel.
- Parent-teacher conferences.
- Grade reductions for cheating, plagiarism, and as otherwise permitted by policy.
- Detention.
- 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.

Discipline Management Techniques

- 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.
- Withdrawal or restriction of bus privileges.
- School-assessed and school-administered probation.
- **Out-of-school** suspension, as specified in the Out-of-School Suspension section of this Code.
- Placement in a DAEP, as specified in the DAEP section of this Code.
- Placement and/or expulsion in an alternative educational setting, as specified in the Placement and/or Expulsion for Certain Serious Offenses section of this Code.
- Expulsion, as specified in the Expulsion section of this Code.
- 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.

Notification

The principal or appropriate administrator will notify a student's parent by phone or in writing of any violation that may result in an **out-of-school** suspension, placement in a DAEP, or expulsion. Notification will be made within three school days after the administrator becomes aware of the violation.

Appeals

Parental questions or complaints regarding disciplinary measures should be addressed to the teacher or campus administration, as appropriate, and in accordance with policy FNG(LOCAL). A copy of the policy may be obtained from the principal's office or the central administration office or through Policy On Line at the following address: <http://www.canutillo-isd.org/policy2/>. Consequences will not be deferred pending the outcome of a grievance.

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 principal's office as a discipline management technique. The principal may then employ additional techniques.

Formal Removal

A teacher or administrator **may** remove a student from class for a behavior that violates this Code to maintain effective discipline in the classroom. 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.

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 will be followed. Otherwise, within three school days of the formal removal, the appropriate administrator will schedule a conference with the student's parent; the student; the teacher, in the case of removal by a teacher; and any other administrator.

At the conference, the appropriate administrator will inform the student of the misconduct for which he or she is charged and the consequences. The administrator will give the student an opportunity to give his or her version of the incident.

When a student is removed from the regular classroom by a teacher and a conference is pending, the principal may place the student in:

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

Returning Student to 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 as a general conduct violation, DAEP offense, or expellable offense.

In deciding whether to order out-of-school suspension, the district will take into consideration:

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

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 will have an informal conference with the appropriate administrator, who shall advise the student of the conduct of which he or she is accused. The student will be given the opportunity to explain his or her version of the incident before the administrator's decision is made.

The number of days of a student's suspension will be determined by the appropriate administrator, but will not exceed three school days.

The appropriate administrator will determine any restrictions on participation in school-sponsored or school-related extracurricular and cocurricular activities.

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 district will take into consideration:

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

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:

- 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.)
- Any criminal mischief, including a felony.

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 those listed as offenses involving injury to a person in Title 5 (see glossary) of the Texas 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 appropriate administrator **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:

- Engages in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school. (See glossary.)
- Commits the following offenses on school property 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 Texas 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. (School-related felony drug offenses are addressed in the Expulsion section.) (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 the Expulsion section.)
 - Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
 - Behaves in a manner that contains the elements of the offense of public lewdness or indecent exposure.
- 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 the Expulsion section of this Code.)
- Engages in conduct punishable as a felony listed under Title 5 (see glossary) of the Texas Penal Code when the conduct occurs off school property and not at a school-sponsored or school-related event and:
 1. The student receives deferred prosecution (see glossary),
 2. A court or jury finds that the student has engaged in delinquent conduct (see glossary), or
 3. The superintendent or designee has a reasonable belief (see glossary) that the student engaged in the conduct.

Sexual Assault and Campus Assignments

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

Disciplinary Alternative Education Program (DAEP) Placement

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 will be transferred to a DAEP.

Emergencies

In an emergency, the principal or the principal's designee may order the immediate placement of a student in a DAEP for any reason for which placement in a DAEP may be made on a nonemergency basis.

Process

Removals to a DAEP will be made by the campus principal or designee.

Conference

When a student is removed from class for a DAEP offense, the appropriate administrator will 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 appropriate administrator will inform the student, orally or in writing, of the reasons for the removal and will 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.

Placement Order

After the conference, if the student is placed in the DAEP, the appropriate administrator will write a placement order. A copy of the DAEP placement order will be sent to the student and the student's parent.

Not later than the second business day after the conference, the board's designee will 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 will give notice of the inconsistency.

Length of Placement

The duration of a student's placement in a DAEP will be determined by the principal or designee.

The duration of a student's placement will be determined on a case-by-case basis. DAEP placement will be correlated to the seriousness of the offense, the student's age and grade level, the frequency of misconduct, the student's attitude, and statutory requirements.

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

Disciplinary Alternative Education Program (DAEP) Placement

Exceeds One Year

Placement in a DAEP may exceed one year when a review by the district determines that:

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

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 principal/designee or principal/designee of the receiving school must determine that:

1. The student's presence in the regular classroom or campus presents a danger of physical harm to the student or others, or
2. The student has engaged in serious or persistent misbehavior (see glossary) that violates the district's Code.

Exceeds 60 Days

For placement in a DAEP to extend beyond 60 days or the end of the next grading period, whichever is sooner, a student's parent will 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. **Appeals regarding the decision to place a student in a DAEP should be addressed to the campus administration in accordance with policy FOC(LEGAL). All other appeals regarding a 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 or the central administration office or through Policy on Line at the following address: <http://www.canutilloisd.org/policy2/>.

Disciplinary consequences will not be deferred pending the outcome of an appeal. The decision to place a student in a DAEP cannot be appealed beyond the board.

Restrictions during Placement

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

A student placed in a DAEP will not be provided transportation unless he or she is a student with a disability who has transportation designated as a related service in the student's IEP.

Disciplinary Alternative Education Program (DAEP) Placement

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 will be the last instructional day, and the student will 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 will be provided a review of his or her status, including academic status, by the Grade Placement Committee 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 will also be reviewed. At the review, the student or the student's parent will 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 conduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted, and the appropriate administrator may enter an additional disciplinary order as a result of those proceedings.

Notice of Criminal Proceedings

The office of the prosecuting attorney will notify the district if a student was placed in a DAEP for certain offenses including any felony, unlawful restraint, indecent exposure, assault, deadly conduct, terroristic threats, organized crime, certain drug offenses, or possession of a weapon, and:

1. 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
2. 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 will 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 will, at the next scheduled meeting, review the notice from the prosecutor and

Disciplinary Alternative Education Program (DAEP) Placement

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 will 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 district may complete the proceedings and issue a placement order. If the student then reenrolls 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 appropriate administrator or the board fails to issue a placement order after the student withdraws, the next district in which the student enrolls may complete the proceedings and issue a placement order.

Newly Enrolled Students

The district will continue the DAEP placement of a student who enrolls in the district and was assigned to a DAEP in an open-enrollment charter school or another district.

A newly enrolled student with a DAEP placement from a district in another state will 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, will 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 occurs, the student will be given oral notice of the reason for the action. Not later than the tenth day after the date of the placement, the student will be given the appropriate conference required for assignment to a DAEP.

Placement and/or Expulsion for Certain Serious Offenses

This section includes two categories of serious 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 administration 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 will 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:

1. Threatens the safety of other students or teachers,
2. Will be detrimental to the educational process, or
3. 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 will 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

Placement and/or Expulsion for Certain Serious Offenses

student **may** be expelled and placed in either DAEP or JJAEP if the board or its designee makes certain findings and the following circumstances exist in relation to a felony offense under Title 5 (see glossary) of the Texas Penal Code. The student must:

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

1. Threatens the safety of other students or teachers,
2. Will be detrimental to the educational process, or
3. 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.

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 district will take into consideration:

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

Discretionary Expulsion: Misconduct That May Result in Expulsion

Any Location

A student **may** be expelled for:

- Engaging in the following, no matter where it takes place:
 - Conduct that contains the elements of assault under Penal Code 22.01(a)(1) in retaliation against a school employee or volunteer.
- Engaging in conduct that contains the elements of one of the following offenses against another student, without regard to where the conduct occurs:
 - Aggravated assault.
 - Sexual assault.
 - Aggravated sexual assault.
 - Murder.
 - Capital murder.
 - Criminal attempt to commit murder or capital murder.
 - Aggravated robbery.

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

- 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:
 - 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

- 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.
- Use, exhibition, or possession of a firearm (as defined by state law), an illegal knife, a club, or prohibited weapon, or possession of a firearm (as defined by federal law).

Property of Another District

- 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

- Engaging in serious offenses or persistent misbehavior (see glossary) that violates the district's Code, while placed in a DAEP.

Mandatory Expulsion: Misconduct That Requires Expulsion

A student **must** be expelled 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:

Federal Law

- Bringing to school a firearm, as defined by federal law. "Firearm" under federal law includes:
 - Any weapon (including a starter gun) that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive.
 - The frame or receiver of any such weapon.
 - Any firearm muffler or firearm weapon.
 - Any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade.

Texas Penal Code

- Using, exhibiting, or possessing the following, as defined by the Texas Penal Code:
 - A firearm (any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use), **unless the use, exhibition, or possession of the firearm occurs at an off-campus approved target range facility 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.

- An illegal knife, such as a knife with a blade over 5½ inches; hand instrument, designed to cut or stab another by being thrown; dagger, including but not limited to a dirk, stiletto, and poniard; bowie knife; sword; or spear.
- A club (see glossary) such as an instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with the instrument, including a blackjack, nightstick, mace, and tomahawk.
- A prohibited weapon, such as an explosive weapon, a machine gun, a short-barrel firearm, a firearm silencer, a switchblade knife, knuckles, armor-piercing ammunition, a chemical dispensing device, or a zip gun. (See glossary.)
- Behaving in a manner that contains elements of the following offenses under the Texas 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, with the exception of a federal firearm offense, on or off school property or at a school-related activity.

Under Age Ten

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

Emergency

In an emergency, the principal or the principal's designee **may** order the immediate expulsion of a student for any reason for which expulsion may be made on a nonemergency basis.

Process

If a student is believed to have committed an expellable offense, the principal or other appropriate administrator will schedule a hearing within a reasonable time. The student's parent will be invited in writing to attend the hearing.

Until a hearing can be held, the principal may place the student in:

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

Hearing

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

1. 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,
2. An opportunity to testify and to present evidence and witnesses in the student's defense, and
3. An opportunity to question the district's witnesses.

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

The board of trustees delegates to the Superintendent or designee authority to conduct hearings and expel students.

Board Review of Expulsion

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

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

Expulsion Order

After the due process hearing, if the student is expelled, the board or its designee will 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 Superintendent or designee will 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 will give notice of the inconsistency.

Length of Expulsion

The length of an expulsion will be correlated to 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 will 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:

1. The student is a threat to the safety of other students or to district employees, or
2. 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 or other appropriate administrator 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 reenrolls 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 appropriate administrator 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 appropriate administrator 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 will be earned for work missed during the period of expulsion unless the student is enrolled in a JJAEP or another district-approved program.

Newly Enrolled Students

The district will continue the expulsion of any newly enrolled student expelled from another district or an open-enrollment charter school until the period of the expulsion is completed.

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:

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

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

Emergency Expulsion Procedures

When an emergency expulsion occurs, the student will be given verbal notice of the reason for the action. Within ten days after the date of the emergency expulsion, the student will 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.

Glossary

The glossary provides legal definitions and locally established definitions and is intended to assist in understanding terms related to the Student Code of Conduct.

Abuse is improper or excessive use.

Armor-piercing ammunition is handgun ammunition used in pistols and revolvers and designed primarily for the purpose of penetrating metal or body armor.

Arson is:

1. A crime that involves starting a fire or causing an explosion with intent to destroy or damage:
 - a. Any vegetation, fence, or structure on open-space land; or
 - b. 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:
 - a. Recklessly damages or destroys a building belonging to another, or
 - b. Recklessly causes another person to suffer bodily injury or death.

Assault is defined in part by Texas Penal Code 22.01(a)(1) as intentionally, knowingly, or recklessly causing bodily injury to another.

Bullying is written or oral expression or physical conduct that a school district's board of trustees or the board's designee determines:

1. To have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property; or
2. To be sufficiently severe, persistent, or pervasive to create an intimidating, threatening, or abusive educational environment for a student.

Chemical dispensing device is a device designed, made, or adapted for the purpose 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 an instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death. A blackjack, mace, and tomahawk are in the same category.

Criminal street gang is 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.

Dating violence is the intentional use of physical, sexual, verbal, or emotional abuse by a person to harm, threaten, intimidate, or control another person with whom the student has or has had a dating relationship, as defined by Section 71.0021 of the Family Code.

Deadly conduct 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.

Explosive weapon is 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 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:

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

Firearm silencer means any device designed, made, or adapted to muffle the report of a firearm.

Graffiti are 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.

Harassment is:

1. Conduct that meets the definition established in district policies DIA(LOCAL) and FFH(LOCAL); or
2. Conduct that threatens to cause harm or bodily injury to another student, 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.

Hazing is an intentional or reckless act, on or off campus, by one person alone or acting with others, that endangers the mental or physical health or safety of a student for the purpose of pledging, initiation into, affiliation with, holding office in, or maintaining membership in an organization.

Hit list is 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.

Knuckles are 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.

Machine gun 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.

Persistent misbehavior is two or more violations of the Code in general or repeated occurrences of the same violation.

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; or any other school property used by the student, including but not limited to a locker or desk.

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 a determination made by the superintendent or designee using all available information, including the information furnished 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.

Serious offenses include but are not limited to:

- Murder.
- Vandalism.
- Robbery or theft.
- Extortion, coercion, or blackmail.

- Actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Hazing.
- Insubordination.
- Profanity, vulgar language, or obscene gestures.
- Fighting, committing physical abuse, or threatening physical abuse.
- Possession or distribution of pornographic materials.
- Leaving school grounds without permission.
- Sexual harassment of a student or district employee.
- Possession of or conspiracy to possess any explosive or explosive device.
- Falsification of records, passes, or other school-related documents.
- Refusal to accept discipline assigned by the teacher or principal.

Short-barrel firearm is 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.

Switchblade is any knife with a blade that folds, closes, or retracts into the handle or sheath and that opens automatically by pressing a button or by the force of gravity or centrifugal force. **The term does not include a knife that has a spring, detent, or other mechanism designed to create a bias toward closure and that requires exertion applied to the blade by hand, wrist, or arm to overcome the bias toward closure and open the knife.**

Terroristic threat is a threat of violence to any person or property with intent to:

1. Cause a reaction of any type by an official or volunteer agency organized to deal with emergencies;
2. Place any person in fear of imminent serious bodily injury;
3. 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;
4. Cause impairment or interruption of public communications, public transportation, public water, gas, or power supply or other public service;
5. Place the public or a substantial group of the public in fear of serious bodily injury; or
6. 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).

Title 5 offenses are those that involve injury to a person and include murder; kidnapping; assault; **aggravated assault**; sexual assault; **aggravated sexual assault**; unlawful restraint; indecency with a child; injury to a child, an elderly person, or a disabled person; abandoning or endangering a child; deadly conduct; terroristic threat; aiding a person to commit suicide; and tampering with a consumer product. [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 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.

CANUTILLO INDEPENDENT SCHOOL DISTRICT
OFFICE OF THE SUPERINTENDENT

Date: July 14, 2009

Subject: Extension of RFP 06-12 Student Insurance

Presenter: Ron Gatlin

ACTION

1. BACKGROUND INFORMATION:

As stated in Board Policy CH(Local), any purchase that costs or aggregates to a cost of \$10,000 or more shall require board approval before a transaction may take place. This request is to approve the final annual extension of RFP 06-12 for Student Athletic Insurance and Student Catastrophic Insurance with Texas Monarch Management Corporation in the total amount of \$27,372.67. This coverage is for all UIL students in grades 7th through 12th.

2. SUPERINTENDENT RECOMMENDATION:

The Superintendent recommends the approval of the the final annual extension of RFP 06-12 for Student Athletic Insurance and Student Catastrophic Insurance with Texas Monarch Management Corporation in the total amount of \$27,372.67.

3. BOARD ACTION REQUESTED:

The Board of Trustees approves the purchase as recommended by the Superintendent.

MOTION _____ SECOND _____

AYES _____ NAYS _____



Canutillo Independent School District

7965 Arcraft Rd.
El Paso, TX 79932

Mailing Address P.O. Box 100
Canutillo, Texas 79835

Ron Gatlin
Purchasing Agent

Voice (915) 877-7426
Fax (915) 877-7415

Date: July 13, 2009

To: Canutillo ISD Board of Trustees

From: Ron Gatlin, Purchasing Agent

Subject: Extension of RFP 06-12 Student Insurance

Description/justification: This coverage is for athletic accident insurance for students in grades 7th through 12th covering all UIL sanctioned events with a cost of \$25,327.67. The catastrophic insurance coverage is for all students enrolled in any interscholastic and intramural sports activities and events with a cost of \$2045.00.

Vendor name: Texas Monarch Management Corporation

Category: RFP 06-12 Student Insurance

Funding source: General Fund-Insurance 6429

Cost: \$27,372.67

Participating Schools: District-wide

Signature: _____
Ron Gatlin, Purchasing Agent

CANUTILLO INDEPENDENT SCHOOL DISTRICT
OFFICE OF THE SUPERINTENDENT

Date: July 28, 2009

Subject: Purchase of Language Proficiency Assessment Materials

Presenter: Antonio Del Campo/Ron Gatlin

ACTION

1. BACKGROUND INFORMATION:

As stated in Board Policy CH(Local), any purchase that costs or aggregates to a cost of \$10,000 or more shall require board approval before a transaction may take place. This request is to approve the purchase of Language Proficiency Assessment Materials from NCS Pearson in the total amount of \$30,839.61. This purchase will be a “sole source” purchase as it is copyrighted material.

2. SUPERINTENDENT RECOMMENDATION:

The Superintendent recommends the approval to purchase Language Proficiency Assessment Materials from NCS Pearson in the total amount of \$30,839.61. This purchase will be a “sole source” purchase as it is copyrighted material.

3. BOARD ACTION REQUESTED:

The Board of Trustees approves the purchase as recommended by the Superintendent.

MOTION _____ SECOND _____

AYES _____ NAYS _____

PEARSON

Apr. 28th, 2009

Antonio Del Campo
Academic Language Services Director
El Paso ISD
7965 Artcraft Rd.
El Paso, TX 79932

To Whom It May Concern:

This letter is a formal confirmation that NCS Pearson, Inc is the sole source of the following print materials. All components of the materials are copyrighted in the name of NCS Pearson, Inc and may not be reproduced or transmitted, for any purpose, in whole or in part, in a photocopy, recording or any information storage or retrieval system, without prior permission in writing from NCS Pearson, Inc.

- **Stanford English Language Proficiency Test (SELP) tests and components**
- **Stanford Spanish Language Proficiency Test (SSLP) tests and components**

Sincerely,



Morris Williams
Assessment & Information
Pearson
19500 Bulverde Rd
San Antonio, TX 78259-3701
(210) 601-7558 Phone
(210) 493-6850 Fax



Canutillo Independent School District

7965 Artercraft Rd.
El Paso, TX 79932

Mailing Address: P.O. Box 100
Canutillo, TX 79835

Academic Language Services

Antonio Del Campo
ALS Director
(915) 877-7454
adelcampo@canutillo-isd.org

Tel: (915) 877-7435

Fax: (915) 877-7437

Date: July 9, 2009
To: Canutillo ISD Board of Trustees
From: Antonio Del Campo, Director of Academic Language Services
Subject: Purchase of Language Proficiency Assessment Materials, English and Spanish

Description/justification: To Adopt a Language Proficiency Assessment instrument to meet "No Child Left Behind" requirements for English Proficiency. The *Stanford English Language Proficiency Test (Stanford ELP)* reflects all aspects necessary for comprehensive, standards-based assessment of English language proficiency. This research-based test evaluates the listening, reading, comprehension, writing, and speaking skills of K-12 English language learners with the goal of guiding them to become bilingual, bi-literacy, and bicultural. The variety of uses will include: identifying and placing of students, measuring outcomes and showing progress, evaluating program effectiveness, and instructional planning.

Vendor name: NCS Pearson, Inc
19500 Bulverde Rd.
San Antonio, TX 78259
Contact: Morris Williams, Measurement Consultant
Cell: 210-601-7558
Fax: 210-493-6850

Category: Included:
Sole Source, Proposal/Quote

Funding source: State Bilingual Funds: 199.11.6339.00.919.9.25

Cost: \$ 30,839.61

Participating Schools: All Canutillo I.S.D. campuses will participate in the Language Proficiency Assessment

Signature: 
Antonio Del Campo, Director of Academic Language Services

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CANUTILLO INDEPENDENT SCHOOL DISTRICT
OFFICE OF THE SUPERINTENDENT

Date: July 28, 2009

Subject: Approval to Purchase Dell Laptop Computers for NECHS

Presenter: Peggy Gustafson/LuAnn Escobar

ACTION

1. BACKGROUND INFORMATION:

As stated in Board Policy CH(Local), any purchase that costs or aggregates to a cost of \$10,000 or more shall require board approval before a transaction may take place. This request is to approve the purchase of 105 Dell Laptop Computers for the Northwest Early College High School from Dell Marketing. The purchase will be made utilizing the DIR Cooperative Purchasing Agreement #DIR-SDD-890-TX in the total amount of \$104,137.95.

2. SUPERINTENDENT RECOMMENDATION:

The Superintendent recommends the approval to purchase 105 Dell Laptop Computers for the Northwest Early College High School from Dell Marketing. The purchase will be made utilizing the DIR Cooperative Purchasing Agreement #DIR-SDD-890-TX in the total amount of \$104,137.95.

3. BOARD ACTION REQUESTED:

The Board of Trustees approves the purchase as recommended by the Superintendent.

MOTION _____ SECOND _____

AYES _____ NAYS _____



Date: July 22, 2009

To: Canutillo ISD Board of Trustees

From: LuAnn Escobar, Interim Executive Director School Resources
Peggy Gustafson, Principal Northwest Early College High School

Subject: Student Laptops for Northwest Early College High School

Description/justification: The Northwest Early College HS will purchase laptop computers for the students of the 2013 graduation cohort. Laptops were purchased last year for the first graduation cohort. Specifications for the computers are described in the attached quote.

Vendor name: Dell Computers

Category: Quote # 498399720, DIR # DIR-SDD-890-TX

Funding source: GTF Grant
Technology Allotment
Local Funds

Cost: \$104,137.95

Participating Schools: Northwest Early College High School

Signature: LuAnn Escobar
Interim Executive Director School Resources

Peggy Gustafson
Principal, Northwest Early College High School

CANUTILLO INDEPENDENT SCHOOL DISTRICT
OFFICE OF THE SUPERINTENDENT

Date: July 28, 2009

Subject: Purchase of Desktop Computers

Presenter: Patricia Araujo

ACTION

1. BACKGROUND INFORMATION:

As stated in Board Policy CH(Local), any purchase that costs or aggregates to a cost of \$10,000 or more shall require board approval before a transaction may take place. This request is to approve the purchase of 31 desktop computers from Dell Computer in the total amount of \$23,485.60. The DIR-SCC-890-TX Cooperative Purchasing Agreement will be utilized for this purchase.

2. SUPERINTENDENT RECOMMENDATION:

The Superintendent recommends the approval to purchase 31 desktop computers from Dell Computer in the total amount of \$23,485.60. The DIR-SCC-890-TX Cooperative Purchasing Agreement will be utilized for this purchase.

3. BOARD ACTION REQUESTED:

The Board of Trustees approves the purchase as recommended by the Superintendent.

MOTION _____ SECOND _____

AYES _____ NAYS _____

Date: July 22, 2009

To: Canutillo ISD Board of Trustees

From: Patricia Araujo, CTE Coordinator

Subject: Purchase of (31) Desktop computers for CTE program.

Description/justification: The Career & Technical Education (CTE) program is looking out for the best interest of the students education in order to maintain modern technology trends and most important provide an effective learning environment. This is to replace (31) outdated desktop computers.

Vendor name: DELL

Category: Quote#: 498728534; Customer#: 103075296; Contract#: 48ABO; Customer Agreement#: DIR-SCC-890-TX;
(31) Computers @ \$757.60=Total: \$23,485.60

Funding source: 199.11.6398.00.917.9.22

Cost: \$23,485.60

Participating Schools: Canutillo High School/Career & Technical Education Program

Signature: Patricia Araujo, CTE Coordinator



Canutillo Independent School District

7965 Artcraft Rd.
El Paso, Texas 79932

Mailing Address: PO Box 100
Canutillo, Texas 79835

Mr. Roger Parks
Interim Superintendent

(915) 877-7444
FAX (915) 877-7414
rparks@canutillo-isd.org

MEMORANDUM

TO: Members of the Board of Trustees

FROM: Roger Parks, Interim Superintendent

DATE: July 22, 2009

SUBJECT: Budget Workshop

Tony Reza, Executive Director of Financial Services, will facilitate our budget workshop. Supporting documents will be provided to you at the workshop.