

Agenda of Regular Meeting

The Board of Trustees Canutillo ISD

A Regular meeting of the Board of Trustees of Canutillo ISD will be held September 28, 2021, beginning at 5:30 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-OTHER**
 - A. Call to Order
 - B. Pledge of Allegiance
 - C. Texas Pledge of Allegiance
 - D. Roll Call
 - E. CISD Vision and Mission Statements 4
 - F. Trustee Ethical Guidelines 5
2. **OPEN FORUM-OTHER**

Any person wishing to address the Board during the period reserved for public comment at a Board meeting must sign up to be heard, in accordance with District policy BED(LOCAL):

Each participant will be limited to three minutes to make comments to the Board. The Board is not permitted to discuss or act upon any issues that are not posted on the agenda for tonight's meeting.

For further information on those policies, contact the Superintendent's Administrative Assistant.
3. **PUBLIC HEARING**

Description: Public Hearing Regarding the Accelerated Instruction 2021 Summer Education Program Review. The public is invited to make comments.

 - A. Approval of the Accelerated Instruction 2021 Summer Education Program Review. 12
Presenter: Y. Valverde
4. **BOARD OF TRUSTEE BUSINESS**
 - A. Discussion regarding Math, Reading and CCMR (College, Career and Military Readiness) Lone Star Governance goals. 26
Presenter: D. Kerney
 - B. Discussion and possible action regarding Canutillo ISD's new Mission and Vision Statements. 36
Presenter: P. Galaviz
 - C. Discussion and possible action regarding Board Team Operating Procedures and district policies. 37
Presenter: S. Coronado

D.	Discussion and possible action regarding Appointment/Reappointment of El Paso Central Appraisal District Board of Directors. Presenter: S. Coronado	44
E.	Overview of Board Conferences (June and Sept.).	
	1. Overview of the 2021 SLI Conference in San Antonio, TX. June 16 to June 19, 2021 Presenter: S. Coronado, P. Mendoza and A. Rodriguez	
	2. Overview of the 2021 MASBA Annual Conference in San Antonio, TX. Sept. 9-12, 2021. Presenter: S. Coronado, A. Rodriguez and B. Trout	
	3. Overview of the 2021 CUBE Conference in Atlanta, GA. Sept.16-18, 2021. Presenter: A. Rodriguez and B. Trout	
	4. Overview of the 2021 TASA/TASB txEDCON in Dallas, TX. Sept. 23-26, 2021. Presenter: A. Rodriguez and B. Trout	
5.	CONSENT AGENDA-VOTING	
	A. <i>BUSINESS SERVICES</i>	
	1. Approval of the Meeting Minutes	
	a. August 5, 2021 Special Board Meeting	90
	b. August 10, 2021 Special Board Meeting	93
	c. August 24, 2021 Regular Board Meeting	95
	2. Approval of the Monthly Warrant List. Presenter: C. Pulley	101
	3. Approval of the Monthly Donations. Presenter: C. Pulley	102
	4. Approval of the Budget Amendments. Presenter: C. Pulley	105
	5. Approval to Renew the Interlocal Agreement with West Texas Cooperative Region 17 to support day to day purchases for the Child Nutrition Program and ensure cost savings for the 2021-2022 school year. Presenter: M. Macias	110
	6. Approval of Memorandum of Understanding (MOU) between Canutillo ISD and CAFE for fundraising events. Presenter: P. Galaviz	115
	B. <i>CURRICULUM</i>	
	1. Approval of Memorandum of Understanding (MOU) between Canutillo ISD and Texas College Bridge for Development of College Preparatory Courses at Northwest Early College High School Presenter: M. Rocha	119
	2. Approval of stipends for four teachers to serve as mentors to 22 teachers seeking National Board Certification. Presenter: M. Rocha	132

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|----|--|-----|
| 3. | Approve waiver of tuition costs for Inter-District transfers residing in El Paso County for the 2021-2022 school year.
Presenter: M. Rocha | 136 |
| 4. | Approve the Optional Flexible School Day Program Application for the 2021-2022 school year for the Opportunity Academy and Northwest Early College High School.
Presenter: M. Rocha | 137 |
| 5. | Approval regarding the adoption of the 2021-2022 Student Handbook and Student Code of Conduct.
Presenter: M. Rocha | 157 |
| 6. | EXECUTIVE SESSION
To consult with attorney under 551.071, 5510.72 and 551.074 of the Texas Government Code:
A. Discussion regarding employment and terms of employment for Internal Auditor. | |
| 7. | NEW BUSINESS (continued); OTHER
A. Discussion and possible action regarding employment and terms of employment for Internal Auditor. | |
| 8. | 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 A Premier District

VISION

Canutillo ISD is a premier district preparing tomorrow's best today with innovative, future-focused learning opportunities for every student.

MISSION

Our mission is to create rigorous, student-centered classrooms which develop future-ready students to compete in a global economy and thrive in a multicultural world.



#BeCanutillo
Preparing Tomorrow's Best Today

TRUSTEE ETHICAL GUIDELINES

CANUTILLO INDEPENDENT SCHOOL DISTRICT

1. Student-Centered Focus

- 1.1 I will be continuously guided by what is best for all students of the District.

TRUSTEE ETHICAL GUIDELINES

2. Equity in Attitude

- 2.1 I will be fair, just, and impartial in all my decisions and actions.
- 2.2 I will accord others the respect I wish for myself.
- 2.3 I will encourage expressions of different opinions and listen with an open mind to others' ideas.

3. Honor in Conduct

- 3.1 I will tell the truth.
- 3.2 I will share my views while working for consensus.
- 3.3 I will arrive at conclusions only after discussing all aspects of the issue at hand with my fellow Board members in meetings. I will respect the opinions of others and abide by the principle of majority-rule.
- 3.4 I will base my decisions on fact rather than supposition, opinion, or public favor.

4. Integrity of Character

- 4.1 I will refuse to surrender judgment to any individual or group at the expense of the District as a whole.
- 4.2 I will consistently uphold all applicable laws, rules, policies, and governance procedures.
- 4.3 I will not disclose information that is confidential by law or that will needlessly harm the District if disclosed.

5. Trustworthiness in Stewardship

- 5.1 I will be accountable to the public by representing District policies, programs, priorities, and progress accurately.
- 5.2 I will strive to involve the community by ensuring that it is fully and accurately informed about our schools and will try to interpret community aspirations to the school staff.
- 5.3 I will work to ensure prudent and accountable use of District resources.
- 5.4 I will recognize that authority rests only with the whole Board assembled in meeting and will make no personal promise to take private action that may compromise my performance or my responsibilities.
- 5.5 I will refer all complaints through the proper 'chain of command' within the system and will act on such complaints at public meetings only when administrative solutions fail.

TRUSTEE ETHICAL GUIDELINES

6. Commitment to Service

- 6.1** I will focus my attention on fulfilling the Board's responsibilities of goal setting, policymaking, and evaluation.
- 6.2** I will diligently prepare for and attend Board meetings;
I will notify, in advance, either the Board President or the Superintendent when I am unable to attend a Board meeting.
- 6.3** I will avoid personal involvement in activities the Board has delegated to the Superintendent.
- 6.4** I will seek continuing education that will enhance my ability to fulfill my duties effectively.

Board of Trustees

Meeting Date: _____

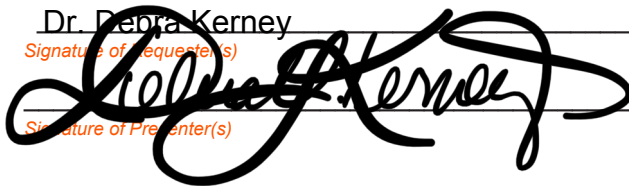
Executive Summary of Board Agenda Item

Subject/Title for Agenda Posting: Accelerated Instruction 2021 Summer Education Program Review

Justification Statement: Present Accelerated Instruction 2021 Summer Education Program.

Purpose of Agenda Item: Information Discussion Action
 Item Type: Curriculum & Instruction Human Resources Business Services

Staff Responsible:

Dr. Debra Kerney
Signature of Requester(s)

Signature of Presenter(s)

Business Services Approval (Initials) _____ *Date* _____

Agenda Summary:

Pursuant to policy EHBC (LEGAL) A district shall provide accelerated instruction to an enrolled student who has taken an end-of-course assessment instrument and has not performed satisfactorily or who is at risk of dropping out of school. A district shall offer before the next scheduled administration of assessment instrument, without cost to the student, additional accelerated instruction to each student in any subject in which the student failed to perform satisfactorily on an end-of-course assessment instrument required for graduation. A district that is required to provide accelerated instruction must separately budget sufficient funds for that purpose. [See CE] A district shall evaluate the effectiveness of accelerated instruction programs and annually hold a public hearing to consider the results, Education Code 29.081(b), (b-1), (b-2), (b-3), 39.025(b-1).

The commissioner waived Student Success Initiative (SSI) re-test requirements for grades 5 and 8, however accelerated instruction programs were still required to meet the needs of students who did not perform satisfactorily. This year, all 10 campuses were open in order to safely increase in-person access for students in order to provide accelerated instruction, credit recovery, re-engagement opportunities, and enrichment. This information is being provided to board members and the general public to consider the results of our district's Accelerated Instruction program that occurred during summer of 2021.

RECOMMENDATION:

PRIOR BOARD ACTION: AWARDED: AWARDED AMOUNT:

AMOUNT(S):

ACCOUNT NO(S):

PROCUREMENT METHOD TYPE: (3 Quotes, Cooperative Contract Quotes, Sole Source, Formal Bid)
Memorandum of Understanding

REQUESTING DEPARTMENT:

CONSEQUENCES OF NON-APPROVAL:

IMPLEMENTATION TIMELINE:

ATTACHMENT(S): Accelerated Instruction 2021 Summer Education Program Review

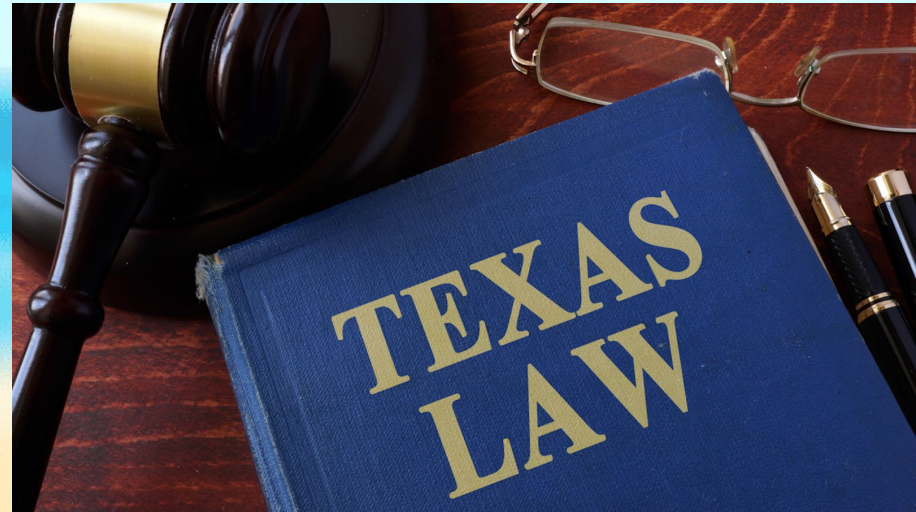


Accelerated Instruction: 2021 Summer Education Program Review



EHBC (LEGAL) Public Meeting Requirement

- *A district that is required to provide accelerated instruction must separately budget sufficient funds for that purpose. [See CE]*
- *A district shall evaluate the effectiveness of accelerated instruction programs and annually hold a public hearing to consider the results.*
- *Education Code 29.081(b), (b-1), (b-2), (b-3), 39.025(b-1)*



Waiver of Student Success Initiative (SSI) Promotion Requirements

- Due to anticipated impacts of the COVID-19 pandemic, under Texas Education Code (TEC), Section 7.056, the commissioner of education waived requirements of TEC, Section 28.0211 regarding grade promotion requirements for students in fifth and eighth grade for the 2020–2021 school year.
- Students enrolled in grades 5 and 8 were still required to take the appropriate State of Texas Assessments of Academic Readiness (STAAR®) tests only once.
- Districts were still required to provide Accelerated Instruction for students who did not perform satisfactorily on STAAR



SUMMER SALT 2021

Sustaining Academic
Learning Together



Summer Program

- Last year we launched an entirely remote summer program with live sessions, activities, and sent over 21,000 books to students' homes
- This year, all 10 campuses were open
- This allowed for access to in-person instruction (what students needed), safety, social distancing)
- Principals developed differentiated programs to meet the needs of students
- Thank you to all staff - teachers, principals, bus drivers, food service, custodians, HR, for making summer instruction possible



Summer Program Focus for 2021

- Leap vs Slide
- Accelerated Instruction
- Credit Recovery
- Enrichment
- Re-engagement
- Continued Connection
- SEL Opportunities
- In-Person/Safety & Social Distancing
- Federal Program Requirements - ALS/SPED



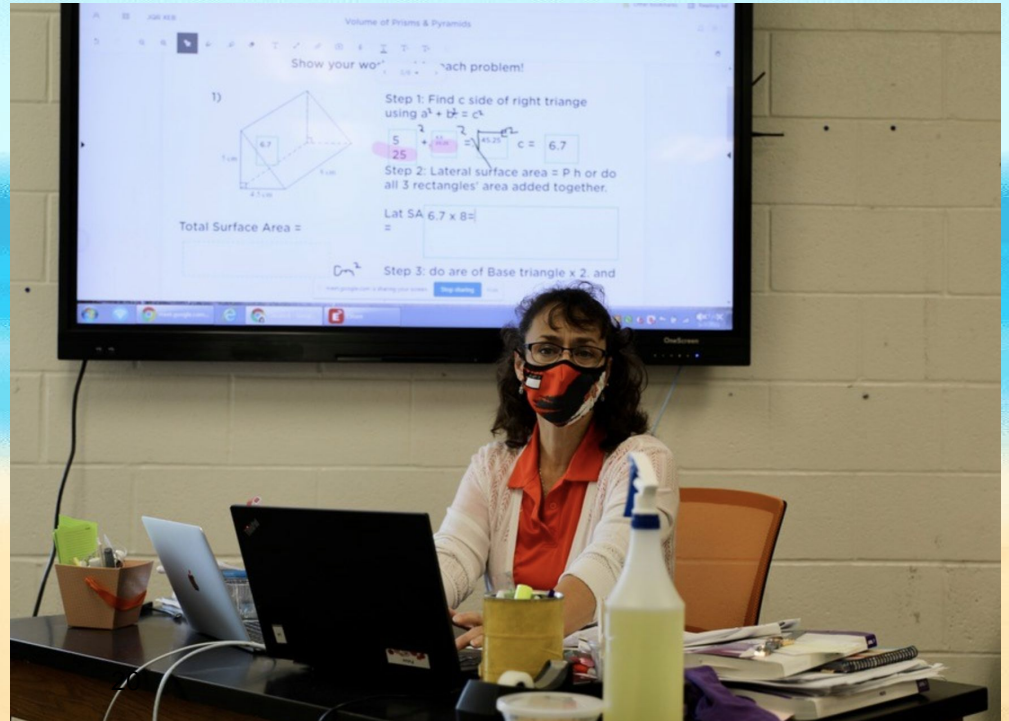
Elementary ESY - Summer 2021

- BCE
 - Served students
 - \$21,856
- RES
 - Served # students
 - \$17,497
- CES
 - Served students
 - \$14,580
- DDE
 - Served students
 - \$19,703
- GES
 - Served students
 - \$18,052
- JDE
 - Served students
 - \$23,852



Middle School ESY - Summer 2021

- AMS ESY
 - Served students
 - \$9,135
- AMS Medical Magnet
 - \$4,100
 - (served students)
- CMS ESY
 - Served students
 - \$10,717
- CMS STEAM Academy
 - \$4,458
 - (served students)



High School Programs

Summer 2021

- CHS Credit Recovery
 - \$88,200
 - Served 650 students
- CHS TSI Camp
 - \$5,880
 - Served 45 students
- CHS ACT Camp
 - \$7,840
 - Served 25 students
- CHS Eagle Legacy
 - \$4,935
 - Served 100 students
- CTE Summer School
 - \$9,531
 - Served # students
- CTE Summer Camp
 - \$5,536
 - Served 175 students
- NECHS Summer Program
 - \$23,448
 - Served 70 students



District Programs-Summer 2021

- TOA
 - \$1,960
 - Served students
- Special Education -Extended School Year
 - \$25,571
 - Served 63 students
- Migrant- Project SMART (State Required)
 - \$4,620
 - Served 10 students
- ALS Summer PreK/K Program (State Required)
 - \$18,000
 - Served 87 students
- ALS Newcomer Program
 - \$2,520
 - Served 14 students
- C&I Science program
 - \$8,897
 - Served 48 students



EOC Assessment Data

Algebra I	CHS	NWECHS
Tested in May & Did Not Pass	162	17
Retested in June & Passed	15	10
Retested in June & Did Not Pass	78	3
Biology		
Tested in May & Did Not Pass	77	2
Retested in June & Passed	33	2
Retested in June & Did Not Pass	17	0
English I		
Tested in April & Did Not Pass	162	17
Retested in June & Passed	15	10
Retested in June & Did Not Pass	78	3
English II		
Tested in April & Did Not Pass	140	3
Retested in June & Passed	16	1
Retested in June & Did Not Pass	55	2
US History		
Tested in May & Did Not Pass	237	2
Retested in June & Passed	12	1
Retested in June & Did Not Pass	5	1

Program Summary

Total Number of Students Served:

Total Program Cost:

Q&A



LSG Reading, Math & CCMR Goals



CISD Curriculum & Instruction Team



Dr. Debra Kerney
Executive Director
dkerney@canutillo-isd.org



Sandra Carrillo
Early Childhood Coordinator
scarrillo@canutillo-isd.org



Stacey Parker
Social Studies Coordinator
sparker@canutillo-isd.org



Natalie Spalloni
ELA Coordinator
nspalloni@canutillo-isd.org



Marlena Zimmerman
Science Coordinator
mmora@canutillo-isd.org

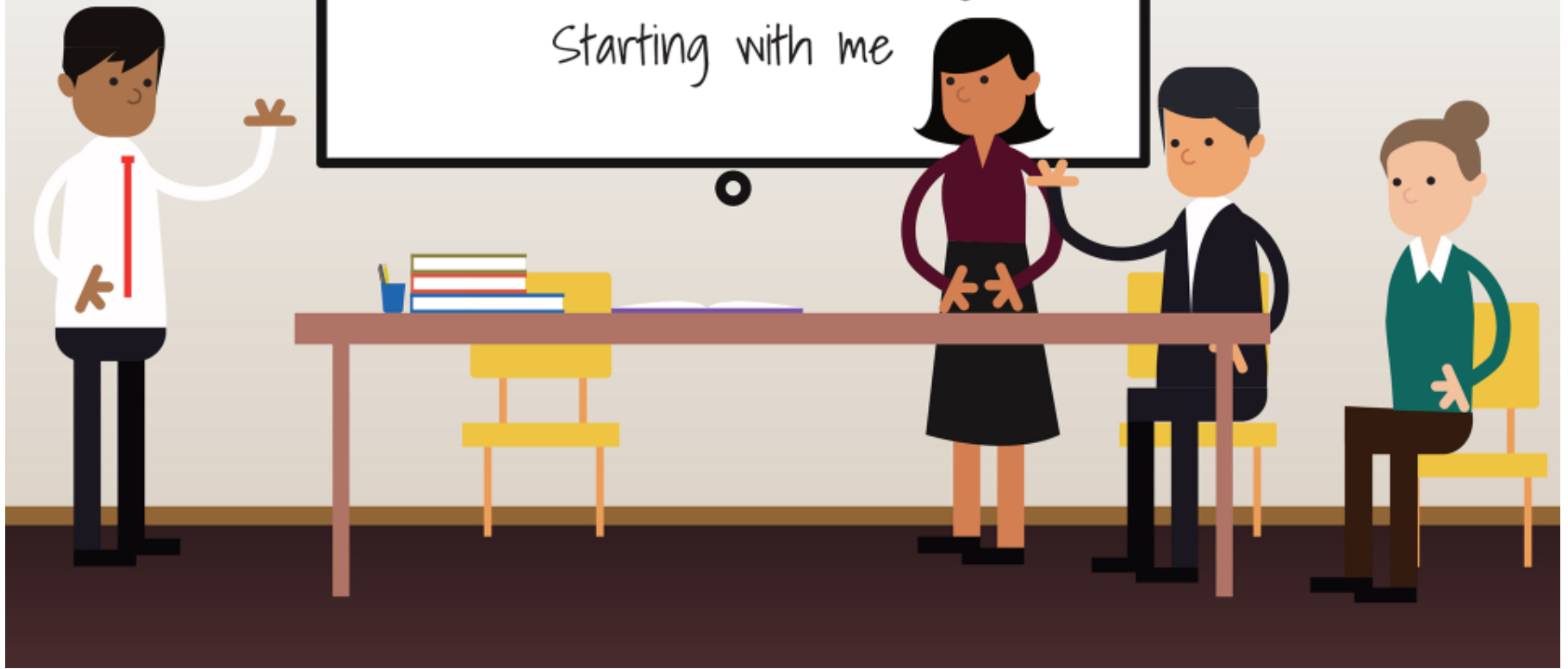


Dr. Yirah Valverde
Math Coordinator
yvalverde@canutillo-isd.org



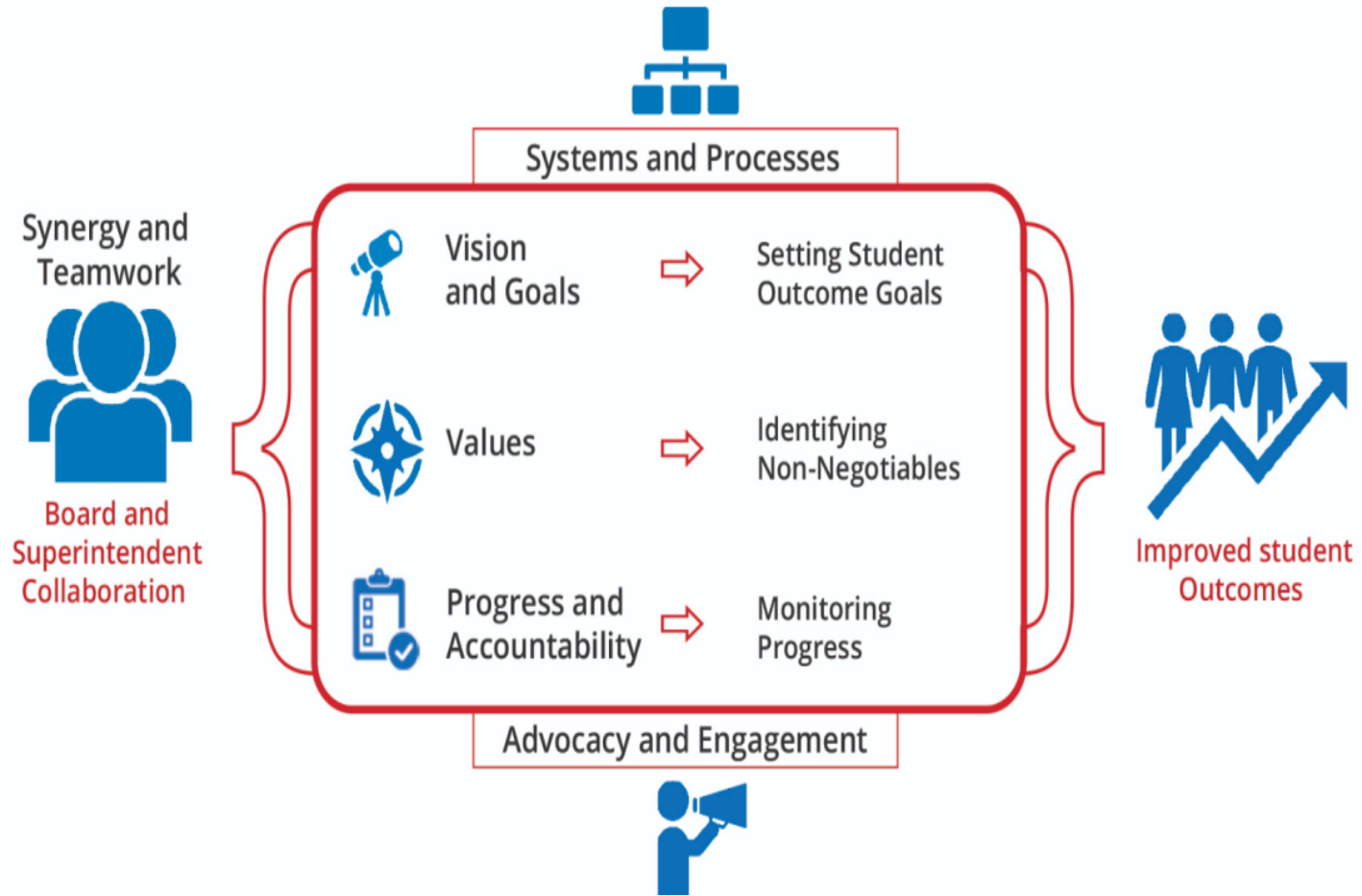
Laura Schenk
Elementary Curriculum Coordinator

Student outcomes don't change
until adult behaviors change
Starting with me



<https://tea.texas.gov/texas-schools/school-boards/one-star-governance>

School Board Behaviors That Improve Student Outcomes



<https://tea.texas.gov/texas-schools/school-boards/lone-star-governance>

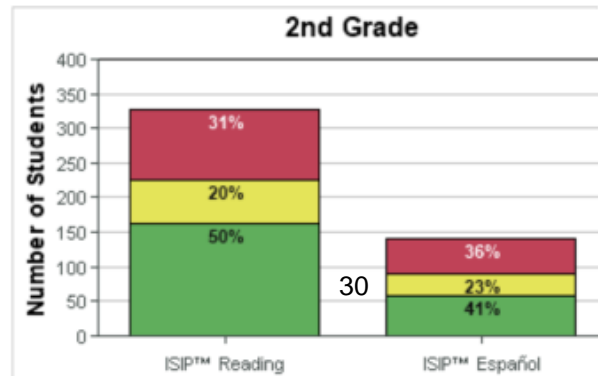
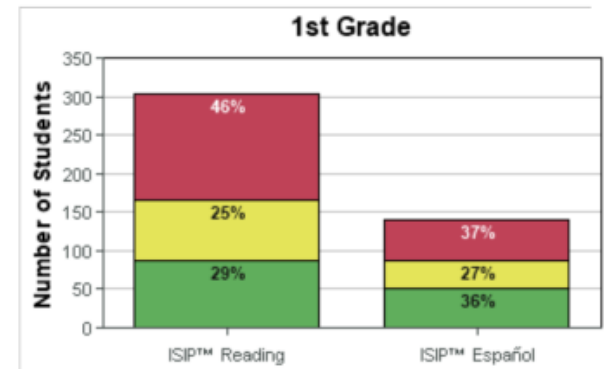
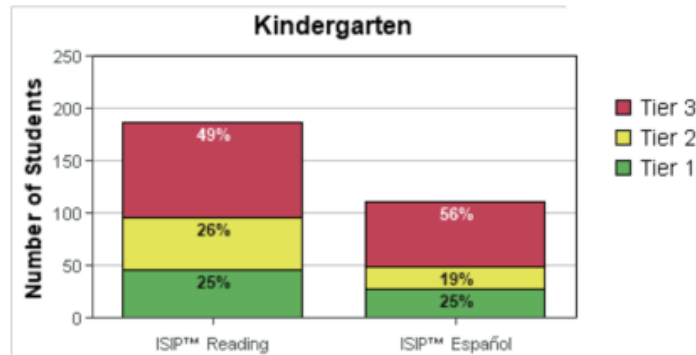
GPM 1

The percentage of grade K – 2 students reading on grade level will increase 8% by year 2022

Texas KEA
&
Istation

Teachers in grades K-2 are implementing a new phonics program (Foundations) which will provide systematic and explicit instruction in foundational reading.

	2019- Istation Reading Tier 1 (Grade Level)	2021-Istation Reading Tier 1 (Grade Level)	2022 Reading Goal
Grade K	48%	31%	39%
Grade 1	63%	46%	54%
Grade 2	69%	54%	62%



GPM 1

By June 2022,
students in each
grade level 3-10
will improve
reading mastery by
8% increasing
master level from
0-8%

	2019	2020	2021	2022 GOAL
Grade 3	33%	No test	17%	33%
Grade 4	19%	No test	13%	21%
Grade 5	25%	No test	31%	39%
Grade 6	14%	No test	8%	16%
Grade 7	25%	No test	18%	26%
Grade 8	28%	No test	19%	29%
English I	9%	No test	10%	18%
English II	4%	No test	7%	15%



BOY Assessment Reading

Grades Tested: 3, 4, 5, 6, 7, 8, EOC

Tests Taken: 731

Date Last Taken: 09/16/2021



Percent
Count

47%

342

24%

179

16%

118

13%

92

GPM 2

By 2022 students in
grade 3-9 will
increase math and
algebra masters level
0-8%

Common and District
Assessments and

M/STAR

	2019 Math Mastery	2020	2021 Math Mastery	2022 Math Goal
Grade 3	24%	No test	7%	24%
Grade 4	13%	No test	8%	13%
* Grade 5	24%	No test	17%	30%
Grade 6	16%	No test	1%	16%
Grade 7	20%	No test	2%	20%
Grade 8	7%	No test	4%	7%
* Algebra I	49%	No test	23%	30%



BOY Assessment Mathematics

Grades Tested: 3, 4, 5, 6, 7, 8, EOC

Tests Taken: 733

Date Last Taken: 09/16/2021



Percent
Count

60%
442

28%
206

9%
65

3%
20

Goal 4

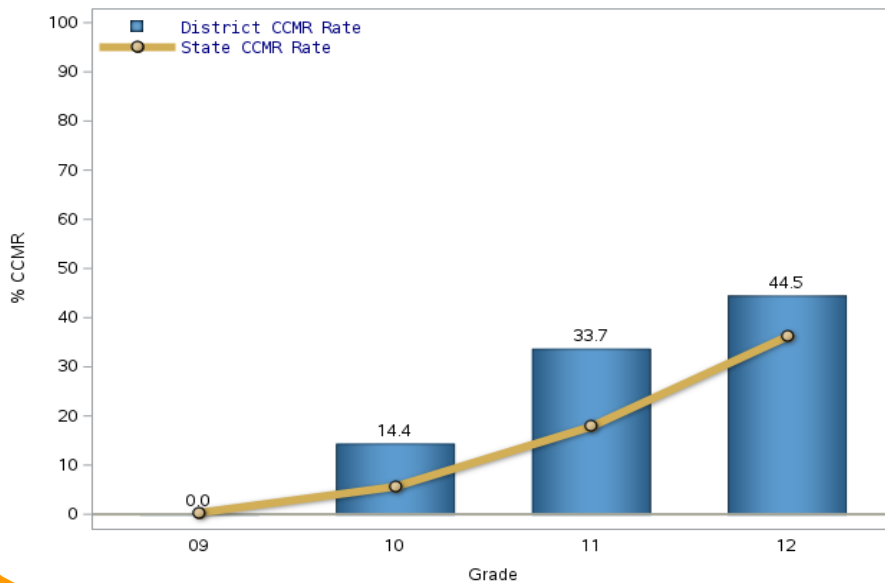
By June 2022, seniors will be graduating College, Career, and Military Ready from the component score of 63% to 75%

2019 CCMR Score: 69.5

2021 CCMR Score: N/A (Pandemic) 58%

Losses in certification, SAT scores, and College Prep courses.

2021 CCMR TO DATE CANUTILLO ISD



Grade Level	CISD % CCM Ready	State % CCM Ready
12	44.5	36.1
11	33.7	17.8
10	14.4	5.6

LSG Next Steps

- The challenges of the pandemic have impacted masters level performance.
- Goals need to be reset based on 2020-2021 performance indicators and TEA assessment updates.
- A board workshop is recommended to review and revise LSG goal targets.

Questions?

Thank you for your support!



CANUTILLO A Premier District

Tomorrow's Best Today

Canutillo I.S.D. Vision Statement

Canutillo I.S.D. is the premier district. We lead today to positively impact tomorrow.

Canutillo I.S. D. Mission Statement

Canutillo I.S.D supports and embraces diversity in a multi-cultural society. Our school community thrives in a safe, engaging, inclusive learning environment. We provide equitable opportunities to ensure our future-ready students are inspired to explore, learn, grow and excel.

Street Address:

7965 Artercraft Rd.
El Paso, TX 79932

Mailing Address:

P.O. Box 100
Canutillo, TX 79835

P: (915) 877-7400

F: (915) 877-7525

canutillo-isd.org

Canutillo Independent School District does not discriminate on the basis of race, color, religion, gender, sex, national origin, age, disability, military status, genetic information, or any other basis prohibited by law in its employment practices or in providing education services, activities, and programs, including career and technical education (vocational programs).

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For additional information regarding Canutillo Independent School District's policy of nondiscrimination contact the Human Resources Division: (915) 877-7423 | 7965 Artercraft Dr. | El Paso, TX 79932.

SUGGESTIONS AFTER 2ND ROUND OF REVISIONS

Under Procedures, after Board Member Rules of Conduct, create this:

**To Maintain relations with other members of the school board,
I will: (Addressed in code of ethics p. 5)**

- A. Respect the rights of others to have and express opinions.
- B. Recognize that authority rests with the school board in legal session – not with the individual members of the school board except as authorized by law.
- C. Make no disparaging remarks, in or out of school board meetings, about other members of the school board or their opinions.
- D. Keep an open mind about how I will vote on any proposition until the board has met and fully discussed the issue.
- E. Make decisions by voting in school board meetings after all sides of debatable questions have been presented.

Under Other Operating Procedures,

3. Visiting school campuses and other facilities:

- C. Board members should inform the Superintendent's Office, the campus principal, or supervisor of the facility at least 7 calendar days in advance when they are planning a visit.

Under Procedures, after communication, create this:

Board member concerns about board member performance

If a Board member has a concern about Board member behavior that violates any of the board operating procedures, the Board member must:

1. Discuss the alleged violation with the other Board Member in private prior to taking any other action, unless the nature of the allegation requires immediate escalation to the Board Chair.
2. If, after the concerned Board Member has privately discussed the alleged violation with the other Board Member, the concerned Board Member remains unsatisfied that the alleged violation has been addressed, the concerned Board Member may submit, in writing, the allegation to the Board Chair (arbiter) along with the referenced violated board operating procedure. If the Board Chair is involved in the allegation, the concerned Board Member may instead submit the allegation, in writing, to the Board Vice-Chair or the next most senior Board Member not involved in the allegation who is then obligated to serve as arbiter instead.
 - a. The arbiter will call a meeting with Board Members involved within 7 calendar days to discuss the alleged violation. All parties are strongly encouraged not to allow any further escalation of these procedures and the arbiter's duty is to work to avoid such escalation.
3. If, after the conference, the concerned Board Member remains unsatisfied that the alleged violation has been addressed, the Board Chair will call a meeting of the Board to discuss the alleged violation. The Board Chair may call upon the District's General Counsel or an external legal advisor to investigate the nature of the allegations. The findings of this investigation will be presented at the meeting of the Board.
4. If, after the meeting of the Board to discuss the alleged violation, the Board determines that additional consideration of the alleged violation is warranted, the allegation and the investigative findings will be placed on the next regular meeting agenda.
5. In order for the alleged violation to be considered, one of the following three motions must be made and seconded: a motion to dismiss allegations, a motion to admonish or a motion to censure.
 - a. A **motion to dismiss allegations** concludes these procedures and exonerates the accused Board Member. Once a motion to dismiss allegations has passed concerning a given alleged violation, no other motions concerning that alleged violation are in order. A motion to dismiss allegations requires a majority vote to pass.
 - b. A **motion to admonish** is a one-time punitive action which serves as a penalty imposed for wrongdoing but carries no fine or suspension of the rights of the Board Member as an elected official. A motion to admonish must be presented in writing and must contain the exact language of the alleged violation and the proposed admonition. A copy of the motion to admonish must be provided to the accused Board Member at least seventy-two (72) hours prior to discussion of the motion. A motion to admonish requires a majority vote to pass.
 - c. A **motion to censure** is an action that is permanent until lifted by the Board via a majority vote of the Board. A censure serves as a penalty imposed for wrongdoing but carries no fine or suspension of the rights of the Board Member as an elected official. A motion to censure does, however, remove privileges that are not rights of Board members but that have been afforded to Board members nevertheless. A motion to censure must be presented in writing and must contain the exact language of the alleged

violation and the proposed censure. A copy of the motion to censure must be provided to the accused Board Member at least seventy-two (72) hours prior to discussion of the motion. A motion to censure requires a 2/3 majority vote to pass. A motion to censure can only be lifted by a motion to dismiss allegations that occur at least one (1) meeting after the motion to censure was passed.

Examples of Board member rights include being in meetings, voting, public information requests. Anything that is not a right afforded to elected officials under law is a privilege and is forfeited by the censured Board member until the censure is lifted. Examples of privileges are set agenda items, be on district property, contact staff, meet with superintendent, access to information that does not exist, etc (these are all rights of the board but not of individual board members.

After Preparation of the Board meeting agenda:

Conflict of Interest Procedures

PROCEDURE INTENTION

These procedures are intended to prevent placing a Board member in a position where the Board member's interest in the District and external interests might conflict, and to avoid the appearance of a conflict of interest, whether or not such a conflict exists. This provides protection for the Board member, the District, and the community. It is not the intent of this procedure to prevent the District from contracting with corporations or businesses because a Board member has an interest.

PROCEDURES FOR IDENTIFYING, DISCLOSING AND/OR AVOIDING CONFLICTS OF INTEREST

1. **Identifying Conflicts:** A conflict or the appearance of a conflict exists whenever there is an intersection between a Board member's duty to the District and the Board's member's other duties. Examples of behaviors that are considered conflicts of interest and/or unethical behaviors that all Board members are forbidden from engaging in include, but are not limited to:
 - a. A Board member, or individual related by affinity or within the fourth degree by consanguinity, being party to a contract or having a financial interest in a transaction with the District. Financial interest, as used in this procedure, means having a 5% partnership interest or owning 5% or more of the outstanding shares of any class of stock in an entity contracting or entering into an agreement for services with the District, and/or receiving annual compensation or value equal to or exceeding \$1 from an entity.
 - b. A Board Member, or individual related by affinity or within the fourth degree by consanguinity, being a trustee, director, board member, associate, employee, consultant or advisor of an entity engaged with the District in a contract or transaction for goods or services.
 - c. A Board Member, or individual related by affinity or within the fourth degree by consanguinity, being engaged in some capacity or having a financial interest in a business or enterprise that competes or partners with the District.
 - d. A Board Member voting to employ or appoint any person who is related by affinity or within the fourth degree by consanguinity to the Board Member or Board Member's spouse. By extension, it is a conflict for a Board member to provide applicants to District positions with letters of references or be listed as a reference on an application.
 - e. A Board Member voting for or against any measure if they have received or have been promised any gift or payment of any item or value on condition of vote.

- f. A Board Member voting for or against any measure if they have received a campaign contribution from a party wishing to benefit from the vote.
 - g. A Board member using their office to obtain anything of substantial value for the Board member or their immediate family. By extension, no Board member may solicit or accept anything of value if it could reasonably be considered a reward for any official action, take any official action affecting a matter in which the Board member or the Board member's immediate family has a substantial financial interest, use their office to produce a substantial direct or indirect benefit for themselves or for members of their immediate family.
2. **Disclosing Conflicts:** When a conflict or the appearance of a conflict exists, the Board will take the following steps to ensure that the public is made aware of the real, perceived, or potential conflict:
- a. The Board Member will submit a Statement of Conflict to the Board Chair and Secretary no later than 72 hours prior to the Board Meeting at which the Board Item relating to the potential conflict is to be discussed.
 - b. The potential conflict of interest will be added to the agenda before it is posted.
 - c. Before the Board Item relating to the potential conflict is discussed during the board meeting, the Board Chair will announce that there is a potential conflict.
 - d. A Board Member who discloses a conflict of interest will leave the dais during the period of time when the item in conflict is discussed. Board member will abstain from voting and recuse him/herself from all discussions on the matter. Upon abstaining, the Board Member shall state the conflict and their reasoning for abstaining prior to leaving the dais. Furthermore, Board Members will be prohibited from influencing the matter outside of the Board's decision making process. All Board Members will be required to report inappropriate influence or pressure to the Board Chair as prohibited by this procedure.
 - e. All actions, disclosures, and discussions regarding conflicts of interest will be recorded in Board meeting minutes and posted on the District's website.
3. **Avoiding Conflicts:** To avoid either a conflict of interest or the appearance of a conflict of interest, the Board will:
- a. Not allow the District to employ Board Members for compensation even on a substitute or part-time basis. Board Members may volunteer in the District.
 - b. Not enter into a contract or financial transaction where a conflict of interest, as defined by this procedure, exists unless the conflict has been properly disclosed as described above.
 - c. Ensure that all Board Members submit to the Board Chair and Secretary an annual Conflict Disclosure Form identifying any relationships, positions, or circumstances in which they are involved that contributes to a conflict of Interest or the appearance of a conflict of interest as defined by this procedure.
 - d. Ensure that all conflicts, potential conflicts, and disclosures are submitted to the Board Chair and Secretary no later than 72 hours prior to the Board Meeting at which the Board Item relating to the potential conflict is to be discussed.
 - e. Not allow Board members to sell, lease, or provide personal property or real estate to the District. Personal property or real estate may be donated to the District by a Board Member.

PROCEDURES FOR DEFINING A CONFLICT OF INTEREST VIOLATION

1. **Defining Violations:** Because the lists above are not intended to be exhaustive, there are many ways that a Board member could intentionally or unintentionally violate these procedures. Common examples of potential violations include, but are not limited to:

- a. Failure to Disclose: The Board member did not disclose a conflict of interest prior to a Board discussion or action on the Board Item or issue.
- b. Failure to Comply with Inquiries: The Board member did not cooperate with inquiries made by the Board into potential conflicts of Interest.
- c. Inappropriately Influencing the Decision Making Process: The Board member engaged in pressuring or influencing fellow Board Members to discuss or vote a certain way on a decision involving a conflict of interest including, but not limited to, asking, suggesting, manipulating, pressuring, or threatening a Board Member to vote a certain way.
- d. Failure to Report Suspected Conflicts of Interest: A Board Member knowingly failed to report a conflict regarding a fellow Board Member to the Board Chair and Secretary.
- e. Use of Confidential Information: A Board Member used confidential information obtained in the course of a Board Member's official capacity in any manner with the intent to result in financial or political gain for him/ herself, any other person, or any entity.



OFFICE OF THE SUPERINTENDENT CANUTILLO A Premier District

September 20, 2021

Trustees,

Board President Coronado and I would like to recommend the district undergo a policy review session with TASB. Canutillo ISD has an unusually large number of locally-developed policy provisions. Auditing the policy manual will ensure that all district policies reflect desired practice. The district had its last policy review in March 2012. It is recommended a policy review be done every 5-7 years so we are well within that timeframe.

The cost for the workshop will be \$2,900 plus travel expenses. Please see the attached document that outlines the policy review process. Please note the training is being offered both in-person and virtual formats.

In addition, the cost of processing the district's new manual will be around \$2,000, which can vary based on the extent of the policy changes. They next available date will be in the Spring of 2022.

Thank you,

Dr. Pedro Galaviz
Superintendent of Schools

Street Address:
7965 Artcraft Rd.
El Paso, TX 79932

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

P: (915) 877-7444
F: (915) 877-7521
canutillo-isd.org

Canutillo Independent School District does not discriminate on the basis of race, color, religion, gender, sex, national origin, age, disability, military status, genetic information, or any other basis prohibited by law in its employment practices or in providing education services, activities, and programs, including career and technical education (vocational programs).

42

For additional information regarding Canutillo Independent School District's policy of nondiscrimination contact the Human Resources Division: (915) 877-7423 | 7965 Artcraft Dr. | El Paso TX 79932

POLICY SERVICE REVIEW SESSION

EVEN THE BEST MAINTAINED POLICY MANUAL NEEDS A PERIODIC OVERHAUL

WHAT IS A POLICY REVIEW SESSION?

A policy review session (PRS) offers a comprehensive review of a district's policies to ensure that they are up-to-date and consistent with changing district practice.

HOW OFTEN DO WE NEED ONE?

Policy Service recommends a thorough policy review every **five to seven years**—sooner if your district's local practices or philosophies have shifted.

IT'S TIME FOR A POLICY REVIEW WHEN:

- ✓ A district discovers significant discrepancies between board policy and current administrative practice.
- ✓ It has been 5–7 years since the district's last PRS.
- ✓ There has been a change in district leadership.

CONTACT YOUR POLICY CONSULTANT TO BEGIN THE PRS PROCESS

THE POLICY REVIEW PROCESS



The seal of the Texas Comptroller of Public Accounts is a circular emblem. It features a central five-pointed star surrounded by a wreath of olive and oak branches. The words "THE COMPTROLLER" are inscribed along the top inner edge of the circle, and "TEXAS" is at the bottom. The entire seal is rendered in a light, golden-brown color against the orange background.

Glenn Hegar
Texas Comptroller
of Public Accounts

Appraisal District Director's Manual

May 2020

Tax Code Section 5.05(a) authorizes the Comptroller's office to prepare and issue publications relating to the appraisal of property and the administration of taxes as a public service. By publishing this manual, the Comptroller's office is making available an information resource of a general nature regarding the appraisal of property and the administration of taxes. This publication does not address and is not intended to address all aspects of property appraisal, tax administration or property tax law. The information contained in this publication neither constitutes nor serves as a substitute for legal advice. Pursuant to Tax Code Section 5.041(f), the Comptroller's office may not advise a property owner, a property owner's agent or the appraisal district on a protest matter. Questions regarding property appraisal, tax administration, the meaning or interpretation of statutes, legal requirements and other similar matters should, as appropriate or necessary, be directed to an attorney or other appropriate counsel.

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Introduction

Appraisal districts are responsible for appraising property in the district for ad valorem tax purposes for each taxing unit that imposes ad valorem taxes on property in the district.¹ An appraisal district is established in each county and has the same boundaries as the county's boundaries.² An appraisal district is a political subdivision of the state that is governed by a board of directors.³

Common abbreviations and terms used in this manual are:

ARB – appraisal review board

CAD – county appraisal district

TAC – tax assessor-collector

TDLR – Texas Department of Licensing and Regulation

Voting taxing units – taxing units that are entitled to vote on the appointment of members to the board of directors.

¹ Tex. Tax Code §6.01(b)

² Tex. Tax Code §§6.01(a) and 6.02(a)

³ Tex. Tax Code §§6.01(c) and 6.03(a)

Governance

Composition of Board of Directors

The board of directors is composed of five members.⁴ The number of directors can be increased up to 13 by action of the board of directors.⁵ However, in most cases, the board of directors may not make this change if a voting taxing unit adopts a resolution opposing the change.⁶

Taxing units participating in the CAD may increase the number of directors up to 13 members if three-fourths of voting taxing units adopt resolutions.⁷ A change is not valid if it reduces the voting entitlement of one or more taxing units (unless the taxing unit adopts one of two specified resolutions) or if it expands the types of taxing units that are entitled to vote on the appointment of directors.⁸

The county TAC is a nonvoting director, if not appointed as a voting director.⁹ If a commissioner's court of the county enters into a contract for assessment and collections under Tax Code Section 6.24(b) or if the CAD board of directors enters into a contract for appraisal under Tax Code Section 6.05(b), then the county TAC is ineligible to serve on the board of directors.¹⁰

Board members may not receive compensation for service on the board but are entitled to reimbursement for actual and necessary expenses incurred in the performance of their duties.¹¹ This reimbursement is as provided by the budget adopted the board of directors.¹²

⁴ Tex. Tax Code §6.03(a)

⁵ Tex. Tax Code §6.031(a)

⁶ Tex. Tax Code §6.031(a)

⁷ Tex. Tax Code §6.031(b)

⁸ Tex. Tax Code §6.031(b)

⁹ Tex. Tax Code §6.03(a)

¹⁰ Tex. Tax Code §6.03(a)

¹¹ Tex. Tax Code §6.04(c)

¹² Tex. Tax Code §6.04(c)



Appointment, Eligibility and Terms

Appointment: Taxing units—counties, cities/towns, school districts, junior colleges and certain conservation and reclamation districts—select directors in the fall of odd-numbered years.¹³ Conservation and reclamation districts may participate in this process if at least one conservation and reclamation district in the CAD delivers to the chief appraiser a written request to nominate and vote on the board of directors by June 1 of each odd-numbered year.¹⁴ On request, the chief appraiser must certify all eligible conservation and reclamation districts that are imposing taxes and that participate in the CAD by June 15.¹⁵

The board of directors is selected by appointment; it is not an election governed by the Texas Election Code.¹⁶ The method or procedure for appointing members can be changed by the board of directors or by three-fourths of the voting taxing units acting through resolutions.¹⁷

The voting entitlement of a taxing unit is determined by a calculation that takes into account a taxing unit's share of the total dollar amount of property taxes imposed in the CAD.¹⁸ The chief appraiser makes this calculation for each taxing unit (other than conservation and reclamation districts) and delivers written notice before Oct. 1 of each odd-numbered year of the number of votes to which each taxing unit is entitled.¹⁹ Each taxing unit (other than a conservation and reclamation district)

¹³ Tex. Tax Code §6.03

¹⁴ Tex. Tax Code §6.03(c)

¹⁵ Tex. Tax Code §6.03(c)

¹⁶ Tex. Att'y Gen. Op. JM-166 (1984)

¹⁷ Tex. Tax Code §6.031(a) and (b)

¹⁸ Tex. Tax Code §6.03(d)

¹⁹ Tex. Tax Code §6.03(e)

that is entitled to vote may submit to the chief appraiser one nominee for each position to be filled before Oct. 15.²⁰

The chief appraiser also must calculate the number of votes that an eligible conservation and reclamation district is entitled to and must deliver before July 1 of each odd-numbered year, a written notice to the district of its voting entitlement and right to nominate one candidate for director.²¹ All eligible conservation and reclamation districts must submit the name of the district's nominee to the chief appraiser before July 15 of each odd-numbered year.²² Before Aug. 1, the chief appraiser must prepare a nominating ballot listing all the nominees of conservation and reclamation districts and deliver a ballot to the presiding officer of the board of directors of each district.²³ The board of directors of each district must submit its vote for the nominee of conservation and reclamation districts before Aug. 15.²⁴ The winning nominee of the conservation and reclamation districts in the CAD becomes a nominee for CAD director.²⁵



The chief appraiser must prepare a ballot before Oct. 30 with candidates whose names were timely submitted, including the nominee of conservation and reclamation districts if applicable.²⁶ Each taxing unit entitled to vote must determine its vote by resolution and submit it to the chief appraiser before Dec.

15.²⁷ The five candidates who receive the largest cumulative vote totals become the board of directors.²⁸ The chief appraiser announces the new directors before Dec. 31.²⁹ Ties must be resolved by the chief appraiser by any method of chance.³⁰

Both the board of directors and taxing units may propose to change the method or procedure for appointing directors.³¹ If the board of directors makes the proposal, then a voting

taxing unit may veto the proposal by filing a resolution before Sept. 1.³² If a participating taxing unit proposes a change, the change is adopted if three-fourths of the voting taxing units adopt resolutions providing for the change.³³ A resolution to change the method or procedure for appointing directors must be filed with the chief appraiser after June 30 and before Oct. 1 of a year in which members are appointed, or the resolution is ineffective.³⁴

Throughout the selection process, the Tax Code specifies dates for action by the chief appraiser and the taxing units. The dates provided in Tax Code Section 6.03(f) and (g) are directory and not mandatory.³⁵ However, the advice of legal counsel should be obtained in such situations.

Eligibility: To be eligible to serve on a board of directors, an individual must be a resident of the CAD and must have resided in the CAD for at least two years immediately preceding the date of taking office.³⁶ This residency requirement does not apply to a county TAC serving as a nonvoting director.³⁷

An employee of a taxing unit that participates in the CAD is not eligible to serve on the board of directors, unless that individual also is a member of the governing body of the taxing unit or an elected official of a taxing unit.³⁸ Membership on the governing body of a taxing unit does not make an otherwise eligible individual ineligible to serve on the board of directors.³⁹

Owing delinquent property taxes disqualifies a person from serving on the CAD board of directors.⁴⁰ The person is ineligible if he or she owns property on which delinquent property taxes have been owed for more than 60 days after the date the person knew or should have known of the delinquency.⁴¹ This disqualification does not apply if the person is paying the delinquent taxes and any penalties and interest under an installment payment agreement or has deferred or abated a suit to collect the delinquent taxes.⁴²

²⁰ Tex. Tax Code §6.03(g)

²¹ Tex. Tax Code §6.03(f) and (h)

²² Tex. Tax Code §6.03(h)

²³ Tex. Tax Code §6.03(h)

²⁴ Tex. Tax Code §6.03(h)

²⁵ Tex. Tax Code §6.03(h)

²⁶ Tex. Tax Code §6.03(j)

²⁷ Tex. Tax Code §6.03(k)

²⁸ Tex. Tax Code §6.03(k)

²⁹ Tex. Tax Code §6.03(k)

³⁰ Tex. Tax Code §6.03(k)

³¹ Tex. Tax Code §6.031(a) and (b)

³² Tex. Tax Code §6.031(a)

³³ Tex. Tax Code §6.031(b)

³⁴ Tex. Tax Code §6.031(c)

³⁵ Tex. Att'y Gen. Op. JM-166 (1984)

³⁶ Tex. Tax Code §6.03(a)

³⁷ Tex. Tax Code §6.03(a)

³⁸ Tex. Tax Code §6.03(a)

³⁹ Tex. Tax Code §6.03(a)

⁴⁰ Tex. Tax Code §6.035(a)(2)

⁴¹ Tex. Tax Code §6.035(a)(2)

⁴² Tex. Tax Code §6.035(a)(2)

Degrees of Consanguinity and Affinity

1st DEGREE	2nd DEGREE	3rd DEGREE
<p>By Consanguinity</p> <ul style="list-style-type: none"> • Parents • Children <p>By Affinity</p> <ul style="list-style-type: none"> • Spouses of relatives listed under first degree consanguinity • Spouse • Spouse's parents • Spouse's children • Stepparents • Stepchildren 	<p>By Consanguinity</p> <ul style="list-style-type: none"> • Grandparents • Grandchildren • Brothers & sisters <p>By Affinity</p> <ul style="list-style-type: none"> • Spouses of relatives listed by second degree consanguinity • Spouse's grandparents • Spouse's grandchildren • Spouse's brothers & sisters 	<p>By Consanguinity</p> <ul style="list-style-type: none"> • Great grandparents • Great grandchildren • Nieces & nephews • Aunts & uncles <p>By Affinity</p> <ul style="list-style-type: none"> • No prohibitions

A person who has appraised property for compensation for use in proceedings or represented property owners for compensation in proceedings in the CAD at any time within the preceding three years is ineligible to serve on the board of directors.⁴³

A person is ineligible to serve on the board of directors if the individual is related within the second degree of consanguinity (blood) or affinity (marriage) to the following:

- an appraiser who appraises property for use in a proceeding under the Tax Code; or
- a person who represents property owners for compensation in proceedings under the Tax Code in the CAD.⁴⁴

A director who continues to hold office knowing he or she is related in this manner to the above named persons commits a Class B misdemeanor offense.⁴⁵

An individual is not eligible to be appointed to or to serve on the board of directors if an individual has a substantial interest in a business entity that is party to a contract or the individual is a party to a contract with the CAD.⁴⁶ This prohibition also applies to contracts with a taxing unit that participates in the CAD if the contract relates to the performance of an activity

governed by the Tax Code.⁴⁷ A CAD may not enter into a contract with a board member or with a business entity in which a board member has a substantial interest.⁴⁸ A taxing unit may not enter into a contract relating to the performance of an activity governed by the Tax Code with a board member in which the taxing unit participates or with a business entity in which a board member has a substantial interest.⁴⁹

An individual has substantial interest in a business entity if:

- the combined ownership of the director and the director's spouse is at least 10 percent of the voting stock or shares of the business entity; or
- the director or director's spouse is a partner, limited partner or officer of the business entity.⁵⁰



Term of Office and Vacancy: CAD directors serve two-year terms.⁵¹ Each term begins on Jan. 1 of an even-numbered year.⁵² The two-year term of office does not apply to the county TAC who serves as a nonvoting director.⁵³

⁴³ Tex. Tax Code §6.035(a-1)

⁴⁴ Tex. Tax Code §6.035(a)(1)

⁴⁵ Tex. Tax Code §6.035(b)

⁴⁶ Tex. Tax Code §6.036(a)

⁴⁷ Tex. Tax Code §6.036(a)

⁴⁸ Tex. Tax Code §6.036(b)

⁴⁹ Tex. Tax Code §6.036(c)

⁵⁰ Tex. Tax Code §6.036(d)

⁵¹ Tex. Tax Code §6.03(b)

⁵² Tex. Tax Code §6.03(b)

⁵³ Tex. Tax Code §6.03(b)

Voting taxing units may adopt staggered one and two-year terms.⁵⁴ To adopt staggered terms, taxing units must take two actions.⁵⁵ First, at least three-fourths of the voting taxing units are required to adopt resolutions for staggered terms.⁵⁶ Second, the voting taxing units must have changed the method for appointing members to end cumulative voting (casting all or part of the votes to which the taxing unit is entitled). These two actions may be proposed concurrently.⁵⁷

A resolution proposing staggered terms must be filed with the chief appraiser after June 30 and before Oct. 1.⁵⁸ If the chief appraiser determines that enough taxing units filed valid resolutions, he or she must notify all taxing units of the change before Oct. 10.⁵⁹ Staggered terms take effect on Jan. 1 of the next even-numbered year.⁶⁰ To start staggering terms, all members are appointed for that year without regard to staggered terms.⁶¹ At the earliest practical date after Jan. 1, the board determines by lot which of its members will serve one- and two-year terms.⁶²

Boards with an even number of members divide the one- and two-year terms in half. Boards with an odd number of members must have one more member with a two-year term than members with one-year terms.⁶³ For example, a six-member board would choose three members to serve one-year terms. A five-member board would choose two.

For each director's term that expires on Jan. 1, the CAD must annually appoint directors for a term that begins on that Jan. 1.⁶⁴

Staggered terms may be rescinded by resolution of a majority of voting taxing units.⁶⁵ The resolution must be adopted and filed with the chief appraiser after June 30 and before Oct. 1 of odd-numbered years.⁶⁶ After a valid rescission, the terms of all current members expire on the next Jan. 1, even if a member

will have only served one year of a two-year term.⁶⁷ The entire board will be appointed for two-year terms on that date.⁶⁸ Staggered terms are automatically rescinded if the CAD makes a change in the method of appointing board members that results in a method of using cumulative voting.⁶⁹



If a vacancy occurs on the board, each voting taxing unit nominates by resolution a candidate to fill the vacancy.⁷⁰

Within 45 days after receiving notice from the board of directors that a vacancy exists, a taxing unit must submit the nomination to the chief appraiser.⁷¹ The chief appraiser delivers a list of the nominees to the directors within the next five days.⁷² Directors select by majority vote one of the nominees to fill the vacancy.⁷³ If a vacancy occurs for a board with staggered terms, the vacancy is filled by appointment of the voting taxing unit that nominated the person whose departure caused the vacancy.⁷⁴

Conflicts of Interest

Board members are subject to conflict of interest provisions in law, including Tax Code Section 6.036 which excludes certain individuals from serving on the board of directors. Local Government Code Chapter 171 applies to all local officials, including boards of directors of CADs. Local Government Code Chapter 176 applies to officers of political subdivisions of the state.⁷⁵

For more information, see the Texas Ethics Commission's conflict of interest forms at ethics.state.tx.us/forms/conflict.

Ex Parte Communications

A board member commits a Class C misdemeanor offense if the member directly or indirectly communicates with the chief appraiser on any matter relating to the appraisal of property by the CAD.⁷⁶ However, this type of communication is allowed in:

⁵⁴ Tex. Tax Code §6.034(a)

⁵⁵ Tex. Tax Code §6.034(a)

⁵⁶ Tex. Tax Code §6.034(a)

⁵⁷ Tex. Tax Code §6.034(a)

⁵⁸ Tex. Tax Code §6.034(b)

⁵⁹ Tex. Tax Code §6.034(c)

⁶⁰ Tex. Tax Code §6.034(d)

⁶¹ Tex. Tax Code §6.034(d)

⁶² Tex. Tax Code §6.034(d)

⁶³ Tex. Tax Code §6.034(d)

⁶⁴ Tex. Tax Code §6.034(e)

⁶⁵ Tex. Tax Code §6.034(g)

⁶⁶ Tex. Tax Code §6.034(g)

⁶⁷ Tex. Tax Code §6.034(g)

⁶⁸ Tex. Tax Code §6.034(g)

⁶⁹ Tex. Tax Code §6.034(h)

⁷⁰ Tex. Tax Code §6.03(l)

⁷¹ Tex. Tax Code §6.03(l)

⁷² Tex. Tax Code §6.03(l)

⁷³ Tex. Tax Code §6.03(l)

⁷⁴ Tex. Tax Code §6.034(i)

⁷⁵ Tex. Local Government Code §171.001(1) and §176.001(3) and (4)

⁷⁶ Tex. Tax Code §6.15(a) and (d)

- an open meeting of the CAD board of directors or another public forum; or
- a closed meeting of the board of directors held to consult with its attorney about pending litigation, at which the chief appraiser's presence is necessary for full communication between the board and its attorney.⁷⁷

These ex parte communication provisions do not apply to a routine communication between the chief appraiser and the county TAC relating to the administration of an appraisal roll, including a communication made in connection with the certification, correction or collection of an account.⁷⁸ This exception applies regardless of whether the county TAC was appointed to the board of directors or serves as a nonvoting director.⁷⁹

These ex parte communication provisions do not prohibit a CAD board member from transmitting in writing to a chief appraiser, without comment, a complaint by a property owner or taxing unit about the appraisal of a specific property.⁸⁰

Oath of Office



The Texas Constitution requires all elected and appointed officers to sign an anti-bribery statement and take an oath of office before beginning the duties of the office.⁸¹

The constitutionally prescribed anti-bribery statement is located on the Secretary of State's website as Form 2201 at sos.state.tx.us/statdoc/forms/2201.pdf. A director signs this statement before the oath of office is administered.⁸² Directors should retain the statement in the official records of the appraisal district.⁸³

The official oath of office is found on the Secretary of State's website as Form 2204 at sos.state.tx.us/statdoc/forms/2204.pdf.

⁷⁷ Tex. Tax Code §6.15(a)

⁷⁸ Tex. Tax Code §6.15(c)

⁷⁹ Tex. Tax Code §6.15(c)

⁸⁰ Tex. Tax Code §6.15(c)

⁸¹ Tex. Const. XVI, §1(a) and (b)

⁸² Tex. Const. XVI, §1

⁸³ Tex. Const. XVI, §1(c)

Recalling a Director

A taxing unit may ask for the recall of any director the taxing unit voted for in the appointment process.⁸⁴ A recall starts when a taxing unit files a resolution with the chief appraiser stating that the taxing unit is calling for the recall of a named member.⁸⁵ Within 10 days after a taxing unit files a recall resolution, the chief appraiser must give written notice of the filing of the resolution to the presiding officer of each voting taxing unit.⁸⁶

Only the taxing units that voted for the member may vote.⁸⁷ A recall-voting taxing unit has the same number of votes in the recall that it cast in appointing the board member.⁸⁸ A taxing unit votes by submitting a resolution to the chief appraiser on or before the 30th day after the recall resolution is filed.⁸⁹

Not later than the 10th day after the last day for voting in favor of the recall, the chief appraiser must count the casted votes.⁹⁰ A director is recalled if the number of votes cast in favor of recall equals or exceeds a majority of the votes cast appointing the board member.⁹¹ The chief appraiser must immediately notify in writing the presiding officer of the board of directors and the governing body of each recall-voting taxing unit of the results.⁹² If the chair is the subject of the recall, the board secretary shall also be notified.⁹³

After a recall, the director's vacancy is filled by the recall-voting taxing units appointing a new board member.⁹⁴ Each recall-voting taxing unit may nominate by resolution one candidate and is entitled to the same number of votes it originally cast to appoint the recalled member.⁹⁵

On or before the 15th day after the last day nominations must be submitted, the chief appraiser must prepare a ballot and deliver a copy of the ballot to the presiding officer of the governing body of each taxing unit that is entitled to vote to fill

⁸⁴ Tex. Tax Code §6.033(a)

⁸⁵ Tex. Tax Code §6.033(a)

⁸⁶ Tex. Tax Code §6.033(a)

⁸⁷ Tex. Tax Code §6.033(b)

⁸⁸ Tex. Tax Code §6.033(b)

⁸⁹ Tex. Tax Code §6.033(b)

⁹⁰ Tex. Tax Code §6.033(c)

⁹¹ Tex. Tax Code §6.033(c)

⁹² Tex. Tax Code §6.033(c)

⁹³ Tex. Tax Code §6.033(c)

⁹⁴ Tex. Tax Code §6.033(d)

⁹⁵ Tex. Tax Code §6.033(d)

the vacancy.⁹⁶ A taxing unit determines its vote by resolution and submits it to the chief appraiser.⁹⁷ The chief appraiser counts the votes on or before the 15th day after the last day on which a taxing unit may vote, declares the winner who received the largest vote total and notifies the chair of the board of directors, each taxing unit and the candidates.⁹⁸ The chief appraiser must resolve a tie vote by any method of chance.⁹⁹

If the board of directors is appointed by another method or procedure adopted under Tax Code Section 6.031, the taxing units that voted for or participated in the appointment of the director may recall him or her and appoint a new director by any method adopted by resolution of a majority of recall-voting taxing units.¹⁰⁰ If the appointment was by election, the method of recall and appointing a new director to the vacancy is not valid unless it provides that each taxing unit is entitled to the same number of votes it cast for the member being recalled.¹⁰¹

⁹⁶ Tex. Tax Code §6.033(d)

⁹⁷ Tex. Tax Code §6.033(d)

⁹⁸ Tex. Tax Code §6.033(d)

⁹⁹ Tex. Tax Code §6.033(d)

¹⁰⁰ Tex. Tax Code §6.033(e)

¹⁰¹ Tex. Tax Code §6.033(e)

Board Duties, Authority and Policies

A board of directors has required duties and authority under the Tax Code. Other additional duties and authority are provided for in other law. Consult an attorney regarding all legal duties and authority.

Primary Duties

The following is a nonexclusive list of the primary responsibilities of the board of directors under the Tax Code:

Establish the appraisal district office;¹⁰²

Hire a chief appraiser;¹⁰³

Adopt the CAD's annual operating budget before Sept. 15 after fulfilling notice requirements and holding a public hearing;¹⁰⁴

Adopt a new budget within 30 days after a budget is disapproved by voting taxing units;¹⁰⁵

Appoint appraisal review board (ARB) members in counties with a population of less than 120,000;¹⁰⁶

Notify taxing units of any vacancy on the board and elect by majority vote of members one of the submitted nominees;¹⁰⁷

Elect from members a chair and secretary at the first meeting of the calendar year;¹⁰⁸

Have board meetings at least once each calendar quarter;¹⁰⁹

Develop and implement policies regarding reasonable access to the board;¹¹⁰

Prepare information describing the board's functions and complaint procedures; the information must be made available to the public and the appropriate taxing units;¹¹¹

Notify parties to a complaint filed with the board of the status of the complaint unless otherwise provided;¹¹²

Appoint a taxpayer liaison officer (in counties having a population of over 120,000);¹¹³

Biennially develop a written plan for the periodic reappraisal of all property in the CAD's boundaries, hold a public hearing with the required notice, approve a plan by Sept. 15 of each even-numbered year and distribute copies to participating taxing units and to the Comptroller's office as required;¹¹⁴

Make an agreement with newly formed taxing unit's governing body on an estimated budget allocation for the new taxing unit;¹¹⁵

Have prepared an annual financial audit conducted by an independent certified public accountant and deliver a copy of the audit to each voting taxing unit and make available for inspection at the CAD office;¹¹⁶

Designate the CAD depository at least once every two years;¹¹⁷

Receive taxing units' resolutions disapproving board actions;¹¹⁸

Adhere to requirements regarding purchasing and contracting under Local Government Code Chapter 252;¹¹⁹

Provide advice and consent to the chief appraiser concerning the appointment of an agricultural appraisal advisory board and determine the number of members on that advisory board;¹²⁰

Adhere to laws concerning the preservation, microfilming, destruction or other disposition of records; and¹²¹

Adopt and implement a policy for the temporary replacement of an ARB member who violates ex-parte communication requirements.¹²²

¹⁰² Tex. Tax Code §6.05(a)

¹⁰³ Tex. Tax Code §6.05(c)

¹⁰⁴ Tex. Tax Code §6.06(b)

¹⁰⁵ Tex. Tax Code §6.06(b)

¹⁰⁶ Tex. Tax Code §§6.41(d) and (d-1)

¹⁰⁷ Tex. Tax Code §6.03(l)

¹⁰⁸ Tex. Tax Code §6.04(a)

¹⁰⁹ Tex. Tax Code §6.04(b)

¹¹⁰ Tex. Tax Code §6.04(d) and (e)

¹¹¹ Tex. Tax Code §6.04(f)

¹¹² Tex. Tax Code §6.04(g)

¹¹³ Tex. Tax Code §6.052(a)

¹¹⁴ Tex. Tax Code §6.05(i)

¹¹⁵ Tex. Tax Code §6.06(h)

¹¹⁶ Tex. Tax Code §6.063(a) and (b)

¹¹⁷ Tex. Tax Code §6.09

¹¹⁸ Tex. Tax Code §6.10

¹¹⁹ Tex. Tax Code §6.11

¹²⁰ Tex. Tax Code §6.12(a)

¹²¹ Tex. Tax Code §6.13

¹²² Tex. Tax Code §41.66(g)

Statutory Authority

Tax Code Chapter 6 contains much of the statutory authority for boards of directors. The following is a non-exclusive list of boards' authority:

Provide for the operation of a consolidated CAD by interlocal contract between two or more adjoining CADs;¹²³

Change the number of directors or method of selecting directors, or both, unless any of the voting taxing units oppose the change;¹²⁴

Have board meetings at any time at the call of the chair or as provided by board rule;¹²⁵

Contract with another CAD or with a taxing unit in the CAD to perform the duties of the appraisal district office;¹²⁶

Prescribe, by resolution, specified actions of the chief appraiser relating to CAD finances or administration that are subject to board approval;¹²⁷

Employ a general counsel to the CAD to serve at the will of the board;¹²⁸

Purchase or lease real property and construct improvements necessary to establish and operate an appraisal district office or branch office;¹²⁹

Convey real property owned by the CAD;¹³⁰

Amend the approved operating budget after giving notice to participating taxing units not later than the 30th day before the date the board acts on the proposed amendment;¹³¹

Authorize the chief appraiser to disburse CAD funds;¹³²

Change the CAD's method of financing unless any participating taxing unit opposes the change;¹³³

Contract with the governing body of a taxing unit or county to assess and collect taxes through the Interlocal Cooperation Act;¹³⁴

Change the number of ARB members; and¹³⁵

Appoint auxiliary ARB members and select the number of auxiliary members by resolution, except in certain counties.¹³⁶

The Tax Code also provides certain statutory authority to the board of directors outside of Chapter 6, including authorizing a board of directors to approve the chief appraiser to contract with private appraisal firms to perform appraisal services under Tax Code Section 25.01(b). On written approval of the board of directors, a chief appraiser is entitled to appeal certain ARB orders to district court as provided by Tax Code Section 42.02.

Limited Appraisal Authority

The board's appraisal authority is limited. The board does not appraise property or review values on individual properties. The law assigns these tasks to the chief appraiser and the ARB, respectively. The board of directors does have the authority to give written approval for a chief appraiser to appeal certain ARB orders in court.¹³⁷

The board has authority over appraisal policy through the following duties and authority:

- duty to develop biennially a written plan for periodic reappraisal;¹³⁸
- duty to adopt an operating budget to reflect the board's decisions on handling appraisals;¹³⁹
- authority to contract with another CAD or with a taxing unit in the CAD to perform the duties of the appraisal district's office; and¹⁴⁰
- authority to approve the chief appraiser to contract with private appraisal firms to perform appraisal services.¹⁴¹

Meetings



At the board of directors' first meeting each calendar year, the board must

elect from its members a chair and a secretary.¹⁴² A nonvoting TAC may serve as chair or secretary.¹⁴³ A majority of the CAD board of directors constitutes a quorum.¹⁴⁴ A TAC who is a

¹²³ Tex. Tax Code §6.02

¹²⁴ Tex. Tax Code §6.031(a)

¹²⁵ Tex. Tax Code §6.04(b)

¹²⁶ Tex. Tax Code §6.05(b)

¹²⁷ Tex. Tax Code §6.05(h)

¹²⁸ Tex. Tax Code §6.05(j)

¹²⁹ Tex. Tax Code §6.051(a)

¹³⁰ Tex. Tax Code §6.051(c)

¹³¹ Tex. Tax Code §6.06(c)

¹³² Tex. Tax Code §6.06(f)

¹³³ Tex. Tax Code §6.061(a)

¹³⁴ Tex. Tax Code §6.24(a) and (b)

¹³⁵ Tex. Tax Code §6.41(b)

¹³⁶ Tex. Tax Code §6.414

¹³⁷ Tex. Tax Code §42.02(a) and (c)

¹³⁸ Tex. Tax Code §6.05(i)

¹³⁹ Tex. Tax Code §6.06(b)

¹⁴⁰ Tex. Tax Code §6.05(b)

¹⁴¹ Tex. Tax Code §25.01(b)

¹⁴² Tex. Tax Code §6.04(a)

¹⁴³ Tex. Att'y Gen. Op. JC-0580 (2002)

¹⁴⁴ Tex. Tax Code §6.04

nonvoting member is counted in determining the presence of a quorum.¹⁴⁵

The board may meet at any time at the call of the chair or as provided by board rule.¹⁴⁶ However, the board must meet at least once each calendar quarter.¹⁴⁷

The board must provide reasonable time at meetings for public comment on CAD and ARB policies and procedures and allow a reasonable amount of time for a taxpayer liaison officer's report if applicable.¹⁴⁸

Disapproval of Board Actions

At times, the board of directors may take an action with which the majority of voting taxing units may disagree. Under Tax Code Section 6.10, a majority of voting taxing units may veto any action by the board of directors.¹⁴⁹ This disapproval power under Tax Code Section 6.10 does not apply to the adoption of the budget by the board.¹⁵⁰

To veto a board action other than the budget, the governing bodies of a majority of voting taxing units must adopt resolutions disapproving the action.¹⁵¹ The voting taxing units must file the resolutions with the board's secretary within 15 days after the action is taken.¹⁵² The board action is revoked effective the day after the day on which the required number of resolutions is filed.¹⁵³

For voting taxing units to disapprove the CAD budget, a majority of the taxing units must file a resolution with the board's secretary within 30 days after the budget is adopted.¹⁵⁴

Written Policies

Through its policies, the board determines the CAD's goals and operates as the decision-making body of the CAD. While the Tax Code requires boards of directors to develop written

policies on certain issues, a written policy covering all operational aspects of CAD operations should be considered.

Written procedures and policies are good management tools. A policy manual allows the board to make important decisions carefully and in advance, rather than in response to crisis situations. They permit the CAD's operations to continue uninterrupted if key employees leave. A policy manual also helps educate the public and others about CAD operations.

Examples of policies of boards of directors can be found at comptroller.texas.gov/taxes/property-tax/board-policies/index.php.

Required Policies



State law requires the board to have written policies on specific issues. The board must:

- develop and implement policies that provide the public with reasonable opportunity to appear before the board to speak on any issue under the board's jurisdiction;¹⁵⁵
- prepare and maintain a written plan that describes how a non-English speaking person or a person who has a physical, mental or developmental disability may be provided reasonable access to the board; and¹⁵⁶
- prepare information of public interest describing the board's functions and procedures to file complaints and how complaints are resolved by the board.¹⁵⁷

The board must biennially develop a written reappraisal plan for the periodic reappraisal of all property in the CAD's boundaries by Sept. 15 of each even-numbered year.¹⁵⁸ The plan is required to comply with Tax Code Section 25.18.¹⁵⁹ Certain activities are required to be conducted in the reappraisal of all real and personal property located in the CAD at least once every three years.¹⁶⁰ In summary, those activities are the following:

- identifying properties by physical inspection or other reliable means of identification (such as deeds or other legal

¹⁴⁵ Tex. Att'y Gen. Op. JC-0580 (2002)

¹⁴⁶ Tex. Tax Code §6.04(b)

¹⁴⁷ Tex. Tax Code §6.04(b)

¹⁴⁸ Tex. Tax Code §6.04(d)

¹⁴⁹ Tex. Tax Code §6.10

¹⁵⁰ Tex. Tax Code §6.10

¹⁵¹ Tex. Tax Code §6.10

¹⁵² Tex. Tax Code §6.10

¹⁵³ Tex. Tax Code §6.10

¹⁵⁴ Tex. Tax Code §6.06(b)

¹⁵⁵ Tex. Tax Code §6.04(d)

¹⁵⁶ Tex. Tax Code §6.04(e)

¹⁵⁷ Tex. Tax Code §6.04(f)

¹⁵⁸ Tex. Tax Code §6.05(i)

¹⁵⁹ Tex. Tax Code §6.05(i)

¹⁶⁰ Tex. Tax Code §25.18(b)

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- documentation, aerial or land-based photographs, surveys, maps and sketches);
- identifying and updating property characteristics;
 - defining market areas;
 - identifying property characteristics affecting value in market areas (such as location and market area of property, physical attributes of property, legal and economic attributes and legal restrictions);
 - developing an appraisal model that reflects the relationship among property characteristics affecting value in each market area and determines the contribution of individual property characteristics;
 - applying the conclusions from the model to the characteristics of individual properties; and
 - reviewing the appraisal results to determine value.¹⁶¹

Tax Code Section 23.01(b) provides that if a CAD determines the appraised value of a property using mass appraisal standards, those standards must comply with the Uniform Standards of Professional Appraisal Practice.

The board of directors must hold a public hearing to consider the proposed plan and provide written notice to each participating taxing unit of the hearing not later than the 10th day before the hearing.¹⁶² After holding the public hearing and approving a plan by Sept. 15 of each even-numbered year, the board of directors must distribute copies of the plan to the participating taxing units and to the Comptroller's office within 60 days of the approval date.¹⁶³

The board of directors may include language in the reappraisal plan to give the chief appraiser discretion to make limited changes, especially as they relate to the work plan or schedule of appraisal activities, without the need for additional board approval or plan amendment. This limited authority would allow the chief appraiser to make timeline adjustments to meet staffing needs or to address other management issues.

In order to ensure timely compliance with the reappraisal plan, the board of directors should consider conducting an annual review of plan implementation. Attention to completion of tasks according to the appraisal work plan or schedule should be given, along with completion of reappraisal activities for all identified market areas.

If the plan requires revision because of staff reductions, changes in market areas, unexpected circumstances, or any other reason deemed appropriate by the board of directors, it may be amended by official action, without the board of directors conducting another public hearing. Copies of the amended reappraisal plan should be distributed to the participating taxing units and the Comptroller's office.

A CAD board of directors also must adopt and implement a policy for the temporary replacement of an ARB member who has communicated with another person in violation of ex parte communication provisions.¹⁶⁴ An ARB member may not communicate with another person concerning the evidence, argument, facts, merits or any other matters related to an owner's protest, except during the hearing on the protest.¹⁶⁵ An ARB member also may not communicate with another person concerning a property that is the subject of the protest, except during a hearing on another protest or other proceeding before the board at which the property is compared to other property or used in a sample of properties.¹⁶⁶

¹⁶¹ Tex. Tax Code §25.18(b)

¹⁶² Tex. Tax Code §6.05(i)

¹⁶³ Tex. Tax Code §6.05(i)

¹⁶⁴ Tex. Tax Code §41.66(g)

¹⁶⁵ Tex. Tax Code §41.66(f)

¹⁶⁶ Tex. Tax Code §41.66(f)

Appointing the Chief Appraiser

The chief appraiser is the chief administrator of the CAD.¹⁶⁷ The chief appraiser is generally appointed by and serves at the pleasure of the CAD board of directors;¹⁶⁸ however, the Comptroller's office may appoint a chief appraiser in certain circumstances. If a taxing unit performs the duties of the CAD pursuant to a contract, the assessor for the taxing unit is the chief appraiser.¹⁶⁹

Qualifications

To be eligible to serve as a chief appraiser, a person must hold one of the following professional designations:

- Registered Professional Appraiser (RPA) from TDLR;
- MAI from the Appraisal Institute;
- Assessment Administration Specialist from the International Association of Assessing Officers (IAAO);
- Certified Assessment Evaluator from IAAO; or
- Residential Evaluation Specialist from IAAO.¹⁷⁰

A chief appraiser with a professional designation other than an RPA, must become certified with TDLR as an RPA within five years of appointment as chief appraiser.¹⁷¹

A person may not serve as a chief appraiser unless the person has completed the chief appraiser training program prescribed by Occupations Code Section 1151.164.¹⁷² This does not apply to a county TAC who serves as a chief appraiser.¹⁷³ It applies only to a chief appraiser appointed on or after July 1, 2006.¹⁷⁴ A person may serve in a temporary, provisional or

interim capacity as chief appraiser for up to one year without completing this training.¹⁷⁵

Owing delinquent property taxes disqualifies a person from serving as chief appraiser.¹⁷⁶ A person is ineligible for employment as a chief appraiser if he or she owns property on which delinquent property taxes have been owed for more than 60 days after the date the person knew or should have known of the delinquency.¹⁷⁷ This disqualification does not apply if the person is paying the delinquent taxes and any penalties and interest under an installment payment agreement or has deferred or abated a suit to collect the delinquent taxes.¹⁷⁸

A person is also disqualified from employment as the chief appraiser if the person is related within the second degree by consanguinity or affinity to a person who appraises property for compensation for use in proceedings under the Tax Code or to a person who represents property owners for compensation in such proceedings in the CAD.¹⁷⁹ A chief appraiser who remains employed knowing he or she is related to an appraiser or tax representative as prohibited commits a Class B misdemeanor offense.¹⁸⁰

An individual may not be employed by an appraisal district if the individual is an officer of a taxing unit or an employee of a taxing unit that participates in the appraisal district.¹⁸¹

A chief appraiser who is not eligible to serve cannot perform any action required by law for chief appraisers, including the preparation, certification or submission of any part of the appraisal

¹⁶⁷ Tex. Tax Code §6.05(c)

¹⁶⁸ Tex. Tax Code §6.05(c)

¹⁶⁹ Tex. Tax Code §6.05(c)

¹⁷⁰ Tex. Tax Code §6.05(c)

¹⁷¹ Tex. Tax Code §6.05(c)

¹⁷² Tex. Tax Code §5.042(a)

¹⁷³ Tex. Tax Code §5.042(c)

¹⁷⁴ Texas H.B. 2382, 79th Leg., Reg. Sess. (2005)

¹⁷⁵ Tex. Tax Code §5.042(b)

¹⁷⁶ Tex. Tax Code §6.035(a)

¹⁷⁷ Tex. Tax Code §6.035(a)

¹⁷⁸ Tex. Tax Code §6.035(a)

¹⁷⁹ Tex. Tax Code §6.035(a)

¹⁸⁰ Tex. Tax Code §6.035(a)

¹⁸¹ Tex. Tax Code §6.054

roll.¹⁸² A chief appraiser must give written notice of eligibility to serve as chief appraiser to the Comptroller's office no later than Jan. 1 each year.¹⁸³ The Comptroller's office will appoint an eligible person to perform the duties of chief appraiser for a CAD whose chief appraiser is ineligible to serve.¹⁸⁴

Duties and Authority

The CAD board of directors by resolution may prescribe that specified actions of the chief appraiser relating to the finances or administration of the CAD are subject to board approval.¹⁸⁵ The chief appraiser may employ and compensate professional, clerical and other personnel as provided by the CAD budget, with the exception of a general counsel to the CAD.¹⁸⁶ The chief appraiser may delegate authority to his or her employees.¹⁸⁷ The chief appraiser's primary duty is to discover, list, review and appraise all taxable property in the CAD using generally accepted appraisal techniques.

Compensation

The chief appraiser is entitled to compensation as provided by the budget adopted by the board of directors.¹⁸⁸ The chief appraiser's compensation may not be directly or indirectly linked to an increase in the total market, appraised or taxable value of property in the CAD.¹⁸⁹

Conflicts of Interest

The chief appraiser is an officer of the CAD for purposes of the nepotism law in Government Code Chapter 573.¹⁹⁰ A CAD may not employ or contract with an individual or the spouse of an individual who is related to the chief appraiser within the first degree by consanguinity or affinity, as determined under Government Code Chapter 573.¹⁹¹

An appraisal performed by a chief appraiser in a private capacity or by an individual related within the second degree by consanguinity or affinity (as determined under Government

Code Chapter 573) to the chief appraiser may not be used as evidence in a protest or challenge under Tax Code Chapter 41 or an appeal under Tax Code Chapter 42 concerning property that is taxable in the CAD in which the chief appraiser is employed.¹⁹²

A chief appraiser commits a Class B misdemeanor offense if the chief appraiser refers a person, whether gratuitously or for compensation, to another person for the purpose of obtaining a property appraisal, whether or not the appraisal is for ad valorem tax purposes.¹⁹³

Ex Parte Communications

A chief appraiser commits a Class C misdemeanor offense if the chief appraiser directly or indirectly communicates with a member of the board of directors on any matter relating to the appraisal of property by the CAD.¹⁹⁴ This type of communication is allowed in:

- an open meeting of the board of directors or another public forum; or
- a closed meeting of the board of directors held to consult with the board's attorney about pending litigation, at which the chief appraiser's presence is necessary for full communication between the board and the board's attorney.

These ex parte communication provisions do not include a routine communication between the chief appraiser and the county TAC relating to the administration of an appraisal roll.¹⁹⁵ This applies regardless of whether the county TAC is a nonvoting member of board of directors or was appointed.¹⁹⁶

These ex parte communication provisions do not prohibit a CAD board member from transmitting in writing to a chief appraiser, without comment, a complaint by a property owner or taxing unit about the appraisal of a specific property.¹⁹⁷

¹⁸² Tex. Tax Code §6.05(c)

¹⁸³ Tex. Tax Code §6.05(c)

¹⁸⁴ Tex. Tax Code §6.0501(a)

¹⁸⁵ Tex. Tax Code §6.05(h)

¹⁸⁶ Tex. Tax Code §6.05(d)

¹⁸⁷ Tex. Tax Code §6.05(e)

¹⁸⁸ Tex. Tax Code §6.05(d)

¹⁸⁹ Tex. Tax Code §6.05(d)

¹⁹⁰ Tex. Tax Code §6.05(g)

¹⁹¹ Tex. Tax Code §6.05(g)

¹⁹² Tex. Tax Code §6.035(d)

¹⁹³ Tex. Tax Code §6.035(c)

¹⁹⁴ Tex. Tax Code §6.15(b) and (d)

¹⁹⁵ Tex. Tax Code §6.15(c)

¹⁹⁶ Tex. Tax Code §6.15(c)

¹⁹⁷ Tex. Tax Code §6.15(c)

Agricultural Appraisal Advisory Board



With the advice and consent of the board of directors, the chief appraiser appoints an agricultural advisory board composed of three or more members as determined by the board.¹⁹⁸ Members must have been CAD residents for at least five years and be landowners of the CAD whose land qualifies for special appraisal of agricultural use, open space agricultural or timber land.¹⁹⁹

Residential Property Owner Assistance

A chief appraiser may maintain a list of individuals who have designated themselves to provide free assistance to residential property owners.

Upon owner request a chief appraiser shall provide to the owner a copy of the list organized by county; make the list available on the appraisal district's internet website, if the appraisal district maintains a website; and provide the name, contact information, and job title of each individual who will provide free assistance.²⁰⁰

A person must designate himself or herself as an individual who will provide free assistance by completing a form prescribed by the chief appraiser and submitting to the chief appraiser.²⁰¹

¹⁹⁸ Tex. Tax Code §6.12(a)

¹⁹⁹ Tex. Tax Code §6.12(b)

²⁰⁰ Tex. Tax Code §6.16(c)

²⁰¹ Tex. Tax Code §6.16(d)

The chief appraiser has authority and duties including, but not limited to, the following:

Appraisal	Appraise all taxable property at market value, except as otherwise provided by law	Chapter 23
	Determine eligibility for special appraisal and establish both a market and special appraised value on qualified property	Chapter 23
	Determine whether property qualified for agricultural or timber appraisal has undergone a change of use and send a notice of change of use to the owner	Chapter 23
	Determine exemption eligibility	Section 11.45
	Create procedures for equitable and uniform taxation of inventory	Section 23.12(b)
	Administration of rendition laws	Chapter 22
	Create appraisal records	Section 25.01(a) and Comptroller Rule 9.3004
	Contract, with the approval of the board of directors, with private appraisal firms, if appropriate	Section 25.01(b)
	Certify appraisal roll and other listings to each taxing unit participating in the appraisal district	Section 26.01
	Send notices of appraised value	Section 25.19
	Discover omitted property and adjust the appraisal roll	Section 25.21
	Maintain a list of real estate brokers, sales agents, real estate appraisers or property tax consultants who have designated themselves as an individual who will provide free assistance to an owner for residential property that is occupied by the owner as their principal residence.	Tex. Tax Code §6.16(b) and §6.16(c 1-3)
	ARB	Submit complete appraisal records of all property to the ARB
Present supplemental records and other items for ARB consideration		Section 25.23
Correct records and make reappraisals as ordered by the ARB		Section 41.08
Administration	Prepare the appraisal district budget	Section 6.06(a)
	Give notice of public hearing on the appraisal district budget	Section 6.062
	Appoint agricultural advisory board, with the advice and consent of the board of directors	Section 6.12(a)
	Certify a list by June 15 of all eligible conservation and reclamation districts that are imposing taxes and that participate in the appraisal district on the chief appraiser's receipt of a request by a district to nominate and vote on the board of directors	Section 6.03(c)
	Calculate the number of votes each taxing unit has in appointing the board of directors and provide notice as required	Section 6.03(e) and (f)
	Create the ballot with the candidates for the board of directors, counting the votes, declaring the winners and resolving any ties	Section 6.03(h), (i), (j), (k) and (l)
	Act as the appraisal district's public information officer	Gov't Code Section 552.201
	Issue permits for going out of business sales and send notices of such sales to other entities	Business & Commerce Code Sections 17.835 and 17.84
	Serve as the chief administrator of the appraisal district with responsibility to employ and compensate professional, clerical and other personnel as provided by the budget except for a general counsel to the appraisal district	Section 6.05(c) and (d)
	Notify voting taxing units of any proposed property transactions	Section 6.051(b)
	Proportionally credit excess amounts to the following fiscal year if payments by taxing units to the appraisal district budget exceed the amount actually spent or obligated to be spent during the fiscal year. If a taxing unit has paid its allocated amount but is not allocated part of the appraisal district budget for the following fiscal year, the chief appraiser must refund the proportionate share of the excess funds not later than the 150th day after the end of the fiscal year that payments were made.	Section 6.06(j)
	Determine whether a sufficient number of eligible taxing units have valid resolutions when a change in the appraisal district financing method has been proposed and notify each taxing unit of each change that is adopted	Section 6.061(d)
	Publicize certain Tax Code provisions to residents, including, but not limited to, the availability of agreement forms for electronic communication; the availability of exemption applications; rendering requirements; special appraisal of agricultural land, open space, timberland and restricted-use timberland; the deferred collection of taxes on residence homestead of the elderly, disabled or those qualified for the disabled veteran exemption; deferred collection of taxes on appreciating residence homestead; and the right to protest	Sections 1.085, 11.44, 22.21, 23.43, 23.54, 23.75, 23.9804, 33.06, 33.065 and 41.41
	Produce requested materials in the form and manner prescribed by the Comptroller's office	Section 5.16(b)
	Other Duties	Duties required by contract
Legal responsibilities or duties assigned by the board of directors		

*Tax Code citations, unless otherwise noted.

Appointing the Appraisal Review Board (ARB)



The board of directors appoints the ARB members in counties with a population of less than 120,000. In counties with a population of 120,000 or more, the local administrative district judge appoints the ARB members.²⁰²

The ARB is a board of citizens that hears taxpayer protests and taxing unit challenges, corrects clerical errors in the appraisal records and appraisal rolls, acts on motions to correct the appraisal roll, determines whether exemptions and special valuations were improperly granted and takes any other action or makes any other determination as authorized or required under the Tax Code.²⁰³

There is an ARB for each CAD although the board of directors may provide for the operation of a consolidated ARB by interlocal contract.²⁰⁴ Although an appraisal district provides staff to the ARB for clerical assistance, the ARB maintains an independence from the board of directors and appraisal district staff, including the chief appraiser.²⁰⁵

An action of the board of directors, including ARB appointments, may be vetoed by a majority of the voting taxing units.²⁰⁶ A majority of the voting taxing units must file veto resolutions with the board secretary of the CAD within 15 days after the action is taken.²⁰⁷

CADs are allowed to obtain criminal history records of applicant ARB members from the Texas Department of Public Safety and if so appointed, provide that information to the local administrative district judge or ARB commissioners

appointed by that judge.²⁰⁸ While specific expertise is not required, it may be helpful to appoint ARB members with experience in certain fields, including appraisal, real estate, accounting, business, agribusiness, law, engineering or construction.

Eligibility

To be eligible to serve on the ARB, an individual must be a CAD resident and must have resided in the CAD for at least two years.²⁰⁹ In counties with a population of more than 120,000, a person is ineligible to serve on the ARB if the person has done the following:

- Served formerly as an appraisal district board member, officer or employee;
- Served as a member of a governing body or an officer of a taxing unit until the fourth anniversary of the date the person ceases to be a member or officer; or
- Appeared before the ARB for compensation during the two-year period preceding the date of appointment.²¹⁰
- Served for all or part of three previous terms as a board member or auxiliary board member of the appraisal review board.²¹¹

A person may not serve on an ARB if he or she owns property on which delinquent property taxes have been owed for more than 60 days after the date the person knew or should have known of the delinquency.²¹² This restriction does not apply if the person is paying the delinquent taxes and any penalty and interest under an installment payment agreement or has deferred or abated a suit to collect delinquent taxes.²¹³

²⁰² Tex. Tax Code §6.41(d) and (d-1)

²⁰³ Tex. Tax Code §41.01(a)

²⁰⁴ Tex. Tax Code §6.41(a), (g) and (h)

²⁰⁵ Tex. Tax Code §§5.041(e-1)(5), 6.41 and 6.43

²⁰⁶ Tex. Tax Code §6.10

²⁰⁷ Tex. Tax Code §6.10

²⁰⁸ Tex. Gov't Code §411.1296

²⁰⁹ Tex. Tax Code §6.41(c)

²¹⁰ Tex. Tax Code §6.412(d)

²¹¹ Tex. Tax Code §6.412(d)(4)

²¹² Tex. Tax Code §6.412(a)(2)

²¹³ Tex. Tax Code §6.412(a)(2)

Conflict of Interest

An individual is not eligible to serve on an ARB if the individual is related within the second degree by consanguinity or affinity to an individual who is engaged in the business of appraising property for compensation for use in proceedings under the Tax Code or to an individual who represents property owners for compensation in proceedings under the Tax Code in the CAD for which the ARB is established.²¹⁴ An ARB member commits a Class B misdemeanor offense if the ARB member continues to hold office knowing of a violation.²¹⁵

A person is ineligible to serve on an ARB if the individual is related within the third degree of consanguinity or within the second degree of affinity to a member of the CAD board of directors or the ARB.²¹⁶ A person is also ineligible to serve on the ARB if the person is a CAD director, a CAD officer or employee, a Comptroller employee or a member of the governing body, officer or employee of a taxing unit.²¹⁷

Additional information regarding conflicts of interest for ARB members, including Tax Code Section 41.69, may be found in the *Appraisal Review Board Manual* published by the Comptroller's office.

A person is not eligible to be appointed or to serve on an ARB if the individual contracts with the CAD or a taxing unit that participates in the CAD.²¹⁸ A person who has a substantial interest in a business that has either type of contract is also barred.²¹⁹ Substantial interest is defined as either of the following: combined ownership of the individual and the individual's spouse is at least 10 percent of the voting stock or shares of the business, or the individual or the individual's spouse is a partner, limited partner or officer in the business entity.²²⁰

A CAD and a taxing unit participating in that CAD may not enter into a contract with a current member of the ARB established for that CAD or with a business entity in which an ARB member has a substantial interest.²²¹

²¹⁴ Tex. Tax Code §6.412(b)

²¹⁵ Tex. Tax Code §6.412(b)

²¹⁶ Tex. Tax Code §6.412(a)(3) (A) and (B)

²¹⁷ Tex. Tax Code §6.412(c)

²¹⁸ Tex. Tax Code §6.413(a)

²¹⁹ Tex. Tax Code §6.413(a)

²²⁰ Tex. Tax Code §6.413(d)

²²¹ Tex. Tax Code §6.413(b) and (c)



Number and Term of Office

The ARB consists of three members, but the board of directors by resolution may increase the size of the ARB to a number the board considers appropriate.²²² Directors who appoint ARB members do so by resolution passed by a majority of the CAD board of directors.²²³ The board of directors for a district in a county with a population of one million or more by resolution of a majority shall increase the size of the ARB to a number considered appropriate to manage the ARB duties.²²⁴

ARB members serve two-year terms beginning Jan. 1.²²⁵ The board of directors by resolution must provide for staggered terms so that the terms of approximately half the ARB members expire each year.²²⁶ In making the initial appointments, the board of directors or local administrative district judge must designate those members who serve terms of one year.²²⁷

Auxiliary and Temporary ARB Members

The board of directors by resolution of a majority of the members may appoint auxiliary ARB members to hear taxpayer protests before the ARB and to assist the ARB in its duties.²²⁸ The board of directors or local administrative district judge may appoint the number of auxiliary members it considers appropriate.²²⁹ An auxiliary member is appointed in the same manner and for the same term as an ARB member under Tax Code Section 6.41 and is subject to the same eligibility requirements and restrictions under Tax Code Sections 6.41, 6.411, 6.412 and 6.413.²³⁰

An auxiliary member may attend ARB meetings but may not vote in an ARB determination or serve as ARB chair or secretary.²³¹ An auxiliary member is not included in deter-

²²² Tex. Tax Code §6.41(b)

²²³ Tex. Tax Code §6.41(d)

²²⁴ Tex. Tax Code §6.41(b-2)

²²⁵ Tex. Tax Code §6.41(e)

²²⁶ Tex. Tax Code §6.41(e)

²²⁷ Tex. Tax Code §6.41(e)

²²⁸ Tex. Tax Code §6.414(a)

²²⁹ Tex. Tax Code §§6.41(d-1), 6.414(a) and (b)

²³⁰ Tex. Tax Code §6.414(b)

²³¹ Tex. Tax Code §6.414(c)

mining what constitutes a quorum of the board or whether a quorum is present at any ARB meeting.²³² An auxiliary member may hear taxpayer protests before the ARB.²³³ If an auxiliary member sits on a panel to conduct a protest hearing, the number of non-auxiliary ARB members required to constitute the panel is reduced by the number of auxiliary board members.²³⁴ An auxiliary member sitting on a panel is considered a regular board member for all purposes related to the conduct of the hearing.²³⁵ An auxiliary member is entitled to make a recommendation to the ARB regarding a protest heard by the member but is not entitled to vote on the determination.²³⁶

An auxiliary member is entitled to compensation as provided by the CAD budget, but is not entitled to a per diem or reimbursement of expenses.²³⁷

The CAD board of directors must adopt and implement a policy for the temporary replacement of an ARB member.²³⁸ A temporary ARB member replaces an ARB member who may not participate in a protest hearing because that ARB member communicated with another person(s) about a protest outside an ARB hearing in violation of Tax Code Section 41.66(f).²³⁹

Training

The Comptroller's office must approve curricula, provide materials and supervise the training of ARB members.²⁴⁰ ARB members are not allowed to participate in hearings until they complete the Comptroller's training course and a statement agreeing to comply with Tax Code requirements during hearings.²⁴¹ A new ARB member appointed after a course offering may continue to serve until the completion of a subsequent course offering.²⁴²

During the second year of an ARB member's term, the ARB member must complete the Comptroller's continuing education

training course and complete a statement agreeing to comply with Tax Code requirements during hearings.²⁴³ An ARB member who fails to timely complete the course is not eligible to participate in hearings, vote on a determinations of protest or be reappointed to an additional term.²⁴⁴

ARB members must complete the Comptroller's continuing education training course and complete a statement agreeing to comply with Tax Code requirements in each year they serve.²⁴⁵ The CAD board should provide for budgeting ARB training as part of the CAD's annual budget.²⁴⁶

The Comptroller's office may assess a fee, not to exceed \$50 per trainee, to recover a portion of the costs incurred for the training course.²⁴⁷

Except during a hearing or other ARB proceeding, a member of the CAD board of directors for which the ARB is established, along with other specified individuals, may not communicate with an ARB member about these training courses or any matter presented or discussed during the courses.²⁴⁸

The Comptroller's office may not advise a chief appraiser, CAD employee, property owner or his or her agent on a matter known to be the subject of a protest to the ARB. The Comptroller's office may communicate with ARB members regarding:

- technical questions relating to ARB duties and appraisal issues;
- the model ARB procedures; and
- the ARB survey provided to taxpayers.

The Comptroller's office may also communicate with the ARB chair concerning complaints filed against the ARB.²⁴⁹ The toll free number maintained by Comptroller's office for ARB members is 800-252-7551.²⁵⁰

²³² Tex. Tax Code §6.414(c)

²³³ Tex. Tax Code §6.414(d)

²³⁴ Tex. Tax Code §6.414(d)

²³⁵ Tex. Tax Code §6.414(d)

²³⁶ Tex. Tax Code §6.414(e)

²³⁷ Tex. Tax Code §6.414(f)

²³⁸ Tex. Tax Code §41.66(g)

²³⁹ Tex. Tax Code §41.66(g)

²⁴⁰ Tex. Tax Code §5.041

²⁴¹ Tex. Tax Code §5.041(b) and (b-1)

²⁴² Tex. Tax Code §5.041(e)

²⁴³ Tex. Tax Code §5.041(e-2)

²⁴⁴ Tex. Tax Code §5.041(e-2)

²⁴⁵ Tex. Tax Code §5.041(e-2)

²⁴⁶ Tex. Tax Code §§5.041(e-3) and 6.42(c)

²⁴⁷ Tex. Tax Code §5.041(c) and (e-3)

²⁴⁸ Tex. Tax Code §5.041(g)

²⁴⁹ Tex. Tax Code §5.041(a) and (f)

²⁵⁰ Tex. Tax Code §5.041(a)(4)

Organization



The local administrative judge selects a chair and secretary from among the ARB members.²⁵¹ The judge is encouraged to select an ARB chair who has a background in law and property appraisal.²⁵² The ARB meets at any time at the call of the chair or as

provided for by ARB rule.²⁵³ The ARB must meet to examine the appraisal records within 10 days after the date the chief appraiser submits the records.²⁵⁴

The ARB must establish its procedures for hearings.²⁵⁵ The Comptroller's office has developed model hearing procedures that the ARB is required to follow when developing its hearing procedures.²⁵⁶

ARB members are entitled to a per diem for each day the board meets as provided in the CAD budget.²⁵⁷ ARB members are also entitled to reimbursement for actual and necessary expenses incurred in the performance of their duties as provided in the CAD budget.²⁵⁸ Auxiliary ARB members are entitled to compensation as provided by the CAD budget, but not per diem or reimbursement of expenses.²⁵⁹

Personnel

A CAD may provide clerical assistance to the ARB, including assisting the ARB with the scheduling and arranging of hearings.²⁶⁰

The ARB may employ legal counsel as provided by the CAD budget or use the services of the county attorney.²⁶¹ An attorney may not serve as ARB legal counsel if within the last year the attorney or a member of the attorney's law firm represented an owner of property in the CAD, a participating taxing unit,

or the CAD in certain matters.²⁶² The prohibition on representing a participating taxing unit or CAD does not apply to a county attorney or an assistant to the county attorney.²⁶³ A CAD may specify in its budget whether the ARB may employ legal counsel or must use the services of the county attorney.²⁶⁴ A CAD may not require the ARB to employ a specific attorney.²⁶⁵ If the budget authorizes an ARB attorney, the budget must provide for reasonable compensation.²⁶⁶ ARB attorneys may not act as advocates in a hearing or proceeding conducted by the ARB; may provide advice to the ARB or ARB panel during a hearing or proceeding; and are required to make certain disclosures regarding relevant legal authority in the controlling jurisdiction known to the attorney and not disclosed by the parties and regarding a material fact that may assist the ARB or panel in making an informed decision regardless of whether the fact is adverse to the position of a party.²⁶⁷

An ARB may retain an appraiser certified by the Texas Appraiser Licensing and Certification Board to instruct ARB members on valuation methodology if the CAD provides for the instruction in the CAD budget.²⁶⁸

Ex Parte Communications with an ARB Member

An ARB member commits a Class A misdemeanor offense if the member communicates with the chief appraiser, CAD employee or a member of the CAD board of directors for which the ARB is established in violation of Tax Code Section 41.66(f).²⁶⁹

A chief appraiser or another CAD employee, a member of a board of directors, a property tax consultant or attorney representing a party to an ARB proceeding commits a Class A misdemeanor offense if the person communicates with a ARB member established for the CAD with the intent to influence a decision by an ARB member in the member's capacity as an ARB member.²⁷⁰

²⁵¹ Tex. Tax Code §6.42(a)

²⁵² Tex. Tax Code §6.42(a)

²⁵³ Tex. Tax Code §6.42(b)

²⁵⁴ Tex. Tax Code §6.42(b)

²⁵⁵ Tex. Tax Code §5.103(a)

²⁵⁶ Tex. Tax Code §5.103(d)

²⁵⁷ Tex. Tax Code §6.42(c)

²⁵⁸ Tex. Tax Code §6.42(c)

²⁵⁹ Tex. Tax Code §6.414(f)

²⁶⁰ Tex. Tax Code §6.43(f)

²⁶¹ Tex. Tax Code §6.43(a)

²⁶² Tex. Tax Code §6.43(b)

²⁶³ Tex. Tax Code §6.43(c)

²⁶⁴ Tex. Tax Code §6.43(e)

²⁶⁵ Tex. Tax Code §6.43(e)

²⁶⁶ Tex. Tax Code §6.43(d)

²⁶⁷ Tex. Tax Code §6.43(d)

²⁶⁸ Tex. Tax Code §5.041(h)

²⁶⁹ Tex. Tax Code §6.411(a) and (d)

²⁷⁰ Tex. Tax Code §6.411(b)

These ex parte communication provisions do not apply to communications between an ARB and its legal counsel.²⁷¹ The provisions also do not apply to communications between an ARB member and the chief appraiser, a CAD employee, a member of the board of directors, a property tax consultant or an attorney representing a party to a proceeding before the ARB:

1. during a protest hearing or other ARB proceeding;
2. that constitute social conversation;
3. that are specifically limited to and involve administrative, clerical or logistical matters related to the scheduling and operation of hearings, the processing of documents, the issuance of orders, notices and subpoenas and the operation, appointment, composition or attendance at training of the ARB; or
4. that are necessary and appropriate to enable the CAD board of directors to determine whether to appoint, reappoint or remove a person as an ARB member, chair or secretary.²⁷²

In counties with a population of 120,000 or more, a chief appraiser, a CAD employee, a member of the board of directors, a property tax consultant or an agent of a property owner commits a Class A misdemeanor offense if the person communicates with the local administrative district judge regarding the appointment of ARB members.

This provision does not apply to communications with the local administrative district judge by:

- an ARB member regarding the member's reappointment to the ARB;
- a taxpayer liaison officer in the course of performing the officer's clerical duties;
- a chief appraiser, CAD employee, ARB member or member of the board of directors regarding applications and appointment information, including criminal histories, and removal of an ARB member; or
- a taxpayer liaison officer regarding communications with a consultant, property owner or agent regarding removal of an ARB member.²⁷³

²⁷¹ Tex. Tax Code §6.411(c)

²⁷² Tex. Tax Code §6.411(c-1)

²⁷³ Tex. Tax Code §6.41(i)

ARB Member Removal

A member may be removed from the ARB by a majority vote of the board of directors or by the local administrative district court judge or the judge's designee.²⁷⁴ Grounds for removal include a violation of:

- Tax Code Section 6.412 (restrictions on eligibility of ARB member);
- Tax Code Section 6.413 (interest in certain contracts prohibited);
- Tax Code Section 41.66(f) (communication outside a hearing or proceeding); or
- Tax Code Section 41.69 (conflict of interest in taxpayer protest).²⁷⁵

An ARB member may also be removed for good cause relating to failure to attend ARB meetings or for clear and convincing evidence of repeated bias or misconduct.²⁷⁶

²⁷⁴ Tex. Tax Code §6.41(f)

²⁷⁵ Tex. Tax Code §6.41(f)

²⁷⁶ Tex. Tax Code §6.41(f)

CAD Financial Affairs

Participating taxing units pay for CAD operations.²⁷⁷ The board of directors' financial responsibilities include adopting an annual operating budget; selecting a district depository; purchasing and contracting; transferring, constructing and renovating real property; and providing for an independent audit.

CAD Budget

The board of directors is responsible for adopting the budget for the CAD.²⁷⁸

Before June 15 each year, the chief appraiser must prepare a proposed budget for CAD operations for the following tax year and submit it to each participating taxing unit and to the board of directors.²⁷⁹ The budget must list:

- each proposed position, including each position's:
 - (a) proposed salary;
 - (b) all proposed benefits;
- each proposed capital expenditure; and
- an estimate of the amount of the budget that will be allocated to each taxing unit.²⁸⁰

Other items commonly included in the budget are:

- contract payments for services;
- reimbursement for reasonable and necessary CAD board expenses;
- per diem and actual expense reimbursement for ARB members;
- compensation for general counsel to the board of directors or ARB legal counsel, or both;
- reimbursement of CAD office staff for reasonable and necessary expenses;

²⁷⁷ Tex. Tax Code §6.062(c)

²⁷⁸ Tex. Tax Code §6.06(b)

²⁷⁹ Tex. Tax Code §6.06(a)

²⁸⁰ Tex. Tax Code §6.06(a)

- payment of tuition and fees incurred for courses or educational programs;
- funds for ARB proceedings and operations; and
- other items necessary for CAD operations.

A CAD is required to reimburse a CAD employee for all actual and necessary expenses, tuition and other fees and costs of materials incurred in attending, with approval of the chief appraiser, a course or training program sponsored or approved by TDLR.²⁸¹

If a CAD performs collection or assessment services, the Interlocal Cooperation Act requires an interlocal payment be in an amount that fairly compensates the performing party for the services or functions performed under the contract.²⁸² A 2003 Attorney General's opinion concludes that a CAD budget may only allocate the costs of operating the CAD for its appraisal purposes and the costs of tax assessment or collection are not allocated to all taxing units regardless of whether a taxing unit has contracted with a CAD for assessment or collection services.²⁸³

Public Notice of Budget Hearing



The board of directors must hold a public hearing to consider the budget.²⁸⁴ Not later than the 10th day before the hearing, the board of director's secretary must deliver a written notice of the date, time and place of the hearing to each participating taxing unit in the CAD.²⁸⁵

Within the same timeframe, the chief appraiser is required to publish a notice of the public hearing in a newspaper having

²⁸¹ Tex. Tax Code §5.04(b)

²⁸² Tex. Gov't Code §791.011(e)

²⁸³ Tex. Att'y Gen. Op. GA-0030 (2003)

²⁸⁴ Tex. Tax Code §6.06(b)

²⁸⁵ Tex. Tax Code §6.06(b)

general circulation in the county.²⁸⁶ The newspaper notice may not be smaller than one-quarter page of a standard-size or tabloid-size newspaper and may not be published in the part of the paper in which legal notices and classified advertisements appear.²⁸⁷ This notice must have the time, date, and place of the public hearing; specified summary of the proposed budget; notice that the CAD is supported solely from local taxing units; and a prescribed notice that the budget will automatically take effect unless disapproved by certain taxing units and a copy of the budget is available for public inspection at these taxing units.²⁸⁸ In addition to the statutorily required items in the notice, Comptroller Rule 9.3048 requires the notice to provide the number of employees compensated in the budget in terms of full-time equivalent employees and that the notice contains the name, address and telephone number of the CAD.

Budget Adoption

The board of directors must approve a budget before Sept. 15.²⁸⁹

If a majority of the voting taxing units adopt and file resolutions disapproving a budget within 30 days after its adoption, the budget does not take effect.²⁹⁰ The board must adopt a new budget within 30 days of disapproval.²⁹¹

The board may amend the approved budget at any time.²⁹² The secretary of the board must deliver a written copy of a proposed amendment to the each participating taxing unit not later than the 30th day before the date the board acts on it.²⁹³

Allocating Costs of CAD Operations

Each participating taxing unit pays a share of the CAD budget.²⁹⁴ The share is based on the proportion of property taxes imposed by the taxing unit to the sum of property taxes imposed by each participating taxing unit in the CAD.²⁹⁵ The resulting fraction is multiplied by the total dollar amount of the budget.

²⁸⁶ Tex. Tax Code §6.062(a)

²⁸⁷ Tex. Tax Code §6.062(a)

²⁸⁸ Tex. Tax Code §6.062(b) and (c)

²⁸⁹ Tex. Tax Code §6.06(b)

²⁹⁰ Tex. Tax Code §6.06(b)

²⁹¹ Tex. Tax Code §6.06(b)

²⁹² Tex. Tax Code §6.06(c)

²⁹³ Tex. Tax Code §6.06(c)

²⁹⁴ Tex. Tax Code §6.06(d)

²⁹⁵ Tex. Tax Code §6.06(d)

$$\frac{\text{Taxing Unit's Tax Levy}}{\text{Total Tax Levy of All Taxing Units}} = \text{Taxing Unit's Fractional Share}$$

If a taxing unit participates in two or more CADs, only the taxes imposed in a CAD are used to calculate the taxing unit's cost allocations in that CAD.²⁹⁶ Tax Code Section 6.06(d) limits the share of the cost of the budget for a taxing unit that has a large tax levy but a smaller number of parcels. This limit applies to a taxing unit that has less than 5 percent of the total number of real property parcels in the CAD while imposing over 25 percent of the total amount of the property taxes in the CAD for the year. In this case, a taxing unit's allocation may not exceed three times the taxing unit's percentage of the total number of parcels appraised by the CAD.²⁹⁷ For example, a taxing unit has 4 percent of the CAD's parcels but imposes 30 percent of the taxes. The budget share may not exceed 3 times 4 percent, or 12 percent. If there was no limitation, the budget share would be 30 percent.

For a newly formed taxing unit or a taxing unit that did not impose taxes in the preceding year, the taxing unit is allocated a portion of the budget and the amount of taxes the taxing unit imposes in the current year is used to calculate its allocation.²⁹⁸ The board of directors and the taxing unit may agree to an estimate of the amount of taxes that will be imposed for the current year.²⁹⁹ After the amount of taxes to be imposed is known, payments are adjusted to reflect the imposed amount.³⁰⁰

Each taxing unit must pay its allocation in four equal payments at the end of each calendar quarter unless a taxing unit's governing body and the chief appraiser agree on a different method of payment.³⁰¹ The first payment must be made before Jan. 1 of the year in which the budget takes effect.³⁰² If a payment is not paid on the due date, it incurs a 5 percent penalty and an annual interest rate of 10 percent.³⁰³ For good cause shown, the board of directors may waive the penalty and interest on a delinquent payment.³⁰⁴

²⁹⁶ Tex. Tax Code §6.06(d)

²⁹⁷ Tex. Tax Code §6.06(d)

²⁹⁸ Tex. Tax Code §6.06(h)

²⁹⁹ Tex. Tax Code §6.06(h)

³⁰⁰ Tex. Tax Code §6.06(h)

³⁰¹ Tex. Tax Code §6.06(e)

³⁰² Tex. Tax Code §6.06(e)

³⁰³ Tex. Tax Code §6.06(e)

³⁰⁴ Tex. Tax Code §6.06(k)

Different Fiscal Year and Method of Financing

A CAD's fiscal year is the calendar year.³⁰⁵ A different fiscal year may be designated by three-fourths of voting taxing adopting resolutions.³⁰⁶ If the fiscal year is changed, the deadlines for the chief appraiser proposing and the board of directors adopting the budget and the deadline for the first allocation payment are specified deadlines before the first day of the changed fiscal year.³⁰⁷ The allocation of the budget is based on the amount of property taxes imposed by each participating taxing unit in the most recent tax year preceding the changed fiscal year.³⁰⁸

The board of directors or the taxing units participating in the CAD may prescribe a different method of allocating the costs of operating the CAD.³⁰⁹

To change the method of financing, the board of directors must adopt a resolution and deliver it to each taxing unit participating in the CAD after June 15 and before Aug. 15.³¹⁰ The financing does not change if the governing body of any participating taxing unit adopts a resolution opposing the different method, and files it with the board of directors before Sept. 1.³¹¹ If a board proposal is rejected, the board must provide written notification to each participating taxing unit before Sept. 15.³¹²

The participating taxing units in a CAD may adopt a different allocation method if three-fourths of the voting taxing units adopt resolutions providing for the other method.³¹³ This adoption is not valid if it requires any taxing unit to pay a greater proportion of the CAD's costs than the taxing unit would pay otherwise without the consent of that taxing unit.³¹⁴

A resolution changing the allocation method is ineffective if an official copy is not filed with the chief appraiser after

April 30 and before May 15.³¹⁵ A change in allocation remains in effect until changed or rescinded by resolution of a majority of the governing bodies of voting taxing units.³¹⁶

Designation of District Depository

The board of directors must designate a depository for payments to be deposited.³¹⁷ A CAD depository must be a banking corporation incorporated under Texas law or the United States or a Texas savings and loan association whose deposits are insured by the Federal Savings and Loan Insurance Corporation (FSLIC).³¹⁸ To the extent that funds in the depository are not insured by the Federal Deposit Insurance Corporation or the FSLIC, the funds must be secured in the manner provided by law for the security of funds of counties.³¹⁹

The board of directors must designate as the district depository the financial institution or institutions that offer the most favorable terms and conditions for the handling of the CAD's funds.³²⁰ The board must solicit bids to be designated as depository for the CAD.³²¹ After a depository is designated, the depository must serve for a term of two years and until its successor is designated and has qualified.³²² The board and the depository may agree to extend a depository contract for one additional two-year period.³²³

Consult legal counsel regarding the applicability of Local Government Code Chapter 116 concerning county depositories.

District's funds may be disbursed only by a written check, draft or order signed by the chair and secretary of the board.³²⁴ The board by resolution may authorize the chief appraiser to disburse funds.³²⁵

Purchasing and Contracting

A CAD is subject to the same requirements and has the same purchasing and contracting authority as a municipality under

³⁰⁵ Tex. Tax Code §6.06(i)

³⁰⁶ Tex. Tax Code §6.06(i)

³⁰⁷ Tex. Tax Code §6.06(i)

³⁰⁸ Tex. Tax Code §6.06(i)

³⁰⁹ Tex. Tax Code §6.061(a) and (b)

³¹⁰ Tex. Tax Code §6.061(a)

³¹¹ Tex. Tax Code §6.061(a)

³¹² Tex. Tax Code §6.061(a)

³¹³ Tex. Tax Code §6.061(b)

³¹⁴ Tex. Tax Code §6.061(b)

³¹⁵ Tex. Tax Code §6.061(c)

³¹⁶ Tex. Tax Code §6.061(e)

³¹⁷ Tex. Tax Code §6.06(f)

³¹⁸ Tex. Tax Code §6.09(a)

³¹⁹ Tex. Tax Code §6.09(d)

³²⁰ Tex. Tax Code §6.09(b)

³²¹ Tex. Tax Code §6.09(c)

³²² Tex. Tax Code §6.09(c)

³²³ Tex. Tax Code §6.09(c)

³²⁴ Tex. Tax Code §6.06(f)

³²⁵ Tex. Tax Code §6.06(f)

Local Government Code Chapter 252.³²⁶ Local Government Code Section 252.061 provides for an injunction if a contract is made without complying with Local Government Code Chapter 252 and any resident of the CAD may seek an injunction under that section.³²⁷

CONTRACT



Local Government Code Sections 252.062 and 252.063 provide for criminal penalties for municipal officers and employees violating competitive bidding requirements and the removal of those individuals. These provisions apply to a CAD officer or employee in the same manner those sections apply to a municipal officer or employee.³²⁸

The Public Property Finance Act (Local Government Code Chapter 271) and the Interlocal Cooperation Act (Government Code Chapter 791) should also be reviewed. Consult with an attorney about bidding procedures, purchasing and contracts.

Financial Audit

At least once each year, the board of directors must have an audit prepared by an independent certified public accountant or a firm of independent certified public accountants.³²⁹ A copy of the report must be delivered to each voting taxing unit.³³⁰ A reasonable number of copies of the report must be available for inspection at the CAD office and the report is a public record.³³¹

Other Financial Affairs

The board of directors and the chief appraiser also handle other financial details. Issues you may want to discuss with your attorney include the application of the Public Funds Investment Act in Government Code Chapter 2256 to local governments, including political subdivisions; the application of Government Code Chapter 2253 to governmental entities in regards to public work contracts; sales tax; reporting to the Internal Revenue Service; purchase of insurance; retirement program participation, etc.

³²⁶ Tex. Tax Code §6.11(a)

³²⁷ Tex. Tax Code §6.11(b)

³²⁸ Tex. Tax Code §6.11(b)

³²⁹ Tex. Tax Code §6.063(a)

³³⁰ Tex. Tax Code §6.063(b)

³³¹ Tex. Tax Code §6.063(b)

Taxpayer Assistance

The International Association of Assessing Officer's (IAAO) publication *Standard on Public Relations* provides that “public relations program should be an integral part of every assessment office’s work. A public relations program describes what the office does as well as how, why and for whom its services are provided. An effective public relations program results in more accurate and thorough coverage from the media and a better-informed constituency.”³³² Some of the topics in these standards include developing a written public relations program (including having a public relations officer) and a procedural manual, public records, printed information and correspondence, value notices, special-purpose messages, forms and questionnaires, annual reports, media contacts, speaking engagements, contact with other public officials, appeals process, public education and the Internet.³³³

Reasonable Access

One of the board’s required taxpayer assistance duties is to develop and implement policies that provide the public with reasonable opportunity to appear before the board to speak on any issue under the board’s jurisdiction.³³⁴ Reasonable time must be provided at each board of directors meeting for public comment on CAD and ARB policies and procedures and a report from the taxpayer liaison officer if required.³³⁵

The board must prepare and maintain a written plan that describes how a non-English speaker or an individual with a physical, mental or developmental disability may be provided reasonable access to the board.³³⁶

³³² IAAO, *Standard on Public Relations*, (July 2011), p. 5. www.iaao.org/media/standards/Standard_on_Public_Relations.pdf (Last visited Dec. 27, 2017)

³³³ This is only a selection of some of the topics covered in the standards. For the full text of the standards please see the IAAO’s *Standard on Public Relations* at www.iaao.org/media/standards/Standard_on_Public_Relations.pdf

³³⁴ Tex. Tax Code §6.04(d)

³³⁵ Tex. Tax Code §6.04(d)

³³⁶ Tex. Tax Code §6.04(e)

Other General Access Issues

Issues the board should or may address, depending on factors such as whether legal requirements exist, include:

- Evaluation of buildings for accessibility to those who individuals who are physically impaired as required by state or federal law;
- Parking accommodations for persons with disabilities;
- Allowance for attendant animals in offices;
- Providing information in different types of media;
- Providing a sign-language interpreter;
- Providing translator services; and
- Providing information in different languages. Certain Spanish resources can be found on the Comptroller’s website at comptroller.texas.gov/taxes/property-tax/.

Complaint Process

The board of directors must prepare a description of the board’s functions and the board’s procedures for filing and resolving complaints.³³⁷ The board must make this information available to the public and the appropriate taxing jurisdictions.³³⁸ If a written complaint is filed with the board and the board has authority to resolve it, the board must provide notice of the complaint status to the parties to the complaint unless this notice would jeopardize an undercover investigation.³³⁹ The notice must be provided at least quarterly and until final disposition of the complaint.³⁴⁰ In certain counties, the taxpayer liaison officer must report at each board of directors meeting on the status of all comments and suggestions received and all complaints filed with the board of directors.³⁴¹

³³⁷ Tex. Tax Code §6.04(f)

³³⁸ Tex. Tax Code §6.04(f)

³³⁹ Tex. Tax Code §6.04(g)

³⁴⁰ Tex. Tax Code §6.04(g)

³⁴¹ Tex. Tax Code §6.052(c)

Taxpayer Liaison Officer

In counties with a population of 120,000 or more, the board of directors must appoint a taxpayer liaison officer.³⁴² The taxpayer liaison officer administers public access functions; provides information and materials to the public; resolves disputes that do not involve matters that may be protested under Tax Code Section 41.41; receives, compiles and forwards complaints, comments and suggestions concerning ARB matters to the Comptroller's office; and delivers ARB applications received and provides clerical assistance to the local administrative district judge as part of the ARB selection process.³⁴³ The taxpayer liaison officer serves at the pleasure of the board of directors.³⁴⁴

The chief appraiser or any other person who performs legal or appraisal services for the CAD for compensation is not eligible to be the taxpayer liaison officer.³⁴⁵ The taxpayer liaison officer is entitled to compensation as provided by the budget adopted by the board of directors.³⁴⁶

The taxpayer liaison officer must administer the public access functions required by Tax Code Sections 6.04(d), (e) and (f) which include allowing the public to speak before the board of directors; preparing and maintaining a written plan on reasonable access to the board for those who do not speak English or who have physical, mental or developmental disabilities; and preparing information describing the functions of the board and the complaint process.³⁴⁷

The taxpayer liaison officer provides information and materials designed to assist property owners in understanding the appraisal process, protest procedures, procedures for filing comments, suggestions or complaints and related matters.³⁴⁸ The taxpayer liaison officer is required to provide comments and suggestions to the Comptroller's office concerning ARBs.³⁴⁹

³⁴² Tex. Tax Code §6.052(a)

³⁴³ Tex. Tax Code §6.052(a)

³⁴⁴ Tex. Tax Code §6.052(a)

³⁴⁵ Tex. Tax Code §6.052(e)

³⁴⁶ Tex. Tax Code §6.052(d)

³⁴⁷ Tex. Tax Code §6.04(d), (e) and (f) and 6.052(a)

³⁴⁸ Tex. Tax Code §6.052(b)

³⁴⁹ Tex. Tax Code §6.052(b)

Public Information Act

Public information is information that is written, produced, collected, assembled or maintained by or for a governmental entity in connection with the transaction of official business, including electronic communications related to official business, that are created, transmitted, received or maintained on any device.³⁵⁰ Public information is available to the public at a minimum during the normal business hours of the governmental body.³⁵¹ Certain information is excepted from public information requirements including information considered to be confidential by law, either constitutional or statutory, or by judicial decision.³⁵²

One example of confidential information specifically related to CADs is information relating to real property sales prices, descriptions, characteristics and other related information received from a private entity by the Comptroller's office or the chief appraiser of a CAD under Tax Code Chapter 6.³⁵³ This information is confidential, may only be requested by certain people in specified circumstances, remains confidential by persons who obtain it and may not be disclosed except as provided.³⁵⁴ This information is confidential if the information, item of information or comparable sales data relates to real property that is located in a county having a population of more than 50,000.³⁵⁵

After receiving a request for public information, the public information officer must promptly produce public information for inspection, duplication, or both.³⁵⁶ The public information officer must provide the public information for inspection or duplication in the offices of the governmental body or send copies if the person requesting the information requests copies and pays the postage and any other applicable charges.³⁵⁷ If the information is unavailable because it is in active use or

storage, the officer for public information must certify this fact in writing to the requestor and set a date and hour within a reasonable time when the information will be available for inspection or duplication.³⁵⁸

The charge for providing a copy of public information must be an amount that reasonably includes all related costs to reproducing the information.³⁵⁹ If a request is for 50 pages or less, the charge may not include materials, labor or overhead costs.³⁶⁰ Charges for these requests must be limited to a charge for each page unless the pages to be photocopied are located in two or more separate buildings that are not physically connected with each other or located in a remote storage facility.³⁶¹

The Office of the Attorney General must adopt rules that determine what governmental bodies charge for providing copies of public information.³⁶² Each governmental body must use these rules to determine charges for providing copies of public information and to determine the charge, deposit or bond required for making public information that exists in a paper record available for inspection, except to the extent as provided otherwise by law.³⁶³ Attorney General rules regarding charges for public information and other related information can be found at texasattorneygeneral.gov/open-government/governmental-bodies/charges-public-information.

If an officer for public information cannot produce public information for inspection or duplication within 10 business days after the request, the officer must certify that fact in writing to the requestor and set a date and hour within a reasonable time when the information will be available.³⁶⁴

³⁵⁰ Tex. Gov't Code §552.002(a)

³⁵¹ Tex. Gov't Code §552.021

³⁵² Tex. Gov't Code §552.101

³⁵³ Tex. Gov't Code §552.149(a)

³⁵⁴ Tex. Gov't Code §552.149

³⁵⁵ Tex. Gov't Code §552.149(e)

³⁵⁶ Tex. Gov't Code §552.221(a)

³⁵⁷ Tex. Gov't Code §552.221(b)

³⁵⁸ Tex. Gov't Code §552.221(c)

³⁵⁹ Tex. Gov't Code §552.261(a)

³⁶⁰ Tex. Gov't Code §552.261(a)

³⁶¹ Tex. Gov't Code §552.261(a)

³⁶² Tex. Gov't Code §552.262(a)

³⁶³ Tex. Gov't Code §552.262(a)

³⁶⁴ Tex. Gov't Code §552.221(d)

If a governmental body wishes to withhold information from public disclosure, it must ask for an Attorney General's decision within 10 business days after the day of receiving the open records request.³⁶⁵ A decision is not required if there has been a previous determination that addresses the exact information.³⁶⁶ Within a reasonable time but not later than the 10th business day after the date of receiving the written request, a governmental body that asks for a decision must provide the requestor with a written statement that the governmental body wishes to withhold the requested information and has asked for an Attorney General's decision and a copy of the governmental body's written communication to the Attorney General as required.³⁶⁷

An officer for public information must prominently display an Attorney General prescribed sign that contains basic information about the rights of a requestor, the responsibilities of a governmental body and the procedures for inspecting or obtaining a copy of public information.³⁶⁸ The sign must be displayed at one or more places in the governmental body's administrative offices where it is plainly visible to members of the public and employees of the governmental body whose duties include receiving or responding to requests.³⁶⁹

Public officials must complete a one- to two-hour training course on the responsibilities of the governmental body with which the official serves and its officers and employees under the Public Information Act.³⁷⁰ The training must be completed not later than the 90th day after the date the public official takes the oath of office or otherwise assumes the duties as a public official.³⁷¹ A public official may designate a public information coordinator to satisfy the training requirements for the public official if the public information coordinator is primarily responsible for administering the responsibilities of the public official or governmental body under the Public Information Act.³⁷²

A requestor or the Attorney General's office may file suit to compel a governmental body to make information available for public inspection.³⁷³ A person who claims to be a victim of



a violation the Public Information Act can file a complaint with the district or county attorney of the county in which the governmental body is located.³⁷⁴ Before the 31st day after the date a complaint is filed, the district or county attorney must determine whether the violation alleged in the complaint was committed, whether to bring an action against the governmental body and notify the complainant of those determinations.³⁷⁵ A claimant is entitled to file a complaint with the attorney general's office on or after the 90th day after filing it with the district or county attorney.³⁷⁶ An official may only file an action if the governmental body does not cure the violation after three days of an official providing written notification to the governmental body that the alleged violation of the Act was committed.³⁷⁷

The Public Information Act has three types of violations of the Act that carry criminal penalties. The failure to give access to public information is a misdemeanor with a fine of up to \$1,000, six months in jail or both; this is also considered official misconduct and a public official can be removed from office.³⁷⁸ These same penalties apply to the distribution of information that is confidential under the Act.³⁷⁹ The third violation is if a person willfully destroys, mutilates, removes without permission or alters public information.³⁸⁰ This misdemeanor offense is punishable by a fine of not less than \$25 or more than \$4,000, county jail time from three days to not more than three months or both.³⁸¹

Questions regarding the applicability or interpretation of the Public Information Act should be directed to legal counsel.

For more information on the Public Information Act, call the Office of the Attorney General's Open Government Hotline toll-free at 877-673-6839 or see the Office of the Attorney General's *Public Information Handbook* at texasattorneygeneral.gov/publicinfo_hb.pdf.

³⁶⁵ Tex. Gov't Code §552.301(a) and (b)

³⁶⁶ Tex. Gov't Code §552.301(a)

³⁶⁷ Tex. Gov't Code §552.301(d)

³⁶⁸ Tex. Gov't Code §552.205(a)

³⁶⁹ Tex. Gov't Code §552.205(a)

³⁷⁰ Tex. Gov't Code §552.012(b)

³⁷¹ Tex. Gov't Code §552.012(b)

³⁷² Tex. Gov't Code §552.012(c)

³⁷³ Tex. Gov't Code §552.321

³⁷⁴ Tex. Gov't Code §552.3215(e)

³⁷⁵ Tex. Gov't Code §552.3215(g)

³⁷⁶ Tex. Gov't Code §552.3215(i)

³⁷⁷ Tex. Gov't Code §552.3215(j)

³⁷⁸ Tex. Gov't Code §552.353

³⁷⁹ Tex. Gov't Code §552.352

³⁸⁰ Tex. Gov't Code §552.351

³⁸¹ Tex. Gov't Code §552.351

Open Meetings Act

The Open Meetings Act requires every regular, special or called meeting of a governmental body to be open to the public, except as provided.³⁸² The Open Meetings Act applies any time a quorum of a governmental body meets as provided under Government Code Section 551.001(4).³⁸³ Members may attend social occasions, workshops, ceremonial events, press conferences and candidate forums, appearances or debates without violating the law, provided formal action is not taken and any discussion of public business is incidental.³⁸⁴

If a governmental body takes an action in violation of the Open Meetings Act, then that action is voidable.³⁸⁵ Violation of the Open Meetings Act is a misdemeanor offense.³⁸⁶ A member commits a misdemeanor offense if the member or group of members knowingly conspires to circumvent the Open Meetings Act by meeting in numbers less than a quorum for the purpose of secret deliberations in violation of the Open Meetings Act.³⁸⁷

A governmental body must give written notice of the date, hour, place and subject of each meeting.³⁸⁸ The Open Meetings Act requires the posting of notices within certain time periods.³⁸⁹ It provides for posting meeting notices or adding agenda items for an already posted meeting when there is an emergency or when there is an urgent public necessity.³⁹⁰ The Open Meetings Act should be consulted regarding the place, content and the deadlines of postings.

³⁸² Tex. Gov't Code §551.002

³⁸³ Tex. Gov't Code §551.001(4)

³⁸⁴ Tex. Gov't Code §551.001(4)

³⁸⁵ Tex. Gov't Code §551.141

³⁸⁶ Tex. Gov't Code Chapter 551

³⁸⁷ Tex. Gov't Code §551.143(a)

³⁸⁸ Tex. Gov't Code §551.041

³⁸⁹ Tex. Gov't Code Chapter 551, Subchapter C

³⁹⁰ Tex. Gov't Code §551.045

For each meeting, a governmental body must prepare and keep minutes or make a recording.³⁹¹ The minutes must state the subject of each deliberation and indicate each vote, order, decision or other action taken.³⁹² These minutes and recordings of an open meeting are public records and must be available for public inspection and copying on request.³⁹³

In an open meeting, a person in attendance may make an audio or visual recording of all or any part of the governmental body meeting.³⁹⁴ A governmental body may adopt reasonable rules to maintain order at a meeting, but the rules may not prevent or unreasonably impair a person from exercising the right to record the meeting.³⁹⁵ These rules may relate to the location of recording equipment and the manner in which the recording is conducted.³⁹⁶

The Open Meetings Act provides exceptions to the requirement that meetings of a governmental body be open to the public and sets forth procedures relating to closed meetings.³⁹⁷ If there is a closed meeting, a governmental body must first convene in an open meeting with a quorum and follow certain procedures.³⁹⁸ A governmental body may not vote, make a decision or take a final action in a closed meeting.³⁹⁹ For each closed meeting, a governmental body must keep either a certified agenda or make a recording of the meeting, except for private consultations with the governmental body's attorney.⁴⁰⁰ The certified agenda or recording of a closed meeting must be preserved for at least two years after the date of the

³⁹¹ Tex. Gov't Code §551.021(a)

³⁹² Tex. Gov't Code §551.021(b)

³⁹³ Tex. Gov't Code §551.022

³⁹⁴ Tex. Gov't Code §551.023

³⁹⁵ Tex. Gov't Code §551.023

³⁹⁶ Tex. Gov't Code §551.023

³⁹⁷ Tex. Gov't Code Chapter 551, Subchapters D and E

³⁹⁸ Tex. Gov't Code §551.101

³⁹⁹ Tex. Gov't Code §551.102

⁴⁰⁰ Tex. Gov't Code §551.103

meeting or during any period in which litigation is pending regarding that meeting.⁴⁰¹ A district court may order that a certified agenda or recording of a closed meeting be available for public inspection.⁴⁰²

In part, some of the exceptions in the Open Meetings Act include certain meetings with the governmental body's attorney and meetings regarding personnel matters or real property deliberations. A governmental body may hold a closed meeting to seek the advice of its attorney about pending or contemplated litigation, a settlement offer or on a matter which requires the attorney to meet in a closed session to comply with the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas.⁴⁰³ Otherwise, a governmental body may not conduct a private consultation with its attorney.⁴⁰⁴ A closed meeting may be held to deliberate the purchase, exchange, lease or value of real property if an open meeting deliberation would have a detrimental effect on negotiations for the governmental body.⁴⁰⁵ The Open Meetings Act does not require an open meeting to deliberate on certain personnel matters of a public officer or employee, including the deliberation of the appointment, employment, evaluation, reassignment, duties, discipline or dismissal; or to hear a complaint or charge against an officer or employee.⁴⁰⁶

Each elected or appointed public official of a governmental body subject to the Open Meetings Act must complete a training course.⁴⁰⁷ The official is required to complete a training course not later than the 90th day after taking the oath of office or otherwise assumes the duties as a public official.⁴⁰⁸ The Office of the Attorney General must ensure that the training is available.⁴⁰⁹ For more information regarding training by the Office of the Attorney General please see texasattorneygeneral.gov/og/open-government-training.

A governmental body must maintain and make available for public inspection the record of its members' completion of the training.⁴¹⁰ The failure of one or more members of a governmental body to complete the required training does not affect the validity of an action taken by the governmental body.⁴¹¹

Boards of directors should seek legal advice regarding the applicability of the Open Meetings Act to board meetings. For more information on the Open Meetings Act, call the Office of the Attorney General's Open Government Hotline toll-free at 1-877-673-6839 or see the Office of the Attorney General's *Open Meetings Act Handbook* at texasattorneygeneral.gov/sites/default/files/files/divisions/open-government/openmeetings_hb.pdf.

⁴⁰¹ Tex. Gov't Code §551.104(a)

⁴⁰² Tex. Gov't Code §551.104(b) and (c)

⁴⁰³ Tex. Gov't Code §551.071

⁴⁰⁴ Tex. Gov't Code §551.071

⁴⁰⁵ Tex. Gov't Code §551.072

⁴⁰⁶ Tex. Gov't Code §551.074(a)

⁴⁰⁷ Tex. Gov't Code §551.005(a)

⁴⁰⁸ Tex. Gov't Code §551.005(a)

⁴⁰⁹ Tex. Gov't Code §551.005(b)

⁴¹⁰ Tex. Gov't Code §551.005(c)

⁴¹¹ Tex. Gov't Code §551.005(f)

CAD Operations

Each CAD *must* establish an office located in the county for which the appraisal district is established and a CAD may establish branch offices outside the county.⁴¹² A board of directors may contract with another CAD or with a taxing unit in the district to perform the duties of the appraisal district office for the CAD.⁴¹³

Ownership or Lease of Real Property

The board of directors may purchase or lease real property and may construct improvements as necessary to establish and operate the CAD office or a branch office.⁴¹⁴



For a CAD to acquire or convey real property or construct or renovate a building or other improvement, three-fourths of the voting taxing units must approve.⁴¹⁵ The board of directors by resolution may propose a property transaction or other action that requires approval of the taxing units.⁴¹⁶ The chief appraiser must notify each taxing unit entitled to vote on the proposal by delivering a copy of the board's resolution, together with information showing the costs of other available alternatives to the proposal.⁴¹⁷ On or before the 30th day after the date a taxing unit receives notice of a proposal, the governing body of the taxing unit by resolution may approve or disapprove the proposal.⁴¹⁸ If a governing body fails to act by that time or fails to file its resolution with the chief appraiser on or before the 10th day after that 30th day, the proposal is treated as if it were disapproved.⁴¹⁹

⁴¹² Tex. Tax Code §6.05(a)

⁴¹³ Tex. Tax Code §6.05(b)

⁴¹⁴ Tex. Tax Code §6.051(a)

⁴¹⁵ Tex. Tax Code §6.051(b)

⁴¹⁶ Tex. Tax Code §6.051(b)

⁴¹⁷ Tex. Tax Code §6.051(b)

⁴¹⁸ Tex. Tax Code §6.051(b)

⁴¹⁹ Tex. Tax Code §6.051(b)

If a conveyance of real property owned by the CAD is approved, the board of directors may convey the real property and the proceeds are credited to each participating taxing unit in proportion to the taxing unit's allocation of the budget in the year in which the transaction occurs.⁴²⁰

Technological Capabilities

The Tax Code requires CADs to electronically furnish certain material or communicate electronically in specific circumstances; CADs need to have the technological capabilities to fulfill these requirements.

When a property owner is required by the Tax Code to use a form, the office or agency with which the form is filed must make printed and electronic versions of the forms readily and timely available and must furnish a property owner a form without charge.⁴²¹

A chief appraiser may enter into agreements with any property owner or a person designated by the property owner for the electronic delivery of any notice, rendition, application form, completed application, or requested information.⁴²²

Property owners whose property is included in 25 or more accounts in a CAD with a population of more than 200,000 can request to enter into an agreement to receive notices of appraised value in electronic format.⁴²³ The chief appraiser is required to enter into an agreement for that purpose if requested by this type of property owner and must deliver the notice in accordance with the electronic medium, format, content, and method prescribed by the Comptroller's office.⁴²⁴

⁴²⁰ Tex. Tax Code §6.051(c)

⁴²¹ Tex. Tax Code §1.09

⁴²² Tex. Tax Code §1.085(a) and (b)

⁴²³ Tex. Tax Code §1.085(g)

⁴²⁴ Tex. Tax Code §1.085(g)

In counties with more than 200,000 population and in counties that have implemented systems that allow electronic communications, the chief appraiser is required to notify property owners of the availability of electronic communications along with the necessary agreement forms.⁴²⁵

CADs that are in a county with a population of 500,000 or more must implement a system that allows the designation of a property tax agent to be signed and filed electronically.⁴²⁶

CADs must implement a system that allows a residence homestead owner to electronically:

1. file a notice of protest with the ARB regarding the determination of appraised value or unequal appraisal;
2. receive and review comparable sales data and other evidence that the chief appraiser intends to use at the protest hearing before the board;
3. receive, as applicable, a notice from the CAD that a settlement offer will not be made or receive a settlement offer from the CAD to correct the appraisal records by changing the market value and, if applicable, the appraised value of the property to the value as redetermined by the CAD; or
4. accept or reject a CAD settlement offer.⁴²⁷

This requirement applies to counties that maintain Internet websites (mandatory for counties with populations of 500,000 or more).⁴²⁸

CADs should work with the Comptroller's office to ensure Internet compatibility.

Records System

Tax Code Section 5.07 and Comptroller Rule 9.3003 require offices appraising property to develop and maintain tax records system. Any of the required information may be maintained electronically rather than in physical documents. Such a system must include the following:

- appraisal cards;
- maps;
- rendition forms;
- report of decreased value forms;

⁴²⁵ Tex. Tax Code §1.085(h)

⁴²⁶ Tex. Tax Code §1.111(b)

⁴²⁷ Tex. Tax Code §41.415(b)

⁴²⁸ Tex. Tax Code §41.415(a)

- appraisal records of all property;
- tax roll of any taxing unit for whom the appraisal district assesses or collects;
- delinquent tax roll of any taxing unit for whom the office collects;
- alphabetical index;
- partial exemption lists;
- absolute exemption lists; and
- lists of properties receiving appraisal as open-space land; agricultural use; timber use; recreational, park and scenic land; and public access airports.

Appraisal Records of All Property

Provisions in Tax Code Chapter 25 and Comptroller Rule 9.3004 requires all CAD offices to develop and maintain appraisal records of all property. These records must be two lists: one for real property and one list for personal property and must contain specified information as applicable. Any required information may be maintained electronically rather than in physical documents.

Appraisal Cards

Comptroller Rule 9.3001 requires that all CAD offices that appraise property must develop and maintain a system of appraisal cards for all parcels of real estate which each office is required to appraise. A separate appraisal card must be developed and maintained for each parcel of residential or commercial real estate with specified items of information related to the land and to the improvements on the parcel. Many of these items of information, plus additional specified information, must be on the appraisal card for each parcel of rural or acreage real estate. The appraisal cards may be maintained electronically rather than in physical documents.

Maps

In meeting the chief appraiser's principal responsibility to locate, record and appraise all property in the CAD, a complete set of maps is indispensable. Maps enable appraisers to locate each real property parcel, identify its size and shape and determine its relationship to factors that affect its value. Maps also serve to display market and statistical data, appraisal comparisons and land appraisals.

Comptroller Rule 9.3002 requires all appraisal districts and tax offices appraising property to establish and maintain a system of tax maps covering the entire area of the taxing units

for whom each office appraises property. The tax map system must be annually updated to incorporate any new subdivisions or property transfers as indicated by the filing of subdivision plats or deeds with the county clerk's office of the county or counties in which the taxing units for whom each office appraises property are located. Any of the information may be maintained electronically rather than physical documents.

Local Government Records Management

CADs are subject to the preservation, microfilming, destruction and other records disposition provisions of Local Government Code Chapter 203.⁴²⁹ For additional information about records management and retention, see the Texas State Library and Archives Commission at www.tsl.texas.gov.

⁴²⁹ Tex. Tax Code §6.13

CAD Personnel

The CAD board of directors may employ a general counsel for the CAD to serve at the will of the board.⁴³⁰ The general counsel must provide counsel directly to the board and perform other duties and responsibilities as determined by the board.⁴³¹ The general counsel is entitled to compensation as provided by the budget adopted by the board.⁴³²

Through adopting the budget, the board of directors may direct the size and qualifications of staff, as well as set the goals and objectives of the CAD through its personnel. The chief appraiser may employ and compensate professional, clerical and other personnel as provided by the budget, with the exception of a general counsel to the CAD.⁴³³

A chief appraiser may not employ persons who are related to directors within the second degree by affinity or within the third degree by consanguinity as determined under Government Code Chapter 573.⁴³⁴ A person commits an offense if the person intentionally or knowingly violates this prohibition; the offense is a misdemeanor punishable by a fine of at least \$100 and up to \$1,000.⁴³⁵

Personnel Policy

IAAO's *Property Appraisal and Assessment Administration* provides general guidance on personnel management, including selection of employees, employee development, compensation, internal communication, motivation and leadership and system issues in management.⁴³⁶

Personnel manuals can inform employees about the CAD's goals and objectives, policies, procedures and guidelines to follow in the course of their duties. Manuals should be reviewed and updated on a regular basis. Examples of CAD personnel manuals are at comptroller.texas.gov/taxes/property-tax/personnel-policies/index.php.

Consult legal counsel for advice in preparing personnel policy manuals or handbooks.

Professional Development

According to IAAO's *Standard on Professional Development*, "in-service training and continuing education of assessment personnel are essential parts of an effective program . . ."⁴³⁷

Certain CAD employees register with and attain certification from TDLR. Registrants must pass one or more examinations to be certified and must participate to the extent required by TDLR in continuing education programs to maintain registration.⁴³⁸ An individual may not serve as a chief appraiser unless the individual has completed chief appraiser training pursuant to Occupations Code Section 1151.164 and Tax Code Section 5.042.⁴³⁹ This prohibition does not apply to a county TAC who serves as chief appraiser under Tax Code Section 6.05(c).⁴⁴⁰ It applies only to a chief appraiser appointed on or after July 1, 2006.⁴⁴¹ Also, a person may serve in a temporary, provisional or interim capacity as chief appraiser for up to one year without completing the required training.⁴⁴²

⁴³⁰ Tex. Tax Code §6.05(j)

⁴³¹ Tex. Tax Code §6.05(j)

⁴³² Tex. Tax Code §6.05(j)

⁴³³ Tex. Tax Code §6.05(d)

⁴³⁴ Tex. Tax Code §6.05(f)

⁴³⁵ Tex. Tax Code §6.05(f)

⁴³⁶ IAAO, *Property Appraisal and Assessment Administration*, (1990), pp. 429 to 439

⁴³⁷ IAAO, *Standard on Professional Development*, (January 2013), p. 5. www.iaao.org/media/standards/Professional_dev_2013.pdf (Last visited Dec. 29, 2015)

⁴³⁸ Tex. Occupations Code §§1151.161 and 1151.1581

⁴³⁹ Tex. Tax Code §5.042(a)

⁴⁴⁰ Tex. Tax Code §5.042(c)

⁴⁴¹ Texas H.B. 2382, 79th Leg., Reg. Sess. (2005)

⁴⁴² Tex. Tax Code §5.042(b)

Chief appraisers are required to complete at least half of their required continuing education hours in programs devoted to one or more of the topics listed in Occupations Code Section 1151.164(b) and at least two of the hours in ethics specific to maintaining the independence of an appraisal office from political pressure.⁴⁴³

A CAD should budget funds to cover necessary training and education expenses. A CAD is required to reimburse a CAD employee for all actual and necessary expenses, tuition and other fees and costs of materials incurred in attending, with approval of the chief appraiser, a course or training program sponsored or approved by TDLR.⁴⁴⁴

⁴⁴³ Tex. Occupations Code §1151.1581

⁴⁴⁴ Tex. Tax Code §5.04(b)

Assessment and Collection Functions

A taxing unit and a commissioner’s court may contract with another taxing unit to perform their assessment and collection functions.⁴⁴⁵ The Tax Code provides procedures for taxing units to follow to consolidate assessment, collection or assessment and collection functions with a CAD.⁴⁴⁶ The CAD may be responsible for these functions for one or more of the CAD’s taxing units.

If a CAD does assess, collect or assess and collect, please see Tax Code Subtitle E regarding collections and delinquency.

Interlocal Contracts

The board of directors may enter a contract with a taxing unit or a commissioner’s court to collect and assess taxes for that taxing unit or county (with county TAC approval).⁴⁴⁷ These contracts are subject to the Interlocal Cooperation Act.⁴⁴⁸ The contract may provide for the collecting entity to contract with an attorney to collect delinquent taxes.⁴⁴⁹



If a county contracts to have its taxes assessed and collected by another entity, the contract must require the assessment and collection of all the taxes the county is required to assess and collect except for special inventory taxes assessed and collected under specified provisions.⁴⁵⁰ The Attorney General has held that Tax Code Section 6.24 is construed as authorizing a contract to obtain assistance for the county TAC, as opposed to supplanting the TAC.⁴⁵¹

⁴⁴⁵ Tex. Tax Code §6.24(a) and (b)

⁴⁴⁶ Tex. Tax Code §6.26

⁴⁴⁷ Tex. Tax Code §6.24(a) and (b)

⁴⁴⁸ Tex. Tax Code §6.24(a) and (b)

⁴⁴⁹ Tex. Tax Code §6.24(d)

⁴⁵⁰ Tex. Tax Code §6.24(b) and (c)

⁴⁵¹ Tex. Att’y Gen. Op. JM-833 (1987)

Consolidation Election

Pursuant to Tax Code Section 6.26, qualified voters may petition to consolidate the assessment and collection of property taxes. The Attorney General has held that Tax Code Section 6.26 is unconstitutional insofar as it contravenes the Texas Constitution, VIII, Section 14 and that the Legislature may not authorize the electorate to divest the county TAC of the assessment and collection duties, other than appraisal functions.⁴⁵²

Qualified voters residing in a CAD may petition to require an election to determine whether to require the CAD, county TAC or a specified taxing unit within the CAD to assess, collect or assess and collect property taxes on property appraised by the CAD for all taxing units.⁴⁵³

If a taxing unit assesses, collects or assesses and collects its own property taxes, the qualified voters of that taxing unit may submit a petition to the governing body of the taxing unit to require an election to determine whether to require the CAD, the county TAC or another taxing unit to assess, collect or assess and collect the taxing unit’s property taxes.⁴⁵⁴

For a petition to be valid, it must make certain statements and be signed by a specified amount or percentage of certain qualified voters.⁴⁵⁵

The petition may require the CAD, the county TAC or a specified taxing unit within the CAD to perform the consolidated functions.⁴⁵⁶ Neither a CAD nor a taxing unit may be required by an election to assess, collect or assess and collect taxes on property outside the CAD’s boundaries.⁴⁵⁷

⁴⁵² Tex. Att’y Gen. Op. JM-833 (1987)

⁴⁵³ Tex. Tax Code §6.26(a)

⁴⁵⁴ Tex. Tax Code §6.26(b)

⁴⁵⁵ Tex. Tax Code §6.26(c)

⁴⁵⁶ Tex. Tax Code §6.26(a)

⁴⁵⁷ Tex. Tax Code §6.26(j)

If the commissioner's court or the taxing unit's governing body finds that a petition is valid, it must order an election in the CAD or taxing unit on the next uniform election date prescribed by the Election Code that is more than 60 days after the last day on which it could have acted on the petition.⁴⁵⁸

If a majority of the qualified voters who voted in the election favor the proposition, the CAD, county TAC or specified taxing unit named on the ballot must perform the functions specified by the ballot beginning with the next time property taxes are assessed or collected, as applicable, that is more than 90 days after the date of the election. When the performance of a function begins before that time period, a function may be consolidated if the governing bodies agree, including the CAD board of directors if the CAD is involved.⁴⁵⁹

A consolidation may not be terminated within two years after the consolidation date.⁴⁶⁰

A taxing unit must pay the actual cost of the consolidated functions to the office or entity that performs the functions pursuant to an election.⁴⁶¹ Actual costs have been defined by the Attorney General as those costs that the collecting taxing unit or CAD incurs over and above those it would incur if it were not collecting for another taxing unit.⁴⁶²

A taxing unit may require a bond when a CAD collects for the taxing unit.⁴⁶³ The taxing unit must pay the premium for the bond from its general fund or as provided by intergovernmental contract.⁴⁶⁴

Annual Collection Budget

If a CAD is assessing and collecting, the district should outline the costs in a separate budget.⁴⁶⁵ If the CAD performs assessment and collection functions under contract, the budget should be based on the contract. If the CAD collects under an election, the budget should be based on actual costs among the taxing units served.⁴⁶⁶ The CAD must allocate costs only to those taxing units for which it performs assessment and collection functions.⁴⁶⁷

Special items in the annual collection budget could include required bonds, services of a delinquent tax attorney and court fees (if the CAD is handling delinquent collections).

⁴⁵⁸ Tex. Tax Code §6.26(e)

⁴⁵⁹ Tex. Tax Code §6.26(f)

⁴⁶⁰ Tex. Tax Code §6.26(i)

⁴⁶¹ Tex. Tax Code §6.26(g)

⁴⁶² Tex. Att'y Gen. Op. JM-996 (1988)

⁴⁶³ Tex. Tax Code §6.29(b)

⁴⁶⁴ Tex. Tax Code §6.29(c)

⁴⁶⁵ Tex. Att'y Gen. Op. GA-0030 (2003)

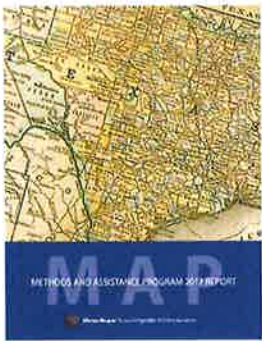
⁴⁶⁶ Tex. Att'y Gen. Op. JM-996 (1988)

⁴⁶⁷ Tex. Att'y Gen. Op. GA-0030 (2003)

Comptroller Review of CADs

The Comptroller’s office provides technical assistance to local taxing units and taxpayers on property tax issues, but it cannot intervene in local tax matters. The Comptroller’s office is required to adopt rules establishing minimum standards for CAD administration and operations and is also required to conduct reviews of CAD operations.⁴⁶⁸

Methods and Assistance Program (MAP)



At least once every two years, PTAD must review each CAD’s governance, taxpayer assistance and the operating and appraisal standards, procedures and methodology to determine compliance with generally accepted standards, procedures and methodology.⁴⁶⁹ After consultation with the Property Tax Administration Advisory Board, the Comptroller’s office by rule may establish

procedures and standards for conducting and scoring the review.⁴⁷⁰ Comptroller Rule 9.301 provides procedures and standards for the reviews and additional MAP information is available at comptroller.texas.gov/taxes/property-tax/map/index.php.

In conducting the review, the Comptroller’s office is entitled to access to all CAD records and reports, to copy or print these materials and to the assistance of the CAD’s officers and employees.⁴⁷¹

At the conclusion of the review, the Comptroller’s office must, in writing, notify the CAD of its performance in the

⁴⁶⁸ Tex. Tax Code §§5.03, 5.10, 5.102, 5.12 and Tex. Gov’t Code §403.302

⁴⁶⁹ Tex. Tax Code §6.16(a 1-3)

⁴⁷⁰ Tex. Tax Code §5.102(a)

⁴⁷¹ Tex. Tax Code §5.102(b)

review.⁴⁷² If there is a finding of non-compliance with generally accepted standards, procedures and methodology, or certain Comptroller-issued manuals, the Comptroller’s office must deliver a report that details the findings and recommendations for improvement to the following:

1. the CAD’s chief appraiser and board of directors; and
2. the superintendent and board of trustees of each school district participating in the CAD.⁴⁷³

If a CAD fails to comply with the report’s recommendations and the Comptroller’s office finds that the CAD board of directors failed to take remedial action reasonably designed to ensure substantial compliance with each report recommendation before the first anniversary of the date the report was issued, the Comptroller’s office must notify TDLR.⁴⁷⁴ TDLR must take action necessary to ensure that the recommendations in the report are implemented as soon as practicable.⁴⁷⁵ If TDLR takes action, then before Feb. 1 of the year following the year in which action is taken, TDLR must, with the assistance of the Comptroller’s office, determine whether the recommendations in the most recent report have been substantially implemented.⁴⁷⁶ TDLR must notify the CAD’s chief appraiser and the board of directors in writing of the determination.⁴⁷⁷

Property Value Study (PVS)

Government Code Section 403.302 requires the Comptroller’s office to conduct a study to determine the total taxable value of all property in each school district at least once every two years. This study is referred to as the Property Value Study (PVS).

⁴⁷² Tex. Tax Code §5.102(c)

⁴⁷³ Tex. Tax Code §5.102(c)

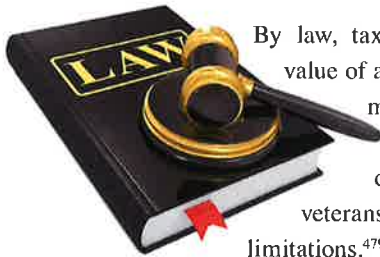
⁴⁷⁴ Tex. Tax Code §5.102(d)

⁴⁷⁵ Tex. Tax Code §5.102(d)

⁴⁷⁶ Tex. Tax Code §5.102(e)

⁴⁷⁷ Tex. Tax Code §5.102(e)

The primary purpose of the PVS is to help ensure equitable distribution of state funding for public education. Texas funds public education through state and local funds. Local funding comes from property taxes.⁴⁷⁸ The chief appraiser of each CAD determines local property values and school districts set tax rates that determine the amount of local tax revenue. Texas bases state funding, in part, on the total taxable property value within each school district, as determined by the PVS.



By law, taxable value equals the market value of all taxable property in a district, minus certain exemptions and deductions such as state-mandated homestead and disabled veterans' exemptions as well as value limitations.⁴⁷⁹ Deductions are made for reinvestment zones, freeport exemptions, productivity appraisal of qualified agricultural lands, the school tax ceiling for homeowners age 65 and older or disabled and other state-mandated exemptions.⁴⁸⁰

To estimate a school district's taxable value, the Government Code requires the Comptroller's office to do the following:

- use generally accepted sampling, standard valuation, statistical compilation and analysis techniques;
- ensure that different levels of appraisal on sold and unsold property do not adversely affect the accuracy of the study and that different levels of appraisal resulting from protests to the ARB on the grounds of market or appraised value or unequal appraisal (Tax Code Sections 41.41(a)(1) or (2)) are appropriately adjusted in the study; and
- test the validity of taxable values and presume that appraisal roll values represent taxable value when local value is determined to be valid.⁴⁸¹

The Comptroller's office tests the taxable values the CAD assigns to each property category by constructing a statistical margin of error around the estimate of value for selected property categories in each school district.⁴⁸² The Comptroller's office considers values valid, or acceptable, when they

⁴⁷⁸ Tex. Gov't Code §403.301

⁴⁷⁹ Tex. Gov't Code §403.302(d)

⁴⁸⁰ Tex. Gov't Code §403.302(d)

⁴⁸¹ Tex. Gov't Code §403.302(b) and (c)

⁴⁸² Tex. Gov't Code §403.302(c)

are within the margin of error.⁴⁸³ The Comptroller's office considers values outside this margin of error invalid.⁴⁸⁴

If the locally appraised value in a school district (local value) is valid, the Comptroller's office certifies the local value to the Commissioner of Education.⁴⁸⁵ If the local value is invalid, the Comptroller's office certifies the state value, unless the school district's value is higher than the acceptable range or the school district is eligible for a grace period (a period during which state law allows local value to be used even though the school district's property values are not at market value).⁴⁸⁶

The Education Code provides how the Commissioner of Education uses the findings of the PVS to determine state aid in school funding.

The secondary purpose of the PVS is to collect data to provide taxpayers, school districts, CADs and the Legislature with measures of CAD performance. Tax Code Section 5.10 requires the Comptroller's office to measure CAD performance at least once every two years and to publish the results. The Comptroller's office measures the level and uniformity of property tax appraisals using data collected in the PVS. The level of appraisal shows whether the CAD has appraised properties at 100 percent of the legally required level—normally the market value. The uniformity of appraisal indicates how much the percentage of market value varies from property to property.

Additional information regarding the PVS is available at: comptroller.texas.gov/taxes/property-tax/index.php.

Performance Audits

The Comptroller's office must perform performance audits of CADs that fail to meet specified standards for two consecutive studies conducted by the Comptroller's office under Tax Code Section 5.10.⁴⁸⁷ Existence of any one of the following conditions for two consecutive years triggers an audit:

1. the overall median level of appraisal for all properties in the CAD is less than 0.75 as determined in the Comptroller's study;

⁴⁸³ Tex. Gov't Code §403.302(c)

⁴⁸⁴ Tex. Gov't Code §403.302(c)

⁴⁸⁵ Tex. Gov't Code §403.302(c)

⁴⁸⁶ Tex. Gov't Code §§403.302(c) and 403.3011(2)

⁴⁸⁷ Tex. Tax Code §5.12(a)

2. the coefficient of dispersion around the median of the overall property sample is greater than 0.30; or
3. the difference between median levels of appraisal for any two property classes is greater than 0.45.⁴⁸⁸

Under certain circumstances, the Comptroller's office must also complete an audit if a majority of participating taxing units or a majority of voting taxing units submit a written request to the Comptroller's office for a performance audit or an audit of only one or more particular matters.⁴⁸⁹

Additionally, owners of at least 10 percent of accounts or parcels of property in a single class can petition for a performance audit (but only if the class makes up at least 5 percent of the total property value in the district).⁴⁹⁰ Further, on written request, property owners may request an audit if the owners represent not less than 10 percent of the appraised value of all the property in the CAD belonging to a single class of property if that property class makes up at least 5 percent of the CAD's total property value.⁴⁹¹

Taxing units and property owners may not request an audit if, for the last two PVS under Tax Code Section 5.10:

1. the overall median of appraisal for all of the CAD's property is more than 0.90 and less than 1.10;
2. the coefficient of dispersion for the overall property sample in the study is less than 0.15; and
3. the difference between the highest and lowest median appraisal levels for the various property classes is less than 0.20.⁴⁹²

A request for a CAD performance audit may not be made:

1. during the two years immediately following the publication of the second of two consecutive studies according to which the Comptroller's office is required to conduct an audit of the CAD;
2. during the year immediately following the date the results of an audit of the CAD conducted by the Comptroller's office are reported to the chief appraiser of the CAD; or
3. during a year in which the Comptroller's office is conducting a MAP review of the CAD under Tax Code Section 5.102.⁴⁹³

CADs must bear the cost of audits triggered by study results or triggered by a taxing unit request for an audit.⁴⁹⁴ The cost of a taxpayer-requested audit is borne by the requesting taxpayers.⁴⁹⁵ However, the CAD must reimburse the cost of a taxpayer-requested audit if the audit's results show that the median level of appraisal for a class of property exceeds 1.10 or the median level of appraisal for one class of property varies by at least 10 percent from the overall median level of property in the CAD.⁴⁹⁶

The Comptroller's office must report the results of the audit in writing to the governing body of each participating taxing unit, the chief appraiser and to the presiding officer of the CAD board of directors.⁴⁹⁷ If it is a taxpayer-requested audit, the Comptroller's office must also provide a report to a representative of the property owners who requested the audit.⁴⁹⁸

⁴⁸⁸ Tex. Tax Code §5.12(a)

⁴⁸⁹ Tex. Tax Code §5.12(b)

⁴⁹⁰ Tex. Tax Code §5.12(c)

⁴⁹¹ Tex. Tax Code §5.12(c)

⁴⁹² Tex. Tax Code §5.12(d)

⁴⁹³ Tex. Tax Code §5.12(e)

⁴⁹⁴ Tex. Tax Code §5.13(g)

⁴⁹⁵ Tex. Tax Code §5.13(g)

⁴⁹⁶ Tex. Tax Code §5.13(g)

⁴⁹⁷ Tex. Tax Code §5.13(f)

⁴⁹⁸ Tex. Tax Code §5.13(f)

For more information, visit our website:
comptroller.texas.gov/taxes/property-tax

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Texas Comptroller of Public Accounts
Publication #96-301
May 2020

1. GENERAL FUNCTIONS

1.A. Call to Order

The meeting was called to order at **6:01 pm** by Board President Coronado.

1.B. Roll Call

Mr. Coronado, Mrs. Mendoza, Mr. Payan, Mrs. Searls and Mrs. Trout were present.

Mr. Hernandez and Mr. Rodriguez (in route) were absent.

Mr. Rodriguez arrived at 6:49 pm.

Mrs. Trout left the meeting at 8:04 pm.

1.C. Trustee Ethical Guidelines:

The Trustees reviewed and discussed item 2.3: Equity in Attitude. I will encourage expressions of different opinions and listen with an open mind to others' ideas.

2. OPEN FORUM-OTHER

Any person wishing to address the Board during the period reserved for public comment at a Board meeting must sign up to be heard, in accordance with District policy BED(LOCAL):

Each participant will be limited to three minutes to make comments to the Board.

The Board is not permitted to discuss or act upon any issues that are not posted on the agenda for tonight's meeting.

For further information on those policies, contact the Superintendent's Administrative Assistant.

Speaker #1: Carmen Porras, former employee, asked the board to consider paying her the pandemic stipend. She stated she had been employed with the district for 35 years (August 1984 to April 15, 2021).

Speaker #2: Luis Duran, parent, voiced his concerns with the Garcia Elementary School 1st grade dual language classroom staffing. He also informed the board that GES does not have working water fountains. He asked that he be allowed to purchase water and air purifiers for his child's classroom.

Speaker #3: Raul Torres, parent, voiced his concerns with the administration at Garcia Elementary School. He stated he is unable to get any information from the GES Administration. He also voiced his concerns with the GES 1st grade dual language classroom staffing. Mr. Torres stated he also wanted to buy water and air purifiers for his child's class room.

Speaker #4: Breanna Barnes voiced her concerns with COVID protocols and requirements. She wanted to know how vaccinated and unvaccinated quarantine requirements differed. She also asked that Rapid Testing be implemented. She expressed her concerns requiring volunteers to be vaccinated.

3. BOARD OF TRUSTEE BUSINESS-OTHER

3.A. Discussion and recommendation regarding the Safe Opening of Schools and Safety Protocols.

Dr. Reyes stated the positivity rate as of last Thursday in the El Paso Region was 10.23% and El Paso was at Stage 2 on the Community Score Card. Dr. Reyes informed the board that COVID-19 guidance is constantly changing. If there is a lab confirmed person that has tested positive for COVID-19 the following measures will be taken: contact tracing for 6ft bubble, look for an exposure of more than 15 minutes in a 24- hour period. Should this be the case this person will be identified as a high-risk exposure. If they are vaccinated they do not have to quarantine unless they are showing symptoms. If they are unvaccinated they will automatically be quarantined for 10 days. This protocol will apply to everyone.

Dr. Reyes informed the board that masks cannot be mandated. Mr. Vasquez stated the water fountains can only be used to refill water bottles. He stated they are currently working on refilling stations district wide. The board and administration asked that the refilling stations become a #1 priority. Mr. Payan verified with Dr. Reyes that bottled water is available to any student that requests one. Mrs. Mendoza confirmed with Mr. Vasquez that due to delays in manufacturing and shipping the refilling stations would not be completed for several months. Dr. Fuentes informed the board that she had been conducting online COVID-19 Community Meetings. Mr. Payan asked for face to face meetings to ensure the right information is being shared. Mrs. Searls asked if administration had made any changes regarding ventilation and lighting at the campuses to combat COVID. Mr. Vasquez stated air filters have been changed and teachers are keeping their doors open to help with ventilation. As for lighting no changes had been made. Mrs. Searls asked why volunteers are being asked to be vaccinated. Dr. Reyes stated this was vetted with legal counsel and was implemented to ensure the safety of all students and staff. Mr. Rodriguez also asked if the purchase of commercial air purifiers was being considered? Dr. Reyes informed the board that 91% of CISD employees are vaccinated. Dr. Galaviz stated he was not in favor of offering a stipend to vaccinated employees. Coach Brooks stated CHS was one of the few athletic programs last year that had kids on campus. He noted the kids complied and at least 65% to 70% of them are vaccinated. Coach Brooks stated masks are encouraged and any student feeling ill is asked to stay home. Dr. Reyes stated buffets, open salad bars etc. should not be open to the students and encouraged prepacked meals. Mr. Coronado stated all protocols are about safety and science must be followed. Mrs. Mata stated TEA is trying their best to interpret the governor's orders as it relates to schools. Mr. Coronado asked that the district send a letter to the governor asking for local control. Mr. Coronado stated Canutillo ISD should unite with other districts in the region regarding masks mandates. Dr. Galaviz stated administration was in the middle of political battle. Mrs. Trout informed the board she would be unable to attend the Aug. 10, 2021 due to a FWTSBA meeting. Mr. Bernardo Bernal addressed the board and asked why the board is concerned with the children since they have a 99% survival rate (without preexisting conditions). He stated they (the children) are not the problem. Parents and children are trying to coexist and noted the average person is not going to die. He asked everyone to look at independent studies and not only federal studies. Mrs. Breanna Barnes stated she would look at a private school for her children if masks are mandated and noted kids are not super-spreaders. She asked the board respect other people's opinions and not push their views on parents. She noted suicide rates had gone up last year and that was more serious than this. Mr. Payan stated he didn't want any child to suffer. Dr. Galaviz reiterated he did not want this issue to divide the community. Ms. Searls stated religious freedoms needed to be considered.

After a lengthy discussion regarding Safe Opening of Schools and Safety Protocols the board agreed that this situation remains fluid but the safety of all students and staff would remain a priority.

3.B. Discussion and recommendation to develop a resolution addressing Canutillo ISD COVID 19 Safety Protocols.

It was motioned by Mr. Rodriguez, seconded by Mrs. Trout and passed unanimously to develop a resolution addressing Canutillo ISD COVID 19 Safety Protocols that provides for local control. It was confirmed that the letter would be similar to the letter written by the Mayor Leeser and would incorporate some of the points from the TASB letter shared by Mr. Rodriguez.

4. TRAINING/WORKSHOP

4.A. Discussion regarding the 2020 Facility Masterplan and the Just For Kids Committee final recommendations for a potential November 2021 bond election.

A condensed presentation from Administration regarding the 2020 Facility Masterplan and the Just for Kids Committee final recommendations for a potential November 2021 bond election was made to the board. Due to time constraints the board was unable to ask questions.

5. ADJOURNMENT

The meeting adjourned at **9:11 pm** by unanimous consent.

Presented to the Board of Trustees for approval on **September 28, 2021**. The minutes reflect all agenda items in the order as originally posted and do not necessarily reflect the order in which they were discussed.

1. GENERAL FUNCTIONS

1.A. Call to Order

The meeting was called to order at **5:33 pm** by Board President Coronado.

1.B. Roll Call

All trustees were present except for Mr. Payan and Mrs. Trout.

1.C. Trustee Ethical Guidelines

The Trustees reviewed and discussed item 2.1: Equity in Attitude. I will be fair, just and impartial in all my decisions and actions.

2. OPEN FORUM-OTHER

Any person wishing to address the Board during the period reserved for public comment at a Board meeting must sign up to be heard, in accordance with District policy BED(LOCAL): Each participant will be limited to three minutes to make comments to the Board.

The Board is not permitted to discuss or act upon any issues that are not posted on the agenda for tonight's meeting.

For further information on those policies, contact the Superintendent's Administrative Assistant.

Speaker #1: Ms. Gutierrez addressed the board regarding her concerns with the districts COVID Safety Protocols. She stated there is a high risk of exposure and transmission because of the lack of social distancing. She also stated masks are not being worn.

Speaker #2: Luis Duran addressed the board regarding masks mandates and quarantines. He stated the district should defy Governor Abbotts orders and mandate masks. He also asked that the COVID charts on the CISD website be updated.

3. BOARD OF TRUSTEE BUSINESS-OTHER

3.A. Discussion regarding the 2020 Facility Masterplan and the Just for Kids Committee final recommendations for a potential November 2021 bond election.

Dr. A. Rossi, Ms. Rachel Cisneros and Mrs. Yvette Muller informed the board that a consensus had been reached regarding the 2021 Bond/future projects. Mr. Rodriguez asked if the committee had thought of possibly moving the Transportation Department due to issues with entering and exiting the facility. Dr. Peterson stated it had not been discussed. Mr. Rodriguez stated there needed to be some flexibility regarding bond projects and felt another elementary school was needed. Mrs. Searls and Mrs. Mendoza both thanked the committee for their hard work. Dr. Rossi stated the expansion at Reyes needed to be addressed as soon as possible, as well as the need for a middle school. Mr. Rodriguez stated he supported the recommendations of the committee/ community. Mrs. Searls asked if the school has spoken to the city regarding any land they might have for sale. She also questioned whether the timing of the bond was right

for the community. Mrs. Searls asked when the decision had been made to sell central office? Mr. Vasquez stated someone was interested in purchasing central office and that is how the subject came up. Mrs. Mueller stated the JFK Committee understood that plans might change however asked the board to commit to following the committee's recommendations. Mr. Coronado thanked the committee for all their work. Mr. Coronado stated things change and as such flexibility was needed. Mr. Hernandez voiced his concerns regarding CMS and the lack of equity between the middle schools.

3.B. Discussion and possible action related to the CISD Educational Specifications, developed by MNK architects.

Mrs. Searls noted the specifications were well written and created specifically for Canutillo ISD. Mr. Rodriguez asked that there be consistency in all future designs to ensure equity at all campuses.

It was motioned by Mrs. Searls, seconded by Mr. Hernandez and passed unanimously to approve the CISD Educational Specifications, developed by MNK architects.

3.C. Consideration and approval of an order calling a Bond Election to be held by the Canutillo Independent School District, making provisions for the conduct of a joint election, and resolving other matters incident and related to such election.

Mr. Mejia stated the District was in a very good position. He noted that over the last 5 years the district has taken advantage of low interest rates. He stated a conservative approach has been taken regarding the request for a Bond.

It was motioned by Mr. Rodriguez, seconded by Mr. Hernandez to approve the bond election order in the form presented at this meeting for two propositions: Proposition A for \$177.5M for school facilities and Proposition B for \$10M for the refunding of outstanding maintenance tax notes.

Vote:

Mr. Coronado- Yes, Mr. Hernandez- Yes, Mrs. Mendoza- Yes, Mr. Rodriguez- Yes, Mrs. Searls- No.

Motion passed

4. **ADJOURNMENT:**

The meeting adjourned at **7:25 pm** by unanimous consent.

Presented to the Board of Trustees for approval on **September 28, 2021**. The minutes reflect all agenda items in the order as originally posted and do not necessarily reflect the order in which they were discussed.

1. GENERAL FUNCTIONS-OTHER

1.A. Call to Order

The meeting was called to order **5:31 pm** by Board President Coronado.

1.B. Pledge of Allegiance

The Pledge of Allegiance was led by the Board of Trustees.

1.C. Texas Pledge of Allegiance

The Texas Pledge of Allegiance was led by the Board of Trustees.

1.D. Roll Call

All trustees were present.

1.E. CISD Vision and Mission Statements

The Vision Statement was read by Mr. Hernandez and the Mission Statement was read by Mrs. Searls.

Mr. Coronado mentioned the possibility of fine tuning the Vision and Mission Statements in the near future.

1.F. Trustee Ethical Guidelines

The Trustees reviewed and discussed item 3.4: Honor in Conduct. I will base my decisions on fact rather than supposition, opinion, or public favor.

2. BOARD HONORS- OTHER

2.A. Recognize BCE Teacher of the Year, Ms. Sabina Lazos for being awarded 3rd place finalist Region 19 Elementary Teacher of the Year.

Ms. Sabina Lazos was honored for being awarded 3rd place finalist Region 19 Elementary Teacher of the Year.

2.B. Recognize Family, Career, and Community Leaders of America (FCCLA) members at Canutillo High School for being awarded a silver medal for their STAR Event category at the 2021 Hybrid National Leadership Conference.

The CHS Family, Career, and Community Leaders of America (FCCLA) members were honored for being awarded a silver medal for their STAR Event category at the 2021 Hybrid National Leadership Conference.

2.C. Presentation by Alan Herrera Regional FCCLA Officer.

Mr. A Herrera, FCCLA Officer made a presentation to the board regarding the FCCLA Program.

3. OPEN FORUM-OTHER

Any person wishing to address the Board during the period reserved for public comment at a Board meeting must sign up to be heard, in accordance with District policy BED(LOCAL): Each participant will be limited to three minutes to make comments to the Board.

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Speaker #1: Mr. N. Cottrill asked the board to make decisions based on their understanding not only based on what they are told (not group think).

Speaker #2: Mr. J. Joyner addressed the board regarding the COVID recovery rate. He also stated the district was hostile against unvaccinated employees and making the vaccination a condition of employment is murderous. He also stated the community would not support a \$187M Bond.

Speaker #3: Ms. J. Martinez thanked the board for mask mandates.

4. Consider and approve a resolution providing for the defeasance and calling for redemption of certain currently outstanding debt obligations of the District; directing that authorized District officials effectuate the redemption of such obligations; and other matters in connection therewith.

It was motioned by Mrs. Searls, seconded by Mr. Rodriguez and passed unanimously to approve a resolution providing for the defeasance and calling for redemption of certain currently outstanding debt obligations of the District; directing that authorized District officials effectuate the redemption of such obligations; and other matters in connection therewith.

5. PUBLIC HEARING

A public hearing will be held regarding the 2021-2022 Property Tax Rate. The public is invited to attend and provide public comment.

Mrs. Pulley informed the board that the budget was adopted on June 22, 2021 and by rules of order the budget needed to be adopted before the tax rate. She noted the following entities pay the highest taxes: Tenent Hospitals, El Paso Outlet Centers, River Oaks Properties, Care Fusion, El Paso Electric, Walmart, Jordan Foster, Snider Electric and El Paso Behavioral Hospital. The property taxes levy will increase due to an increase in property values. Mr. Coronado stated our tax rate is going down.

Public Comment:

John J. Joyner: Stated the number #1 taxpayer in CISD are the homeowners.

5.A. Consider approval of Resolution which officially levies the tax rate of \$1.324 (\$0.9824 + \$0.36) for the 2022 school year.

The following Resolution was read by Mrs. Pulley:

CANUTILLO INDEPENDENT SCHOOL DISTRICT
RESOLUTION TO SET TAX RATE
FOR 2021-2022

1. Recitals.

The School District has adopted a fiscal year commencing July 1 and ending June 30.

The School District has received the certified taxable property value within the School District from the El Paso Central Appraisal District.

The Board of Trustees has published the Notice of Public Meeting to Discuss the Proposed Budget and Tax Rate as required by Section 44.004, Texas Education Code.

The Board of Trustees has conducted a public meeting on the proposed tax rate on August 24, 2021.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Canutillo Independent School District as follows:

2. The Maintenance and Operations Tax Rate per \$100.00 of valuation of property in the School District for the school year 2021-2022 shall be \$.9824

3. The Interest and Sinking Tax Rate per \$100.00 of valuation of property in the School District for the school year 2021-2022 shall be \$0.3600

4. The total tax rate for the 2021-2022 school year shall be \$1.3424

5. THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

6. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 0.0153% AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$15.30.

It was motioned by Mr. Rodriguez, seconded by Mrs. Trout and passed unanimously to approve the Maintenance and Operations Tax Rate per \$100.00 of valuation of property in the School District for the school year 2021-2022 shall be \$.9824

It was motioned by Mrs. Trout, seconded by Mr. Payan and passed unanimously to approve the Interest and Sinking Tax Rate per \$100.00 of valuation of property in the School District for the school year 2021-2022 shall be \$0.3600

It was motioned by Mr. Payan, seconded by Mrs. Mendoza and passed unanimously to approve the total tax rate for the 2021-2022 school year to \$1.3424. The tax rate will effectively be raised by .0153.

6. BOARD OF TRUSTEE BUSINESS

6.A. Discussion and possible action to approve board resolution concerning emergency paid leave for Covid-19 positive employees in conformance with the scope and limitations provided therein.

Ms. Carrasco presented a resolution extending the leave (5 paid days) for fully vaccinated employees should they become infected with COVID-19. The resolution will require the following: proof of vaccination, proof of qualification for an exempt status, proof of medical documentation and information necessary to do contact tracing. Qualifying employees will not be allowed to work remotely. Any unvaccinated employee will be required to use their own state or local leave for any absence relating to COVID-19 to include isolation or quarantine.

It was motioned by Mrs. Trout, seconded by Mr. Hernandez and passed unanimously to approve the board resolution concerning emergency paid leave for COVID-19 positive employees in conformance with the scope and limitations provided therein.

6.B. Discussion and possible action regarding the appointment of a Delegate Assembly representative and alternate.

Mr. Rodriguez suggested nominating Mrs. Trout as the Delegate Assembly Representative and Mr. Coronado as the alternate.

It was motioned by Mrs. Mendoza, seconded by Mr. Payan and passed unanimously to approve the appointment of Mrs. B. Trout as the TASB Delegate Representative and Mr. S. Coronado as the Alternate Delegate Representative.

6.C. Discussion and possible action regarding the nomination of a Trustee to apply for the NSBA Advocacy Stipend Nomination.

Mr. Rodriguez nominated Mr. Coronado for the NSBA Advocacy Stipend.

It was motioned by Mr. Rodriguez, seconded by Mrs. Mendoza and passed unanimously to approve the application of Mr. S. Coronado for the NSBA Advocacy Stipend.

6.D. Discussion and possible action regarding Appointment/Reappointment of El Paso Central Appraisal District Board of Directors.

Mrs. Searls informed the board she was no longer able to hold the position on the El Paso Central Appraisal District Board of Directors. She then nominated Mr. S. Payan to El Paso Central Appraisal District Board of Directors. Mr. Rodriguez asked that a letter of support be sent on Mr. Payan's behalf to the other taxing entities.

It was motioned by Mrs. Searls, seconded by Mrs. Trout and passed unanimously to approve the appointment of Mr. S. Payan to the El Paso Central Appraisal District Board of Directors.

6.E. Updates from the International Boundary Water Commission.

Mrs. B. Trout gave International Boundary Water Commission updates.

6.F. Updates from the 2021 Delegate Assembly (Advocacy Agenda).

Mrs. B. Trout gave 2021 Delegate Assembly updates.

6.G. Updates from the TASB Legislative Advisory Council.

Mrs. B. Trout gave TASB Legislative Advisory Council updates.

7. CONSENT AGENDA-VOTING

7.A. BUSINESS SERVICES

7.A.1. Approval of the Meeting Minutes

7.A.1.a. Approval of the June 10, 2021 Special Board Meeting Minutes.

7.A.1.b. Approval of the June 22, 2021 Regular Board Meeting Minutes.

7.A.1.c. Approval of the July 15, 2021 Special Board Meeting Minutes.

7.A.2. Approval of the Monthly Warrant List.

7.A.3. Approval of the Monthly Donations.

7.A.4. Approval of the Budget Amendments.

7.A.5. Approval of the Quarterly Investment Report and Year End Comprehensive Investment Report for June 30, 2021.

7.A.6. Approval to continue utilizing Cooperative and Interlocal programs to support the day to day purchasing operations while remaining in compliance with state procurement requirements and District Policies.

7.A.7. Approval of an Interlocal Agreement between Canutillo Independent School District and Purchasing Cooperative of America.

7.A.8. Approval of All Finishes LLC for the interior wall painting project at Canutillo High School, for the amount of \$71,045.00, using local funds.

7.A.9. Approval of the renewal of the lease agreement between CISD and El Paso Water Utilities - Public Service Board, for the Canutillo Middle School Wastewater Treatment Plant.

7.A.10. Approval of subscription renewal with Frontline Education system providing TEAMS information systems maintenance and support.

7.A.11. Approval of Joint Election Services Contract between Canutillo Independent School District and El Paso County, Texas for the November 2, 2021 Election.

7.A.12. Approval of Interlocal Agreement and Memorandum of Understanding for Law Enforcement Communication Services by and between the City of Anthony Texas Police Department and Canutillo ISD.

7.A.13. Approval of Interlocal Agreement with respect to the Political Subdivision Alliance of Texas (PSAT) for the provision of certain Insurance Coverages and reinsurance of such coverages (USI Supplemental).

7.B. *CURRICULUM & INSTRUCTION*

7.B.1. Approval of Second Memorandum of Understanding between Canutillo ISD and El Paso Community College, the University of Texas at El Paso, and the El Paso Area Independent School districts to participate in the El Paso College Readiness Initiative (TSIA Test Institute).

7.B.2. Approval of Interlocal Agreement between University of Texas at Austin and Canutillo Independent School District for OnRamps Program 2021-2022.

7.B.3. Approval of Memorandum of Understanding between Canutillo ISD and Region 19 Headstart Program.

7.B.4. Approval of Dual Credit Partnership Agreement Between Canutillo ISD and El Paso Community College.

7.B.5. Approval of Memorandum of Agreement between Canutillo ISD and New Mexico State University Agricultural and Extension Education with Canutillo High School.

7.B.6. Approval of Memorandum of Understanding and Agreement between Canutillo ISD and Aliviane, Inc.

7.B.7. Approval of Memorandum of Agreement between Canutillo ISD and AmeriCorps Parents as Teachers visitation Program for 2021-2023.

7.B.8. Approval of an interlocal Agreement between Canutillo ISD and El Paso County Juvenile Justice Alternative Education Program (JJAEP) for the 2021-2022 school year.

7.B.9. Approval of Canutillo Independent School District Student Support Services Student Re-Entry Plan 2021-2022.

Approval of the Consent Agenda

It was motioned by Mrs. Trout, seconded by Mrs. Searls and passed unanimously to approve the consent agenda as presented.

8. EXECUTIVE SESSION

To consult with attorney under 552.071 of the Texas Government Code:

The meeting convened into Executive Session at **7:03 pm** under Texas Government Code 552.071.

8.A. Interlocal Agreement for the Purpose of Participation and Intervention in Public Utility Commission of Texas (PUC) Proceeding PUC Docket No. 52195, SOAH Docket No. 473-21-2606, Application of El Paso Electric Company to Change Rates.

9. NEW BUSINESS (continued); OTHER

The meeting reconvened into Open Session at **7:15 pm.**

9.A. Discuss and Take Appropriate Action Related to Entering into an Interlocal Agreement for the Purpose of Participation and Intervention in Public Utility Commission of Texas (PUC) Proceeding PUC Docket No. 52195, SOAH Docket No. 473-21-2606, Application of El Paso Electric Company to Change Rates.

It was motioned by Mrs. Trout, seconded by Mrs. Mendoza and passed unanimously to approve an Interlocal Agreement for the Purpose of Participation and Intervention in Public Utility Commission of Texas (PUC) Proceeding PUC Docket No. 52195, SOAH Docket No. 473-21-2606, Application of El Paso Electric Company to Change Rates.

10. ADJOURNMENT

The meeting adjourned at **7:18 pm** by unanimous consent.

Presented to the Board of Trustees for approval on **September 28, 2021.** The minutes reflect all agenda items in the order as originally posted and do not necessarily reflect the order in which they were discussed.

Board of Trustees

Executive Summary of Board Agenda Item

Meeting Date: _____

Subject/Title for Agenda Posting:

Justification Statement:

Purpose of Agenda Item:

Information Discussion Action

Item Type:

Curriculum & Instruction HumanResources Business Services

Staff Responsible:

Signature of Requester(s)

Signature of Presenter(s)

CPulley
Business Services Approval (Initials)

Date

Agenda Summary:

RECOMMENDATION:

PRIOR BOARD ACTION:

AWARDED:

AWARDED AMOUNT:

AMOUNT(S):

ACCOUNT NO(S):

PROCUREMENT METHOD TYPE: (3 Quotes, Cooperative Contract Quotes, Sole Source, Formal Bid)

REQUESTING DEPARTMENT:

CONSEQUENCES OF NON-APPROVAL:

IMPLEMENTATION TIMELINE:

ATTACHMENT(S):



Board of Trustees

Meeting Date: 09/28/2021

Executive Summary of Board Agenda Item

Subject/Title for Agenda Posting: Acceptance of Donations Report

Justification Statement: Presentation for your review and acceptance of the Donation Report for the month of August 2021

Purpose of Agenda Item: Information Discussion Action
Item Type: Curriculum & Instruction HumanResources Business Services

Staff Responsible: Cristina Pulley

Signature of Requester(s)

Signature of Presenter(s)
Cristina Pulley

Business Services Approval (Initials) *Date*
09/10/2021

Agenda Summary:

Presentation for your review and acceptance of the Donations Report for the month of August 2021

District Donations- \$1,421.36

RECOMMENDATION: Administration recommends the acceptance of Donations Report

PRIOR BOARD ACTION: Approved AWARDED: N/A AWARDED AMOUNT: N/A

AMOUNT(S) \$1,421.36

ACCOUNT NO(S) N/A

PROCUREMENT METHOD TYPE: (3 Quotes, Cooperative Contract Quotes, Sole Source, Formal Bid)
N/A

REQUESTING DEPARTMENT:
Financial Services Department

CONSEQUENCES OF NON-APPROVAL:
N/A

IMPLEMENTATION TIMELINE:
N/A

ATTACHMENT(S): ✓ Donations Report



CISD Approved August 2021 Donations

Board Approval Date: September 28, 2021						
Donor Name	Address	Donation	Campus/Department	Purpose of Donation	Value	
Dollar Tree	6351 South Desert Blvd El Paso, TX 79932	Children's backpacks with school supplies	Canutillo Elementary School	To assist, empower and engage Canutillo families, students, and community to foster academic success.	\$ 252.45	
Lucy P. Hernandez	7128 Third Canutillo, TX 79835	A&D Sutton (new) 17 inch backpacks	Canutillo Elementary School	To assist, empower and engage Canutillo families, students, and community to foster academic success.	\$ 59.10	
5th Grade Parents		Cash/Checks	Congressman Silvestre & Carolina Reyes Elementary School	In honor of the Class of 2020-2021	\$ 876.81	
Irma Barraza	370 Chicken Farm Rd. Vinton, TX	Cash/Checks	Canutillo High School	To assist the Football Program	\$ 230.00	
Online Donations (See Attached)					\$ 3.00	
					\$ 1,421.36	

CISD Approved Online August 2021 Donations

Date	Item Name	Sub Total	Purchaser First Name	Purchaser Last Name	Address 1	Address 2	City	State	Zip
08/31/2021	Northwest Early College High School Donations	3.00	Miguel	Martinez	6701 S. Desert Blvd.	Bldg NECHS	El Paso	TX	79932
	Total Online Donations	3.00							

Board of Trustees

Meeting Date: _____

Executive Summary of Board Agenda Item

Subject/Title for Agenda Posting:

Justification Statement:

Purpose of Agenda Item:

Information Discussion Action

Item Type:

Curriculum & Instruction HumanResources Business Services

Staff Responsible:

Signature of Requester(s)

Signature of Presenter(s)

CPulley
Business Services Approval (Initials)

Date

Agenda Summary:

RECOMMENDATION:

PRIOR BOARD ACTION:

AWARDED:

AWARDED AMOUNT:

AMOUNT(S):

ACCOUNT NO(S):

PROCUREMENT METHOD TYPE: (3 Quotes, Cooperative Contract Quotes, Sole Source, Formal Bid)

REQUESTING DEPARTMENT:

CONSEQUENCES OF NON-APPROVAL:

IMPLEMENTATION TIMELINE:

ATTACHMENT(S):





FINANCIAL SERVICES

CANUTILLO A Premier District

TO: Board of Trustees
Dr. Pedro Galaviz, Superintendent

FROM: Cristina Pulley, Director of Financial Services

DATE: September 1, 2021

SUBJECT: Budget Amendments for August 2021

Budget Amendments submitted are summarized below for your review and consideration.

Admin Cost Ratio Formula:

21 Instructional Leadership + 41 General Administration

11 Instruction + 12 Instructional Resources/Media Services +
13 Curriculum/Staff Development + 31 Guidance/Counseling Services

BJE 340927 – This budget amendment will allocate funds from assigned fund balance for carryover projects and purchase orders issued in FY21 that were not completed or received before year end. This budget amendment will allocate funds for the following and will have a positive impact on the administrative cost ratio by increasing instructional costs.

Lift Station Project	\$ 240,000
CMS Stage Ramp	70,000
GES Playground Repair	20,000
Facilities Master Plan	48,840
CHS Maintenance Projects	213,500
Lonestar Electrical Upgrades	42,000
DDE PA System	18,900
CES/Lonestar Fence	67,900
CHS Track	386,120
CMS/AMS Tracks	497,730
Miscellaneous Maintenance Projects	94,400
Maintenance Tax Notes – Connectivity Projects	448,733
IT Disaster Recovery Equipment	4,333
Band Uniforms, Equipment & Supplies	<u>148,500</u>

\$ 2,300,956

Street Address:

7965 Artcraft Rd.
El Paso, TX 79932

Mailing Address:

P.O. Box 100
Canutillo, TX 79835

P: (915) 877-7516

F: (915) 877-7524

canutillo-isd.org

Canutillo Independent School District does not discriminate on the basis of race, color, religion, gender, sex, national origin, age, disability, military status, genetic information, or any other basis prohibited by law in its employment practices or in providing education services, activities, and programs, including career and technical education (vocational programs).

BUDGET ACCOUNT NUMBER		CURRENT BUDGET	CHANGE	AMENDED BUDGET
199.00.3590.00.000.00	Assigned Fund Balance	\$4,204,906	\$ (2,300,956)	\$ 1,903,950
199.11.6397.44.924.99	Controlled Assets-Furniture and Equipment	\$ 0	\$ 31,000	\$ 31,000
199.11.6398.91.917.11	MTN-Controlled Assets-Technology	\$ 0	\$ 25,678	\$ 25,678
199.11.6398.91.999.11	MTN-Controlled Assets-Technology	\$ 0	\$ 105,165	\$ 105,165
199.11.6399.44.924.11	Controlled Assets-Technology	\$ 1,300	\$ 2,500	\$ 3,800
199.36.6499.44.924.99	Miscellaneous Operating Costs	\$ 2,000	\$ 115,000	\$ 117,000
199.51.6299.00.732.99	Miscellaneous Contracted Services	\$ 0	\$ 7,400	\$ 7,400
199.51.6299.00.915.99	Miscellaneous Contracted Services	\$ 218,000	\$ 135,840	\$ 353,840
199.51.6299.01.001.99	Campus Facility Upgrades-Miscellaneous Contracted Services	\$ 10,000	\$ 99,500	\$ 109,500
199.51.6299.01.920.99	Campus Facility Upgrades-Miscellaneous Contracted Services	\$ 10,000	\$ 42,000	\$ 52,000
199.51.6319.01.001.99	Campus Facility Upgrades-Supplies	\$ 0	\$ 114,000	\$ 114,000
199.51.6629.00.999.99	Building Purchase/Construction/Improvements	\$ 0	\$ 70,000	\$ 70,000
199.51.6639.00.999.99	Capital Outlay Furniture and Equipment	\$ 0	\$ 67,900	\$ 67,900
199.51.6639.01.102.99	Furniture/Equipment > \$5000	\$ 0	\$ 18,900	\$ 18,900
199.51.6639.01.105.99	Furniture/Equipment > \$5000	\$ 0	\$ 20,000	\$ 20,000
199.53.6299.91.999.99	Controlled Assets-Technology	\$ 0	\$ 95,577	\$ 95,577
199.53.6398.00.728.99	Controlled Assets-Technology	\$ 43,000	\$ 4,333	\$ 47,333
199.53.6398.91.999.99	MTN-Controlled Assets-Technology	\$ 0	\$ 222,313	\$ 222,313
199.81.6629.00.999.99	Building Purchase/Construction/Improvements	\$ 0	\$ 883,850	\$ 883,850
199.81.6629.02.999.99	Building Purchase/Construction/Improvements	\$ 0	\$ 240,000	\$ 240,000

BJE 340865-66/67/81/82– These budget amendments will allocate funds from Function 23 – School Leadership to Function 51 – Facilities Maintenance and Operations to fund annual custodial operating costs at Canutillo Elementary School. This budget amendment will have no impact on the administrative cost ratio.

BUDGET ACCOUNT NUMBER		CURRENT BUDGET	CHANGE	AMENDED BUDGET
199.23.6411.00.101.99	Employee Travel	\$ 5,000	\$ (1,500)	\$ 3,500
199.51.6316.00.101.99	Custodial Supplies CES	\$ 1,500	\$ 1,500	\$ 3,000
199.23.6499.00.101.99	Miscellaneous Operating Expenses	\$ 2,500	\$ (1,244)	\$ 1,256
199.51.6316.00.101.99	Custodial Supplies CES	\$ 1,500	\$ 1,244	\$ 2,744
199.23.6499.00.101.99	Miscellaneous Operating Expense	\$ 2,500	\$ (450)	\$ 2,050
199.51.6319.00.101.99	Custodial Supplies CES	\$ 0	\$ 450	\$ 450
199.23.6411.00.101.99	Employee Travel	\$ 5,000	\$ (2,000)	\$ 3,000
199.51.6316.00.101.99	Custodial Supplies CES	\$ 1,500	\$ 2,000	\$ 3,500
199.23.6399.00.101.99	General Supplies	\$ 1,000	\$ (500)	\$ 500
199.51.6316.00.101.99	Custodial Supplies CES	\$ 1,500	\$ 500	\$ 2,000

BJE 340916 – This budget amendment will allocate funds from the Child Nutrition fund balance for kitchen equipment and campus cafeteria upgrades and remodels. Child Nutrition is required to reduce excessive fund balance to an acceptable level of a three-month average of monthly expenditures. Projected excess fund balance is \$1,649,978. This budget amendment will have no impact on the administrative cost ratio.

BUDGET ACCOUNT NUMBER		CURRENT BUDGET	CHANGE	AMENDED BUDGET
101.51.6299.00.909.99	Miscellaneous Contracted Services	\$ 15,000	\$ 150,000	\$ 165,000
101.35.6397.00.909.99	Controlled Assets Other-Furniture and Equipment	\$ 50,000	\$ 450,000	\$ 500,000
101.35.6639.00.909.99	Capital Outlay Furniture and Equipment	\$ 50,000	\$ 150,000	\$ 200,000
101.00.3450.00.000.00	Reserve for Food Service	\$ (3,068,667)	\$ 750,000	\$ (2,318,667)

BJE 340917 – This budget amendment will allocate additional funding received from the state under House Bill 2 - Individuals with Disabilities Education Act (IDEA) State Maintenance of Financial Support (MFS). This budget amendment will have a positive impact on the administrative cost ratio by increasing instructional and curriculum and staff development costs.

BUDGET ACCOUNT NUMBER		CURRENT BUDGET	CHANGE	AMENDED BUDGET
199.00.5819.00.000.00	Other Foundation School Program Act Revenues	\$ 0	\$ (42,541)	\$ (42,541)
199.11.6117.05.918.11	Extra Duty - Professional	\$ 7,700	\$ 2,300	\$ 10,000
199.11.6117.05.918.23	Extra Duty - Professional	\$ 6,725	\$ 3,275	\$ 10,000
199.11.6299.00.918.23	Miscellaneous Contracted Services	\$ 41,750	\$ 16,500	\$ 58,250
199.11.6299.97.918.23	Software License	\$ 42,546	\$ 4,673	\$ 47,219
199.11.6399.00.918.23	General Supplies	\$ 9,878	\$ 6,793	\$ 16,671
199.13.6411.00.918.23	Employee Travel	\$ 0	\$ 5,000	\$ 5,000
199.13.6499.00.918.23	Miscellaneous Operating Expenses	\$ 4,000	\$ 4,000	\$ 8,000

Executive Summary of Board Agenda Item

Subject/Title for Agenda Posting:

Justification Statement:

Purpose of Agenda Item:

Information Discussion Action

Item Type:

Curriculum & Instruction HumanResources Business Services

Staff Responsible:

Signature of Requester(s)

Marco Macias

Signature of Presenter(s)

Business Services Approval (Initials)

Date

Agenda Summary:

RECOMMENDATION:

PRIOR BOARD ACTION:

AWARDED: 2/25/2020 AWARDED AMOUNT:

AMOUNT(S):

ACCOUNT NO(S):

PROCUREMENT METHOD TYPE: (3 Quotes, Cooperative Contract Quotes, Sole Source, Formal Bid)

REQUESTING DEPARTMENT:

CONSEQUENCES OF NON-APPROVAL:

IMPLEMENTATION TIMELINE:

ATTACHMENT(S):



Child Nutrition and Purchasing

Description:

The goal of the Cooperative is to obtain substantial savings on specific food service items for member districts through volume purchasing. The highest quality products for the best possible prices will be sought. The district should benefit through cost savings, meeting bid law requirements, and receiving items meeting Child Nutrition program requirements. Participating Education Service Centers will organize and administer The West Texas Food Service Cooperative (Cooperative) with Region 17 Education Service Center acting as the fiscal agent (Coordinating Center).

This agreement is entered into pursuant to the authority granted by Chapter 791 of the Texas Government Code and Chapter 8 of the Texas Education Code.

EDGAR COMPLIANCE

CONTRACTS INVOLVING FEDERAL FUNDS: Region 17 ESC may be unable to determine which of its agreements/contracts will be used by cooperative members using federal funds at the time of the procurement process, Region 17 ESC intends to competitively procure each contract awarded by Region 17 ESC under Section 44.031 of the Texas Education Code and intends to comply with EDGAR for every procurement action. To comply with EDGAR, Region 17 ESC will make an independent estimate of the value of goods or services in the current market before receiving bids or proposals. After Region 17 ESC receives bids and proposals, but before awarding a contract, Region 17 ESC will also conduct a price or cost analysis and document its findings. For contracts at or above \$50,000 cooperative members must verify that Region 17 ESC fulfilled its requirement to conduct a cost or price analysis in order to benefit from the ability to purchase goods and services from its purchasing cooperatives directly without the need for additional procurement activities or documentation. Region 17 ESC will provide its Independent Estimate Determination Form and Determination of Cost or Price Reasonableness Form to a cooperative member upon request, but Region 17 ESC recommends that when circumstances necessitate separate evaluation of lump-sum pricing, cooperative members also conduct an independent evaluation of cost or price reasonableness tailored to the cooperative member's specific purchases so that the cooperative member can independently determine the reasonableness of the cost/price of the particular purchase. Stated differently, if the cooperative member's verification of Region 17 ESC's compliance with EDGAR reveals that the lump-sum price includes goods or services for which Region 17 ESC could not have performed a cost or price analysis, the cooperative member should conduct an independent cost or price analysis.

Term of Contract

The term of this contract shall be from the date of acceptance by authorized District personnel through July 31, 2022. The participating party(ies) may with mutual agreement among all other participating parties, rescind the Commercial Purchasing component of this contract with a ninety (90) day written notice. If participating in the Commodity Processing component of this contract, the participating party is required to fulfill the contractual obligation until all processed commodity commitments are received.

The due date of a signed agreement or at least a verbal commitment must be received by January 31, 2021 in order to process commodities for member districts.

Participating Education Service Centers will organize and administer The West Texas Food Service Cooperative (Cooperative) with Region 17 Education Service Center acting as the fiscal agent (Coordinating Center). Authority for such services is granted by Title 7, Chapter 791 Interlocal Cooperation Contracts Act of the Texas Government Code. The goal of the Cooperative is to obtain substantial savings on specified items for member districts through volume purchasing. In accordance with USDA/TDA ARM Regulation 17.81, the Cooperative is a Child Nutrition Program (CNP) Operator-Only Cooperative that is categorized as a "for profit cooperative". The Cooperative's "profit margin", for purposes of this agreement, shall be the revenue received by the Cooperative through the charging of the vendor fee set forth in "Fee" section below minus the expenses to the Coordinating Center to operate the Cooperative.

ESC 17 (Coordinating Center) will be responsible for the following:

- Provide for the organizational and administrative structure of the program.
- Provide for staff time necessary for efficient operation of the program.
- Host Regional Advisory Board meetings for food service purchasing and commodity processing components.
- Provide onsite and/or technology based regional and/or area trainings as requested/necessary.
- Initiate and implement activities related to the bidding and vendor's selection process, in accordance with competitive bidding procedures for Texas public schools.
- Review annual fiscal report with member districts at a Fall Advisory Board Meeting.
- Provide districts with Service Report/Product Comment Forms to address quality assurance and vendor complaint issues more consistently.
- The Cooperative will not be held accountable for product warranties, product qualities, failure to deliver by vendor(s), or failure of payment to vendor(s) by participating members.

Role of the participating district:

- Commit to participate in the Cooperative by resolution of the governing body.
- Designate a contact person for the Cooperative.
- Return all necessary forms in a timely fashion with appropriate signatures.
- Abide by directives and decisions of the Regional Advisory Boards and Coordinating Center.
- Abide by Texas Department of Agriculture Roles and Responsibilities for Further Processing of USDA Foods as per the Annual Agreement via TX-UNPS.
- Prepare purchase orders issued to the appropriate vendor(s)/processor(s) from the official award list provided by the Cooperative.
- Accept shipments of products in accordance with standard HACCP delivery procedures and the Cooperative delivery agreements.
- Pay vendor(s) as per awarded terms and conditions unless prior arrangements have been made between the participating member and the vendor(s). All deliveries will be made in accordance with the specified delivery schedule in each bid document.
- Notify WTFSC of issues regarding vendors and product quality by submitting the Service Report/Product Comment Forms (found at wtfsc.net) as necessary.

Additional Info:

- Compensation. The parties agree that the contractual payments under this Agreement and any related exhibits and documents are amounts that fairly compensate ESC 17 for the services or functions performed under the Agreement.
- Severability. If any portion of this Agreement shall be declared illegal or held unenforceable for any reason, the remaining portions shall continue in full force and effect.
- Venue. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, and venue shall lie in Lubbock County, Texas, unless otherwise mandated by law.
- Warranty. By the execution and delivery of this Agreement, the undersigned individuals warrant that they have been duly authorized by all requisite administrative action required to enter into and perform the terms of this Agreement.

Fee:

No fee shall be charged to members of the Cooperative

The United States Department of Agriculture does not allow federal funds received by ESC Child Nutrition components to be used to support purchasing cooperatives. Therefore, the Cooperative is a totally self-funded entity. Through the Commercial Purchasing, to provide this revenue, a fee of .85% of each district purchase is charged through a Vendor Participation Fee. This fee is collected directly from the awarded vendors. Through the Commodity Processing bids, a per-truckload fee of \$500.00 is charged as an Administrative Processing Fee to the manufacturer. All fees are used to cover expenses related to the administration and direct operation of the Cooperative. Districts, even though they may incur these fees indirectly, pay no direct fee to the Cooperative for participation.

Commercial Food Purchasing

Yearly Cost: \$0.00

Reset

Commodity Processing (Must participate in USDA/TDA CN program)

Yearly Cost: \$0.00

Reset

Full Service Delivery (Milk, Bread, Novelties, etc. shipped direct to CE)

Yearly Cost: \$0.00

Reset

Designee (click here to enter designee information)

Food Service Director or Cafeteria Manager authorized to coordinate all Cooperative activities with WTFSC/ESC 17 staff

Designee Name: Marco Macias

Designee Title: Director of Child Nutrition

Designee Email: amacias@canutillo-isd.org

ESC Region #: 19

Yearly Cost: \$0.00

Reset

Annual Rate: \$0.00

Contact Information

Name , Phone# , PO#



Department of Grant Compliance and Administration Request for Other Noncompetitive Procurement Approval

Complete and submit this form to request prior approval for a noncompetitive procurement that is not a sole-source proposal. Limit one proposal per form.

Completion and submission of this form satisfies the requirement in 2 CFR 200.320(f).

Name of Federal Grant County-District Number

Name of Grantee

Description of Request

Describe the proposed noncompetitive procurement.

Do you have a sole-source verification letter from the proposed vendor? Yes No

Provide a rationale for why TEA should allow this procurement as a noncompetitive procurement. Additional information may be attached. Additional information may be requested by TEA.

Certification

Name and Title of Authorized Official

Signature of Authorized Official and Date _____

This form must be signed by the authorized official.

Email this signed form to **GrantSupport@tea.texas.gov**.

For TEA Use

Request for prior written approval is approved as requested.

Request for prior written approval is approved with the following changes:

Request for prior written approval is denied.

Signature of Associate Commissioner
and Date

CANUTILLO ALUMNI FOUNDATION FOR EDUCATION

AND

CANUTILLO INDEPENDENT SCHOOL DISTRICT

MEMORADUM OF UNDERSTANDING REGARDING SCHOLARSHIP

FUNDRAISING PROGRAM

This Memorandum of Understanding (“MOU”) is executed this __ day of _____, 2018, by and between the Canutillo Alumni Foundation for Education (“CAFÉ”) and the Canutillo Independent School District (“CISD” or the “District”):

Recitals

Whereas, the District is a Texas school district serving students in El Paso County, Texas;

Whereas, CAFÉ is a Texas nonprofit organization with a single purpose mission of making scholarship funds for post-high school education available to graduating students of the District;

Whereas, the District and CAFÉ desire to work together to jointly host a golf tournament fundraising event to be held on _____ (the “*Fundraising Event*”) and future related alumni fundraising events (“*Alumni Events*”) for the mutual benefit of the District’s and CAFÉ’s missions as set forth herein;

Now therefore, in return for the mutual obligations and responsibilities set forth herein, the District and CAFÉ agree as follows:

1. Co-Sponsors/Co-Organizers of the Fundraising Event. The District and CAFÉ agree to serve as co-sponsors and co-organizers of the Fundraising Event.
2. CAFÉ’s Responsibilities. CAFÉ will be responsible for the following in connection with the Fundraising Event and any later approved Alumni Events:
 - a. Securing any and all facilities such as the golf course and golf facilities for the Fundraising Event;
 - b. Producing any promotional materials, such as invitations, flyers, advertisements for the Fundraising Event or Alumni Events, with any such promotional materials being reviewed and approved by the District prior to their dissemination and use;

- c. Acting as fiscal agent responsible for all revenues and expenses associated with the Fundraising Event or Alumni Events, including providing periodic reports and financial information to the District on the revenues and expenses associated with the Fundraising Event or Alumni Events;
 - d. Permitting an audit by the District of any and all books, records, receipts and documents related to or involving the Fundraising Event or any approved Alumni Event;
 - e. Securing reasonable insurance to insure against possible losses or liabilities that may be covered by insurance; and
 - f. Acting as the host at the event(s).
3. District's Responsibilities. The District will be responsible for the following in connection with the Fundraising Event or any later approved Alumni Events:
- a. Assisting CAFÉ in the promotion of the Fundraising Event;
 - b. Permitting District staff to assist with the preparation of promotional materials, such as invitations, flyers, advertisements for the Fundraising Event and attend and support the Fundraising Event or Alumni Events;
 - c. Encouraging District staff, contractors, and vendors, as appropriate and subject to any applicable legal or ethical restrictions, to attend and participate in the Fundraising Event and Alumni Events;
 - d. Assisting with the identification of students eligible for scholarship awards and communicating such awards to selected students;
 - e. Reviewing the success and results of any approved event to determine future support; and
 - f. The Administration shall review and consider any proposed Alumni Events and determine whether approval for such event shall be granted or reviewed by the Board.
4. Term. The term of this MOU is for a period of ten (10) years from the date the Agreement is signed, subject to the condition related to accounting, below. With respect to each event approved hereunder, CAFÉ shall report to the District Administration the expected time to organize, schedule, host, and collect all revenues related to the event and complete a final accounting related to the event. Accordingly, this MOU will not expire until the completion of a final accounting by CAFÉ as to all revenues and expenses associated with any approved event, with such final accounting to be completed no later than three months following any approved event. Upon completion of the initial term of this Agreement, it shall be automatically renewed for successive terms of ten (10) years

each unless either party shall give notice of nonrenewal at least ninety (30) days prior to the end of the initial term or ninety (30) days prior to the end of any renewal term. Notwithstanding the foregoing, either party shall have the right to terminate this Agreement with or without cause at any time during the Agreement on written notice to the other party.

5. Revenues from the Fundraising Event. The Net Revenues received in connection with the Fundraising Event or any approved Alumni Event will be used solely for the issuance of and grant of individual scholarships to students graduating from a CISD high school campus. The entire portion of Net Revenues will be dedicated to scholarships to be issued by CAFÉ and awarded by CAFÉ in the discretion of its membership. For purposes of this MOU, the term “Net Revenues” means the total gross revenues obtained from all sources directly related to the event, including entry fees, sponsorships, and silent auction fees, less all expenses incurred in promoting, arranging, organizing, and hosting the Fundraising Event or approved Alumni Event.

6. Responsible for Own Time, Efforts and Expenses. As a historical matter, CAFÉ’s golf fundraising event has resulted in reasonable Net Revenues each year. As such, the parties do not anticipate there will be a Net Loss in connection with any Fundraising Event or Alumni Event. If, however, in the extremely unlikely circumstance the Fundraising Event or any Alumni event results in a Net Loss, CAFÉ will be responsible for its own fees, expenses, and costs associated with the event. Neither party will seek to recover from the other party in the event of a Net Loss associated with any event approved hereunder.

7. No Waiver of Immunities. Nothing in this Agreement is intended, or shall, waive any governmental or charitable immunity available to either party to this Agreement. The District shall retain all of sovereign and/or governmental immunity to it in connection with this Fundraising Agreement and/or the Fundraising Event.

8. Revision or Amendment of This Agreement. The Parties agree that the District’s Board of Trustees will evaluate and determine whether the District should create its own education foundation and absorb the work of CAFÉ. Any such decision shall be made within the sole discretion of the Board of Trustees of CISD.

9. Complete Agreement, No Oral Agreements, No Oral Modifications. This MOU constitutes the entire agreement between the District and CAFÉ and, except as hereafter set out, replaces and supersedes all prior agreements, memoranda, correspondence, communications, negotiations and representations, whether oral or written, express or implied, statutory or otherwise between the parties with respect to the subject matter herein. There shall be no oral modifications of this MOU. Any modifications of the MOU shall be in writing signed by both parties.

10. Choice of Law and Forum. This MOU will be governed by and construed according to the laws of the State of Texas and, as necessary, the United States of

America. Any dispute regarding this Agreement will be brought in El Paso County, Texas.

Signed this ___ day of _____.

CANUTILLO INDEPENDENT SCHOOL DISTRICT

By: _____

Its: _____

CANUTILLO ALUMNI FOUNDATION FOR EDUCATION

By: _____

Its: Board Chairperson

Board of Trustees

Meeting Date: 9/28/2021

Executive Summary of Board Agenda Item

Subject/Title for Agenda Posting: Approval of Memorandum of Understanding between Canutillo ISD and Texas College Bridge for Development of College Preparatory Courses at Northwest Early College High School

Justification Statement: This MOU will allow NWECHS to offer College prep classes to students who need extra assistance passing the TSI test. It provides valuable resources to teachers and funds for TSIA testing.

Purpose of Agenda Item: Information Discussion Action
 Item Type: Curriculum & Instruction Human Resources Business Services

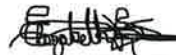
Staff Responsible: Marnie Rocha

Signature of Requester(s)



Signature of Presenter(s)

Elizabeth B. Sida



9/8/2021

Business Services Approval (Initials)

Date

Agenda Summary:

The office of the Associate Superintendent along with Northwest Early College High School request approval of this MOU with Texas College Bridge to participate in the Texas College Bridge program and the institutions of higher education pursuant to Texas Education Code (TEC) Section 28.014.

The Texas College Bridge Program provides no-cost, on line adaptive college preparatory course curriculum for HB5 college preparatory English Language Arts & Mathematics. This program provides resources for teachers such as professional development, dashboards, and college tools. It also funds TSIA testing for participating students.

RECOMMENDATION: Administration recommends that the Board approve this Memorandum of Understanding between Canutillo ISD and Texas College Bridge

PRIOR BOARD ACTION: NO **AWARDED:** **AWARDED AMOUNT:**

AMOUNT(S): None

ACCOUNT NO(S):
None

PROCUREMENT METHOD TYPE: (3 Quotes, Cooperative Contract Quotes, Sole Source, Formal Bid)

Memorandum of Understanding

REQUESTING DEPARTMENT:

Office of Associate Superintendent and NWECHS

CONSEQUENCES OF NON-APPROVAL:

Students would not get additional support to pass the TSIA. Teachers would lose an opportunity to receive professional development and resources aimed at college readiness.

IMPLEMENTATION TIMELINE:

Spring 2022

ATTACHMENT(S): MOU





**MEMORANDUM OF UNDERSTANDING
FOR
DEVELOPMENT OF COLLEGE PREPARATORY
MATHEMATICS AND LANGUAGE ARTS COURSES**

Institution of Higher Education Representatives:

Signature: _____

Date: _____

Printed Name: _____

Title: _____

Institution Name: _____

Fill out and email to TexasCollegeBridge@tea.texas.gov

MEMORANDUM OF UNDERSTANDING
FOR
DEVELOPMENT OF COLLEGE PREPARATORY
MATHEMATICS AND LANGUAGE ARTS COURSES

ADDENDUM

The following institutions of higher education signed the Texas College Bridge Memorandum of Understanding (MOU) and are active participants:

- Alvin Community College
- Amarillo College
- Angelina College
- Angelo State University
- Blinn College
- Brazosport College
- Central Texas College
- Clarendon College
- Coastal Bend College
- Collin College
- Dallas College
- Grayson College
- Hill College
- Howard College
- Kilgore College
- Lamar State College Orange
- Lamar University
- McLennan Community College
- Midland College
- Navarro College
- Odessa College
- Panola College
- Paris Junior College
- Ranger College
- San Jacinto College
- South Plains College
- Tarleton State University
- Tarrant County College
- Temple College
- Texas A&M University at Commerce
- Texas State Technical College
- Texas Woman's University
- The University of North Texas
- The University of North Texas at Dallas
- Trinity Valley Community College
- Tyler Junior College
- University of Texas at Arlington
- University of Texas Permian Basin
- Vernon College
- Weatherford College
- West Texas A&M University
- Western Texas College
- Wharton County Junior College

This list is updated as new institutions of higher education sign the Texas College Bridge MOU.

**MEMORANDUM OF UNDERSTANDING
FOR
DEVELOPMENT OF COLLEGE PREPARATORY
MATHEMATICS AND LANGUAGE ARTS COURSES**

This Memorandum of Understanding (“MOU”) is entered as of June 8, 2020 (the “Effective Date”) by and between the independent school districts and charter schools across Texas who elect to participate in the Texas College Bridge program (each a “school district”) and the institutions of higher education listed below (each an “institution of higher education”):

- Dallas County Community College District (“DCCCD”)¹
- The University of North Texas
- The University of North Texas at Dallas
- Texas A&M University at Commerce
- Texas Woman’s University

The school districts and the institutions of higher education may hereafter be referred to individually as “Party” and collectively as “Parties.”

WHEREAS, pursuant to Texas Education Code (“TEC”) Section 28.014, each school district shall partner with at least one institution of higher education to develop and provide courses in college preparatory mathematics and English language arts;

WHEREAS, regional independent school districts and charter schools and institutions of higher education in the region recognized a joint opportunity to create seamless pathways for students to enter into college level work in mathematics and English Language Arts without further remediation; and

NOW, THEREFORE, in consideration of the mutual covenants and promises contained in this MOU and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the above listed Parties, intending to be legally bound, agree as follows:

1. **Scope of Services**. The Parties agree to collaborate to develop and maintain college preparatory mathematics and English language arts courses that meet the terms of this MOU as outlined below in the Support and Services portion of this MOU.

¹ During the Term of the MOU, it is anticipated that the DCCCD will receive approval from its accreditor to change from a junior college district comprised of seven (7) separately accredited institutions to a singly accredited institution. In connection therewith, and effective upon such accreditor approval, the DCCCD Board of Trustees has approved and authorized a change of name for the DCCCD to “Dallas College.” This change of name shall only effect a change of name for the DCCCD and all rights and obligations of the parties to the MOU are unaffected by the name change. There shall be no creation of a new entity, nor any transfer of assets, rights or obligations of the DCCCD to a new entity as a result of this name change and the DCCCD acknowledges and agrees that the change of name shall in no way affect its legal liabilities or obligations under the MOU. The DCCCD shall fully honor said legal obligations or commitments as if they had originally been made in the name of Dallas College. Upon the effective date of any name change, the DCCCD shall undertake to file all appropriate documentation with any governmental authority to memorialize the name change.

2. **Term.** This MOU shall begin on the Effective Date and continue for a period of five years, ending on June 8, 2025. Any Party may terminate its membership in this MOU, without cause, upon at least thirty (30) calendar days prior written notice to the other Parties, with termination effective upon the expiration of the thirty (30) days or as mutually agreed to by the Parties.
3. **Support and Services.** The Parties agree to the following respective duties and responsibilities:
 - A. Each institution of higher education agrees:
 - i. To share data and provide feedback regarding student success in entry-level college mathematics and English language arts courses;
 - ii. To train advisors to recognize and honor course(s) on school district transcripts;
 - iii. To ensure that students are counseled directly into college level mathematics, English language arts, and all other courses that require mathematics and English language arts college readiness;
 - iv. To assist in supporting course goals, objectives and criteria for student mastery in accordance with state guidelines;
 - v. To provide input on common assessment tasks for each course;
 - vi. To review course outcomes, content, exams, and other program elements; and
 - vii. To exempt students in accordance with TEC 51.338.
 - B. Each school district agrees:
 - i. To provide qualified instructors for the courses being taught;
 - ii. To identify students who are not college ready in accordance with Section 28 of the TEC;
 - iii. To provide professional development and resources required to teach the mathematics and English language arts courses;
 - iv. To identify successful completion of the course(s) on the student transcripts as determined by the State of Texas PEIMS number;
 - v. To provide rigorous instructional lessons aligned to the personalized needs of students and college readiness outcomes, and to implement the model with fidelity;
 - vi. To administer personalized and aligned assessments for each course;
 - vii. To follow mutually agreed upon protocols for determining successful completion; and
 - viii. To provide assistance with college enrollment and financial aid applications.
 - C. Students will be supported by school district personnel trained to help guide students to demonstrate agreed upon learning outcomes. The Parties agree to use the college readiness systems provided by Ed Ready (NROC), along with assessments, to provide students with a personalized intervention plan through the agreed upon intervention tools provided by Ed Ready. Each Party will be responsible for securing its own contractual arrangements and services from Ed Ready necessary to facilitate their performance under this MOU.

4. **No Exchange of Funds.** There will be no exchange of funds between Parties unless otherwise agreed by the Parties in writing. Each Party will arrange for funding to discharge its respective responsibilities. The ability of the Parties to carry out their responsibilities under this MOU is subject to their respective funding procedures and the availability of appropriated and/or allocated funds. Should a Party encounter budgetary constraints in the course of its performance of this MOU that may affect the activities to be carried out under this MOU, that Party will notify and consult with the other Party(ies) in a timely manner.

5. **FERPA.**

A. To the extent the Parties, in connection with their respective performances hereunder, exchange, or otherwise have access to, the educational records of students (“Educational Records”) protected or made confidential by the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g and the regulations promulgated thereunder, 34 CFR pt. 99, as each may be amended from time to time (“FERPA”), each Party designates the other as a “School Official” with “Legitimate Educational Interests” in; and the Parties acknowledge and agree that for the purposes of this MOU, it will be designated as a “School Official” with “Legitimate Educational Interests” in such Educational Records. As a “School Official” with “Legitimate Educational Interests,” as those terms have been interpreted by the U.S. Department of Education under FERPA, the Parties agrees to abide by the limitations and requirements imposed by 34 C.F.R. § 99(a) on School Officials. The Parties further agrees to maintain such Educational Records in accordance with the requirements of FERPA. The Parties agree to regard all Educational Records as confidential and shall not disclose such Educational Records to any third party, except as permitted or required by this MOU, required by law, or as otherwise authorize by the Parties, as appropriate, in writing.

B. To the extent the Parties, in connection with their respective performances hereunder, exchange, or otherwise have access to, personally identifiable student information (“PII”) from an Educational Record, each Party agrees to comply with all provisions of FERPA and Texas law as they apply to PII, and to use such PII pursuant to this MOU and in compliance with the terms and conditions of this MOU and only for such purposes as may be authorized in this MOU. As used in this Section, PII means that student information identified as such in FERPA 20 U.S.C., Sec 1232g and specifically in the definition of "Personally Identifiable Information" in 34 C.F.R. 99.3. Only authorized officers and employees of the Parties with a legitimate interest in PII as delineated by the parameters of this MOU shall view and have access to PII information. The Parties understand that PII from Educational Records is confidential and cannot be redisclosed by publishing such information in any way that allows individuals to be directly or indirectly identified. The Parties shall not redisclose PII in any way that causes a breach in confidentiality.

6. **Non-Compliance.** Notwithstanding any provision herein to the contrary, any Party does not comply with any part of this MOU, and the failure to comply is not corrected within thirty (30) calendar days after written notice, this MOU may be terminated immediately upon written notice as set forth in Section 7 of this MOU.

7. **Notice.** All notices or other communications required or permitted hereunder shall be in writing, and shall be personally delivered or sent by registered or certified mail, return receipt request, courier delivery, electronic mail, facsimile or receipted overnight mail, and shall be deemed received upon the earlier of (a) the date of delivery, if personally delivered, or (b) three (3) business days after the date of posting by the U.S. postal service, if mailed. All such notices or communications shall be addressed as follows:

If to Dallas County Promise:

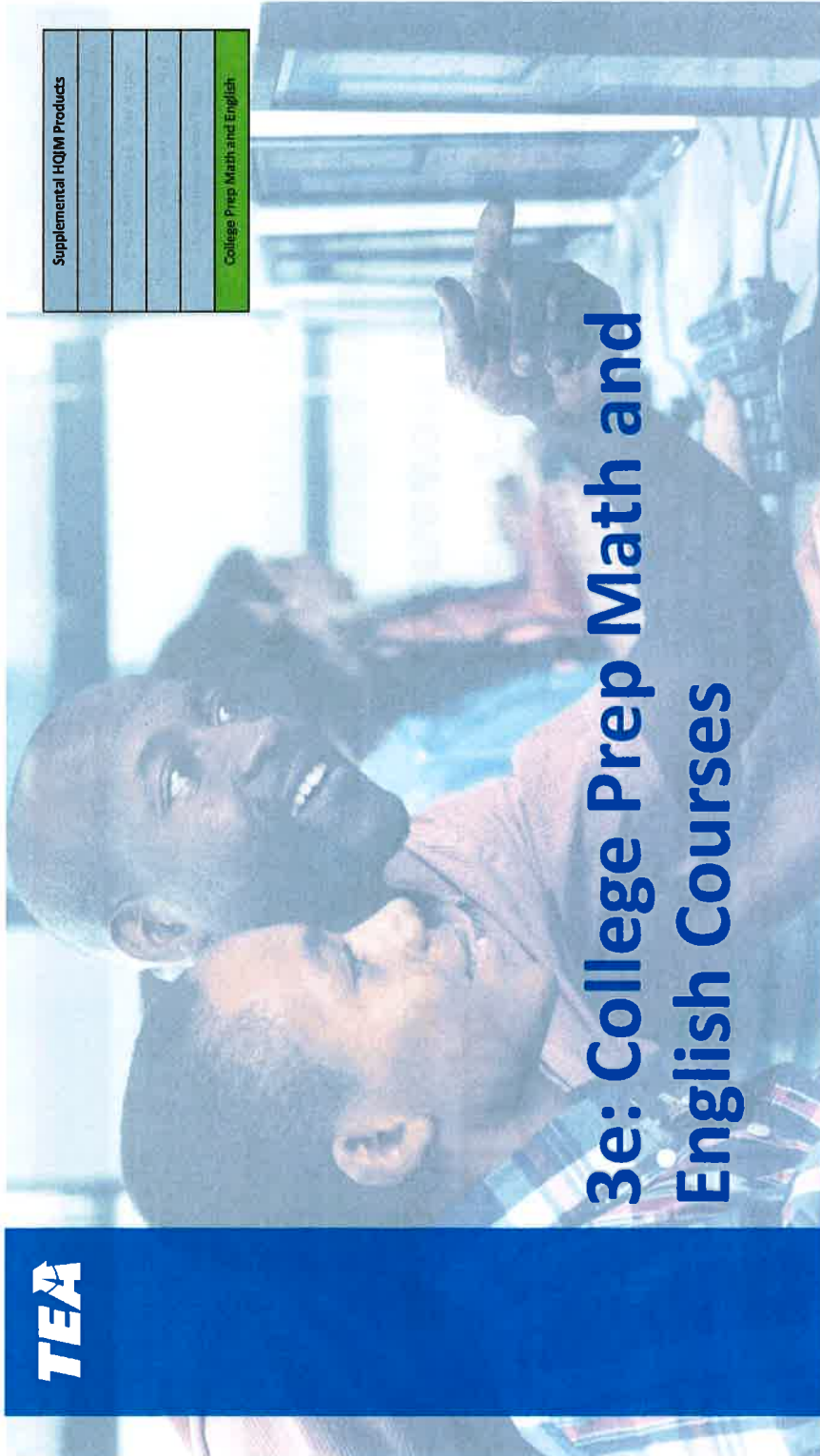
Kristyn Edney
Director of College Readiness & Success
Dallas County Promise
3800 Maple Dr., Suite 800
Dallas, TX 75219

If to an institution of higher education:

Notice and communication shall be addressed to the signatory for the Party listed on the separate signature page attached hereto

8. **Amendment and Modification.** No modification, amendment or waiver of the provisions of this MOU shall be effective unless in writing and signed by both Parties.
9. **Counterparts:** This MOU may be signed in any number of separate counterparts, no one of which need contain all of the signatures of the Parties, and as many of such counterparts as shall together contain all of the signatures of the Parties shall be deemed to constitute one and the same instrument. Electronic signatures shall have the same force and effect as original signatures.
10. **Signatory Approval:** The undersigned Parties represent and warrant that they are duly authorized and have the legal capacity to execute and deliver this MOU. Each Party represents and warrants to the other Parties that the execution and delivery of the MOU and the performance of such Party's obligations hereunder have been duly authorized. By signing this MOU, each Party binds themselves to the faithful performance of their respective obligation set forth herein. It is mutually understood that this MOU becomes effective between the Parties on the Effective Date set forth above.

[Separate Signature Page Attached]



3e: College Prep Math and English Courses

Supplemental HQIM Products
College Prep Math and English

TCLAS College Prep Supports: One Goal



Students are prepared for entry-level college coursework in English language arts and mathematics.

Texas College Bridge provides options for HB5 College Prep

All Texas public school districts can access:

- ✓ **No-cost, online, adaptive college preparatory course curriculum** for HB 5 College Preparatory English language arts and mathematics (EdReady).
- ✓ **Competency-based progression** aligned with college readiness exams like ACT and SAT
- ✓ **Dashboards to monitor** and adjust student progress.
- ✓ **Professional development** for teacher facilitators, district coordinators, and counselors/advisors.
- ✓ **Student-facing college and career planning tools, activities, and trackers.**

As a Texas College Bridge grantee districts will receive:

- ✓ **Funding to implement** program **locally**. Funding may be used for:
 - ✓ **teacher stipends** for successful student completion (up to \$100 per student per subject).
 - ✓ **counselor stipends** for student completion of counseling/advising online modules (up to \$100 per student).
 - ✓ **TSIA testing** for participating students (\$8 per student).
- ✓ **Flexibility** in program **implementation**
- ✓ **Access to all supports available** to any Texas public school.

TEA

Districts are already benefitting from Texas College Bridge

336 Districts	40 Colleges
9,445 Active English students	11,146 Active Mathematics students

- Completion certifications earned by Texas students
 - English: **3,566**
 - Mathematics: **5,181**
- Districts from **every** Education Service Center Region are **participating**
 - Urban
 - Suburban
 - Small
 - Rural



TexasCollegeBridge

TEA

Must meet TEC §28.014: College Prep Course Requirements

- **Partner** with at least **one institution of higher education (IHE)** to **develop/provide courses** in college preparatory **mathematics** and **English** language arts.
- **Identify students:**
 - Whose performance on EOC **did not meet** the college readiness standards.
 - Where coursework, college entrance examination or assessment indicate the student is **not ready** to **perform** entry-level **college coursework**.
- **Provide notice** to each student and student's parent/guardian regarding **benefits of enrolling** in this **course**.
- **Successful completion** provides (as outline in the MOU with the IHE) an **exemption** from **development education** courses (from IHE partner) effective for **24 months** following the student's **high school graduation**. ([TEC §51.338](#))

Participation in Texas College Bridge by Texas Higher Education Institutions Continues to Increase Across the State



Current as of 7/8/2021

Board of Trustees

Meeting Date: _____

Executive Summary of Board Agenda Item

Subject/Title for Agenda Posting: National Board Certification (NBC) Mentor Stipend

Justification Statement: Establish mentors to support 23 candidates working to earn National Board Certification.

Purpose of Agenda Item:

Information Discussion Action

Item Type:

Curriculum & Instruction Human Resources Business Services

Staff Responsible:

Marnie Rocha, Leticia Eckery 

Signature of Requester(s)

Signature of Presenter(s)

Business Services Approval (Initials) *Date*

Agenda Summary:

As stated in Board Policy CH (Local), any single, budgeted purchase of goods or services that costs \$50,000 or more, regardless of whether the goods or services are competitively purchased, shall require Board approval before a transaction may take place.

Under the Teacher Incentive Allotment established by the Texas Legislature, teachers who are Nationally Board Certified will earn a "Recognized" distinction. This allows them to earn extra compensation which is funded by TEA (There is no cost to the district). TEA allows 10% of this compensation to be used by the district to support teachers.

RECOMMENDATION: The district is requesting \$4,000 be used to provide 4 mentors to support 23 candidates working on their National Board Certification.

PRIOR BOARD ACTION: AWARDED: AWARDED AMOUNT:

AMOUNT(S):

ACCOUNT NO(S):

PROCUREMENT METHOD TYPE: (3 Quotes, Cooperative Contract Quotes, Sole Source, Formal Bid)

REQUESTING DEPARTMENT:

Office of the Associate Superintendent

CONSEQUENCES OF NON-APPROVAL:

Failing to approve means not providing district support for teachers trying to earn this prestigious certificate which improves student outcomes.

IMPLEMENTATION TIMELINE:

For the duration of TEA awarding funds for the Teacher Incentive Allotment

ATTACHMENT(S):





Canutillo ISD Teacher Incentive Allotment Spending Plan

TIA Funding Requirements

TEC Section 48.114 (i)(1)(A) states that: *“A district shall annually certify that funds received under this section were used as follows: At least 90% of each allotment received was used for the compensation of teachers employed at the campus at which the teacher for whom the district received the allotment is employed.”*

90/10 Rule

The statute requires that 90 percent of the funds earned through the district’s locally designed designation system be spent on teacher compensation on the campus where the designated teacher works. Canutillo ISD believes and supports this requirement and will ensure that when teachers earn a designation of recognized, exemplary, or masters, they will be compensated with a stipend funded by the state.

The statute also states no more than 10% of the Teacher Incentive Allotment funds should be used at the district level to support rollout and implementation of TIA. Canutillo ISD also believes and supports this requirement. The District shall retain 10% of the TIA dollars to use as follows:

- funding for student growth measure assessments and/or analysis,
- costs associated with district created pre-test/post-tests,
- stipends for National Board Certification mentors or other mentors, and funding for non-teacher compensation

Amount of Compensation

The state will calculate rural and socio-economic tier funding status annually based on student enrollment. Allotment funds will be based on the school the designated teacher was assigned and worked.

Canutillo ISD Funding Requirements

The development of Canutillo ISD’s TIA spending plan included input from the Associate Superintendent, Chief of Human Resources, Director of Finance, Compliance Director, district accountant, principals and teachers. In an effort to retain the district’s top talent, the stakeholders elected 90% of the TIA funds to go to the teacher who earned a TIA Designation. As required by statute, 10% of the funds would go to supporting the TIA initiative at the district level.

Frequency of Compensation

TIA compensation is an annual allotment provided by the State and subject to availability of state funding allocations.

- TIA-designated teachers will receive TIA compensation **annually** based on their TIA designation and TIA state funding for their campus of assignment at the time TIA funds are disbursed.

- TIA-designated teachers will receive their TIA stipend in the spring either **April or May**.

Impact of Compensation and Movement of Teachers

TIA compensation stipends **will** be included in the annual wages reported to the Teacher Retirement System (TRS) and will be used when calculating retirement benefits **upon approval of the TIA application**.

- If a Designated Teacher leaves the district **PRIOR** to Winter Roster Verification (generally in February of each school year) then the Designated Teacher will not receive any TIA funds because no TIA funds will be generated to the district from the state.
- If a designated teacher leaves the district **AFTER** the winter submission to another district, the compensation will be sent to the teacher.
- If the Designated Teacher retires **PRIOR** to Winter Roster submission, then no TIA funds will be provided to the teacher.
- If the teacher retires **AFTER** Winter Roster submission, then the TIA funds would be provided to the Designated teacher prior to his/her last date of service.
- If a Designated Teacher moves campuses within Canutillo ISD **DURING** the school year, then Canutillo ISD will provide the funding to the Designated teacher based on the campus where the Designated Teacher worked **DURING** Winter Snapshot (generally in February).
- If a Designated Teacher moves to the district **PRIOR** to Winter Roster Verification then the Designated Teacher will receive the allotment of funds generated by the state at the campus where the teacher is teaching during Winter Roster Verification. The spending plan will be the same for newly hired Designated teachers.
- If a teacher earns a designation from **ANOTHER** school district in Texas, upon hiring they will follow the Canutillo compensation plan. Since designations follow the teacher, they would be funded with the amount provided by the state.

TRS Eligibility

The school board will approve the expenditure of TIA funds as part of the annual compensation package. Upon approval of the TIA application by TEA, TIA compensation will be TRS eligible for Designated Teachers only and the district will send a copy of the compensation plan to TRS if requested.

National Board-Certified Teachers

Teachers who have completed National Board Certification must notify and be verified through HR. The teacher will be required to show proof of active status with the NBPTS National Board Certification to be designated a recognized teacher in TIA.



OFFICE OF THE ASSOCIATE SUPERINTENDENT

CANUTILLO A Premier District

To: Board of Trustees and Superintendent Galaviz
From: Ms. Marnie Rocha, Associate Superintendent *MGR/lorh*
Date: September 16, 2021
Re: Tuition Waivers for the 2021-2022 School Year and Transfer Update

Canutillo ISD has monitored the in-state inter-District transfers for the 2021-2022 school year. Administration is recommending approval of tuition waivers for these students. Students of these families reside in El Paso County, Texas; therefore, we will receive state funding for their attendance in Canutillo ISD, should you approve this request. All families understand that, if this request is approved, they are responsible for providing transportation for their children to and from school.

Please see the attached table for the total number of **intra** (within the district) and **inter** (outside the district) transfers were approved. Also, note that the number of New Mexico “grandfathered” students has dropped from 5 to 4.

The Associate Superintendent’s Office continues to monitor district transfers during the 2021-2022 school year. In summary a total of 388 attend elementary campuses and 317 attend secondary campuses for a total of **705 Intra/Inter District transfers**.

Street Address:
7965 Artcraft Rd.
El Paso, TX 79932

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

P: (915) 877-7475
F: (915) 877-7523
canutillo-isd.org

Canutillo Independent School District does not discriminate on the basis of race, color, religion, gender, sex, national origin, age, disability, military status, genetic information, or any other basis prohibited by law in its employment practices or in providing education services, activities, and programs, including career and technical education (vocational programs).



STUDENT SUPPORT SERVICES

CANUTILLO A Premier District

Executive Summary

TO: Board of Trustees and Superintendent Dr. Galaviz

FROM: Deborah M. Garcia, At Risk Case Manager *Deborah Garcia*

THRU: Dr. Reyes, Executive Director of Student Support Services

DATE: September 20, 2021

RE: Approval of the Optional Flexible School Day Program for The Opportunity Academy

The following is the Optional Flexible School Day Program (OFSDP) Application for the 2021 - 2022 school year.

Agenda Summary:

The Opportunity Academy (TOA) opened 7 years ago during the 2014 – 15 school year. From its' inception TOA has given Canutillo High School students the opportunity to stay in the Canutillo District and continue their education through a non-traditional setting.

Benefits:

We have helped students earn over 200 credit recovery courses, during both the 2019-2020 and 2020-2021 school years with 32 students completing the program and receiving their high school diplomas. Our goal this school year is to extend an invitation for more students to complete their graduation requirements at the Opportunity Academy program.

Street Address:
7000 Fifth St.
Canutillo, TX 79835

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

P: (915) 877-7650
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canutilloisd.org

Canutillo Independent School District does not discriminate on the basis of race, color, religion, gender, sex, national origin, age, disability, military status, genetic information, or any other basis prohibited by law in its employment practices or in providing education services, activities, and programs, including career and technical education (vocational programs).

Texas Education Agency



APPLICATION

Updated May 2021

Optional Flexible School Day Program (OFSDP)

2021-2022 School Year

ELIGIBLE APPLICANTS: The Texas Education Agency (TEA) will make available to eligible school districts and open-enrollment charter schools an application form that must be completed and submitted annually to the TEA for approval.

Definition of Program Provisions

Eligible Students

A student is eligible to participate in an optional flexible school day program (OFSDP) authorized under the Texas Education Code [\(TEC\) §29.0822](#), if:

1. the student meets one of the following conditions:
 - the student is at risk of dropping out of school, as defined by the [TEC, §29.081](#); or
 - the student is attending a campus implementing an approved innovative campus plan; or
 - the student is attending a community-based dropout recovery education program, as defined by the [TEC, §29.081\(e-1\) or \(e-2\)](#); or
 - the student is attending a campus with an approved early college high school program designation as defined by the [TEC, §29.908](#); or
 - the student, as a result of attendance requirements under the [TEC, §25.092](#), will be denied credit for one or more classes in which the student has been enrolled.

and

2. there is an agreement in writing to the student's participation
 - by the student, if the student is over 18 years of age; or
 - by the student and the student's parent or person standing in parental relation to the student, if the student is less than 18 years of age and not emancipated by marriage or court order.

Assessment

The student must take the required state assessments specified under the [TEC, §39.023](#), during the regularly scheduled assessment calendar.

Participation in University Interscholastic League (UIL)

A student enrolled in an OFSDP under the [TEC, §29.0822](#), may participate in a competition or other activity sanctioned or conducted under the authority of the University Interscholastic League (UIL) only if he or she meets all UIL eligibility criteria.

Attendance Credit

A student attending an OFSDP under the TEC, §29.0822, may be counted in average daily attendance (ADA) for purposes of funding under the TEC, Chapters 46, 48, and 49, only for the actual number of contact hours the student receives, not to exceed 720 hours or 43,200 minutes per 12-month period. **Students enrolled in the traditional program for part of the year and the OFSDP program for part of the year may not earn more than one ADA.**

Board Approval

The board of trustees of a school district must include the OFSDP as an item on a regular agenda for a board meeting. Board of trustees of a school district must discuss the progress of the program before approving the program and applying to operate an OFSDP (see Appendix Two).

Continuation or Revocation of Program Authorization

Applications are approved for a period of one (1) school year. Continuation of the approval for the OFSDP will be contingent on the demonstrated success of the program. Determination of success will include a review and analysis of data provided in the mandatory final progress report(s). The commissioner of education may revoke authorization for participation in the OFSDP after consideration of relevant factors, including performance of students participating in the program on assessment instruments required under the TEC, Chapter 39; the percentage of students participating in the program who graduate from high school; and other criteria agreed to in the application and adopted by the commissioner of education. A decision to revoke approval of the program by the commissioner of education is final and may not be appealed.

Reporting Requirements

Following approval of the application, the applicant may be required to submit progress reports based on criteria selected by the applicant and agreed to by the commissioner. When requested, reports will require applicants to disclose the overall progress of the students in the program, the number of students enrolled in the program (disaggregated by ethnicity, age, gender, and socioeconomic status), the number of students graduating from high school (disaggregated by ethnicity, age, gender, and socioeconomic status), and additional criteria selected by the applicant and agreed to by the commissioner. The TEA will provide notice to applicants and additional instructions for completion of reports at least 45 days before the date a report is due, or as soon as possible, in order to give school districts and charter schools adequate time to prepare and submit the reports to the TEA. The TEA may request additional reports as necessary to monitor and assess progress of students participating in the program.

Provisions of Agreement

Article I – Parties to Agreement

This agreement is entered into by and between the Texas Education Agency, an agency of the State of Texas, hereinafter referred to as the "TEA," and

Canutillo Independent School District

(Legal Name of School District or Open-Enrollment Charter School)

located at

7965 Artcraft Road, El Paso, Texas 79932

(Physical Address)

hereinafter referred to as "district."

Article II – Period of Agreement

The period of the agreement, as detailed by participating campus in **Appendix 5**, is for a maximum of one (1) school year plus an additional thirty (30) school days if the district is applying for credit recovery. **Note that the agreement term is subject to annual renewal.**

Article III – Purpose of Agreement

The district must perform all the functions and duties set out in the agreement, the authorizing program statute, and applicable regulations.

Article IV – Reporting Requirements

The district may be required to submit progress reports based on criteria selected by the applicant and agreed to by the commissioner. The TEA may request additional reports as necessary to monitor and assess progress of students participating in the program.

Article V – General and Special Provisions to the Agreement

Attached hereto and made a part hereof by reference is each of the provisions indicated below with an "X" beside it:

- Appendix One, Assurances
- Appendix Two, Board Approval
- Appendix Three, Attendance and Compliance Procedures of Proposed Program (Attach PDF File)
- Appendix Four, Contact Sheet
- Appendix Five, Participating Campuses, Student Eligibility, and Period of Agreement (Attach Excel File)

Article VI – Application Process

- For questions or assistance regarding this application, email opfex@tea.texas.gov or call 512-463-9294.
- Applications should be submitted 30 days prior to the start of the program. Start date(s) on Appendix 5 should be at least thirty (30) days after the application is submitted.
- Applications submitted by July 15th should be approved by August 15th.
- Email the complete application and attachments to: opfex@tea.texas.gov.
- Email subject line should indicate: OFSDP Application - District Name, County District Number

Article VII – Agreement

AGREED and accepted on behalf of the school district or open-enrollment charter school to be effective on the earliest date written above by a person authorized to bind the district.

Typed Name Dr. Pedro Galaviz _____ Authorized Signature _____
 Typed Title Superintendent of Schools

Appendix One Assurances

The definition of terms of the application applies to this Appendix One, Assurances. The school district or open-enrollment charter school hereinafter called "district" does hereby certify and agree to the following conditions of the agreement.

PAGE LIMIT: SUBMIT NO ADDITIONAL PAGES FOR APPENDIX ONE. ALL INFORMATION REQUESTED MUST BE INCLUDED WITH THIS FORM.

The district agrees to enroll only eligible students to participate in an OFSDP authorized under this application. A student is eligible to participate in an OFSDP authorized under the TEC, §29.0822, if:

1. the student meets one of the following conditions:
 - the student is at risk of dropping out of school, as defined by the [TEC, §29.081](#); or
 - the student is attending a campus implementing an approved innovative campus plan; or
 - the student is attending a community-based dropout recovery education program, as defined by the [TEC, §29.081\(e-1\) or \(e-2\)](#); or
 - the student is attending a campus with an approved early college high school program designation as defined by the [TEC, §29.908](#); or
 - the student, as a result of attendance requirements under the [TEC, §25.092](#), will be denied credit for one or more classes in which the student has been enrolled.

and

2. there is an agreement in writing to the student's participation
 - by the student, if the student is over 18 years of age; or
 - by the student and the student's parent or person standing in parental relation to the student, if the student is less than 18 years of age and not emancipated by marriage or court order.

The district agrees:

1. to administer mandatory assessment instruments during the regular assessment cycle to students enrolled in OFSDPs;
2. to ensure all instructional materials and facilities are comparable or exceed the required standards for students in similar programs;
3. that the students participating in an OFSDP will not be isolated from other academic and vocational programs of the school district and that all students will have access to school counselors for pre- and post-entry counseling, academic or personal counseling, and career counseling;
4. to provide faculty and administrators with baccalaureate or advanced degrees, highly qualified staff, and certified teachers as required by 19 Texas Administrative Code §129.1027 for the program;
5. to adopt a policy that does not penalize students participating in an OFSDP in accordance with the 90% rule (TEC, §25.092[a]) or the 75% to 90% rule for class credit (TEC, §25.092[a-1]);
6. to adopt a policy to require students to attend regularly scheduled instruction for the OFSDP with penalties for nonattendance including filing truancy charges, if appropriate;
7. to track the number of minutes the student receives instruction each day and to comply with applicable sections of the [Student Attendance Accounting Handbook](#).

8. to comply with all reporting requirements established by the TEA;
9. not to discriminate based on disability, race, color, national origin, religion, or sex; and
10. to prohibit a student participating in an OFSDP from participating in a competition or other activity sanctioned or conducted under the authority of the UIL unless the student meets all UIL eligibility requirements.

AGREED and accepted terms and conditions of Appendix One on behalf of the school district or open-enrollment charter school by persons authorized to bind the district.

Sergio Coronado, Board President (915) 877-7444

Name, Title, and Telephone Number of School Board President

Signature of School Board President

Date

Dr. Pedro Galaviz, Superintendent of Schools, (915) 877-7444

Name, Title, and Telephone Number of District Superintendent or Charter School Chief Operations Officer

Signature of Person Authorized to Bind the District or Charter School

Date

Appendix Two
Board Approval

The definition of terms of the application applies to this Appendix Two, Board Approval. The school district or open-enrollment charter school hereinafter called "district" does hereby certify and agree to the following conditions of the agreement.

PAGE LIMIT: SUBMIT NO ADDITIONAL PAGES FOR APPENDIX ONE. ALL INFORMATION REQUESTED MUST BE INCLUDED WITH THIS FORM.

1. The board of trustees of the school district or the governing board of the open-enrollment charter school **agrees to include the OFSDP as an item on the agenda** concerning the proposed application.
2. The board of trustees of the school district or the governing board of the open-enrollment charter school must discuss the progress of the program before applying to operate an OFSDP.

The proposed OFSDP application was on the agenda and discussed at the board meeting conducted on:

Month: September
Day: 28th
Year: 2021
Time: 5:30 p.m.
Location: 7965 Artcraft Road, El Paso, Texas 79932

AGREED and accepted on behalf of the school district or open-enrollment charter school by persons authorized to bind the district.

Sergio Coronado, Board President, (915) 877-7444

Name, Title, and Telephone Number of School Board President

Signature of School Board President

Date

Dr. Pedro Galaviz, Superintendent of Schools, (915) 877-7444

Name, Title, and Telephone Number of District Superintendent or Charter School Chief Operations Officer

Signature of Person Authorized to Bind the District or Charter School

Date

Appendix Three

Attendance and Compliance Procedures of Proposed Program

The definition of terms of the application applies to this Appendix Three, Attendance Procedures of Proposed Program. The school district or open-enrollment charter school hereinafter called “district” does hereby certify and agree to the following conditions of the agreement.

PAGE LIMIT: SUBMIT A SEPARATE PDF TO CONCISELY PROVIDE THE INFORMATION BELOW, LABELED WITH THE CORRESPONDING NUMBER, FOR APPENDIX THREE. ALL INFORMATION REQUESTED MUST BE INCLUDED WITH THIS FORM.

1. Indicate the expected start date of the district’s OFSDP.
2. Indicate the estimated number of OFSDP students that will be served per teacher.
3. **If** the OFSDP program will offer special education, career and technology education, pregnancy related services or bilingual education, indicate how services will be provided, the teacher certification standards in each program area, and how services will comply with the [Student Attendance Accounting Handbook](#).
4. OFSDP requires a teacher of record to record the actual number of students’ instructional minutes on any given day. Explain the following:
 - a. How the classroom teacher will verify the number of instructional minutes a student receives each day.
 - b. How the district will make sure that minutes for students who did not attend a minimum of 45 minutes on a particular day are not reported for funding.
 - c. How the district will ensure that students transferring from the traditional program (ADA Codes 0-6) to OFSDP (ADA Codes 7-8) will not generate more than one ADA in total for the school year and that students will not receive more than 10,800 minutes per course. It is recommended that the district apply the following formula to determine the maximum OFSDP minutes a student is eligible = (Calendar School Days - Traditional Days Present x 240).
 - d. How the district will ensure that attendance practices and records comply with Sections 2.2.3 and 11.6 of the [Student Attendance Accounting Handbook](#).
 - e. How Student Detail Audit reports for the OFSDP track will be reviewed and certified each six-week attendance reporting period.

NOTE: absences and days present do not exist in the OFSDP

5. **If** students are attending a community-based dropout recovery education program offered online as defined by TEC, §29.081 (e-2), must include the following:
 - a. Describe the curriculum credentials, certifications, or other course offerings that relate directly to employment opportunities in the state.
 - b. Describe the individual learning plan or process used to monitor each student’s progress.
 - c. Indicate how students will be served by an academic coach and local advocate.
 - d. Indicate the date of the month that monthly student progress reports will be provided to the student’s school district.
 - e. Describe the educational software utilized and explain how the software will track and certify the number of instructional minutes each student receives each day.

Appendix Four
Contact(s) Sheet

The definition of terms of the application applies to this Appendix Four, Contact Sheet. The school district or open-enrollment charter school hereinafter called "district" does hereby certify and agree to the following conditions of the agreement:

PAGE LIMIT: SUBMIT NO ADDITIONAL PAGES FOR APPENDIX FOUR, CONTACT SHEET. ALL INFORMATION REQUESTED MUST BE INCLUDED WITH THIS FORM.

District Contact(s) for the Application

Contact Name:	Ms. Marnie Rocha
District Superintendent or Charter School Chief Operations Officer:	Dr. Pedro Galaviz
Mailing Address:	7965 Artcraft Rd.
City, State, Zip Code:	El Paso, Texas 79932
Telephone Number:	(915) 877-7475
Alternate Telephone Number:	(915) 877-7444
Fax Number:	(915) 877-7523
Email Address:	mrocha@canutillo-isd.org

Contact Name:	Dr. Monica Reyes
Email Address:	mreyes@canutillo-isd.org

Contact Name:	Deborah M. Garcia
Email Address:	dgarcia@canutillo-isd.org

Contact Name:	Jesica Arellano
Email Address:	jarellano@canutillo-isd.org

NOTE: Most of the contact for the approved OFSDP is done via email. A valid email address(es) must be submitted on this form. Provide the full name(s) of the person(s) who is (are) the email contact(s) to ensure that the TEA has accurate information.

Appendix Five
Participating Campuses, Student Eligibility, and Period of Agreement

The definition of terms of the application applies to this Appendix Five, Participating Campuses, Student Eligibility, and Period of Agreement. The school district or open-enrollment charter school hereinafter called “district” does hereby certify and agree to the following conditions of the agreement:

PAGE LIMIT: SUBMIT NO ADDITIONAL PAGES FOR APPENDIX FIVE, PARTICIPATING CAMPUSES, STUDENT ELEGIBILITY, AND PERIOD OF AGREEMENT. ALL INFORMATION REQUESTED MUST BE INCLUDED ON THIS TEMPLATE AND SUBMITTED IN A SEPARATE EXCEL FILE.

Download and complete Appendix 5, which can be found on the [OFSDP webpage](#) under the *Applications and Templates* section.

Once completed, email the following to OPFLEX@tea.texas.gov:

1. The application (in PDF file format)
2. Appendix Three (in PDF file format)
3. Appendix Five (in MS Excel file format)

Appendix Three: Attendance and Compliance Procedures at Northwest ECHS

1. Northwest ECHS services 372 students in Canutillo ISD.
 - a. Each teacher on campus has an average of 26 students per class period.
2. Special Services:
 - a. Students at Northwest ECHS receive special education services as identified in their IEP during the regular school day. Most students are seen during College Prep (advisory period). The Dean of Students oversees the servicing of special education students as a certified Special Education K-12 teacher. All services are provided on campus as needed. Student attendance is based on campus course attendance and taken daily through the TEAMS system.
 - b. CTE Courses: Northwest has two CTE teachers – one certified in Business and one in Computer Science. Most Northwest students enroll in at least one CTE course per year, the only time a student may not take a CTE course is when he/she is getting close to finishing his/her Associate Degree. All CTE courses are taken on campus and attendance is taken daily through the TEAMS system.
 - c. Pregnancy related services, when applicable, are provided through the Canutillo ISD Student Services department.
 - d. Northwest ECHS does not have a Bilingual education program.
3. Recording student instructional minutes:
 - a. Students are marked in attendance or absent through the TEAMS attendance accounting system daily for all on-site courses. For students who attend college classes off campus, according to attendance guidelines 3.6.3 in the 19-20 SAAH, are considered present for the community college or university class period as long as they are in attendance during at least one on-campus course per day or if they have classes off campus all day, attendance is taken using a biometric fingerprint scanner in accordance to the SAAH.
 - b. Students are present on campus for core curriculum classes every day. Classes meeting on Monday/Wednesday (A-day), meet for 50-minutes (total of seven periods throughout the day). Classes meeting on Tuesday/Thursday (B-day), meet for 80-minutes for core instruction plus 20-minutes of college prep (five periods throughout the day).
 - c. Students are only counted for in attendance once per period, certified by each period teacher through the use of the TEAMS system. The location of each class and period is either on campus or off-campus at the community college in each students' course schedule. Nothing outside of what is reflected in the student course schedule is accounted for in regards to attendance.
 - d. An attendance clerk tracks and audits student attendance in accordance with 2.2.3 and 11.6 in the 19-20 SAAH. **Teacher signatures are collected to verify attendance reports and corrections once per week.**
 - e. Northwest student attendance is verified every six-weeks according to attendance procedures.
4. Not applicable to Northwest Early College High School

Appendix Three- Attendance and Compliance Procedures

1. The Opportunity Academy (TOA) will begin, Monday, August 2, 2021.
2. The teacher for The Opportunity Academy (TOA) will serve approximately 70 students within the school year and 28 students per teacher.

Other Services

3a. Special Education. Students who receive special education services will be provided instruction and services in accordance to their Individual Education Plan (IEP). As developed through the Admission, Review, and Dismissal (ARD) meetings, the TOA teacher who serves as the general education teacher ensures the IEPs for students are followed. As outlined in the Student Attendance Accounting Handbook, mainstreamed special education services are not reported to generate special education funding.

3b. Career and Technology Education (CTE). TOA implements computer-based instruction and employs the PLATO Learning Online Curriculum which is aligned to the state and national standards. TOA students are able to take career and technology education courses offered within the PLATO system to receive course credit. We do not generate contact hours as there is no regularly scheduled direct instruction by a certified CTE teacher in TOA program.

3c. Pregnancy-Related Services (PRS). Our district offers PRS once students are identified. Support services include Compensatory Education Home Instruction (CEHI) during prenatal and postpartum periods, childcare, transportation, counseling services, health services and government referrals in accordance to the Student Attendance Accounting Handbook. The TOA teacher serves as the CEHI teacher for all TOA students identified needing pregnancy-related services.

3d. English Language (EL) Services. Our district offers English Language (EL) services within our TOA program. However, the TOA program is not considered an ESL program. The TOA teacher is an ESL certified teacher and services are provided through the English Language Proficiency Standards (ELPS) strategies while delivering content instruction to TOA EL students.

Attendance

4a. Daily attendance is recorded in the district's student management system TEAMS, by the TOA classroom teacher for all students enrolled. The teacher of record keeps daily attendance logs with the actual number of student instructional minutes. The classroom teacher will certify the student's minutes by signing the logs daily. TOA classroom teacher and instruction aide serve approximately a total of 50 students within the entire school year. To comply with the Texas Education Code, at no time there are no more than 28 students enrolled per classroom and served at The Opportunity Academy.

4b. If a student attends less than 45 minutes a day, the student will not be reported for funding to the attendance clerk and not be reported to TSDS for that day. The TOA teacher records the student not present in her records to ensure cross-checking.

4c. The High School Registrar enrolls students into TOA Calendar 2 with ADA code 7. The instructional minutes are recorded into TEAMS Optional Flexible School Program Attendance Worksheet by the district PEIMS Specialist. The students will not receive more than 10,800 minutes per course and the maximum OFSDP minutes a student is eligible is outlined in the following formula $[180 - (\text{Traditional Days Present}) \times 240]$.

4d. Every six weeks, student daily reports are generated by the district PEIMS Specialist and verified by the Canutillo High School Attendance Clerk and Principal in compliance with Section 11.6 of the Student Attendance Handbook. Daily phone calls are made for students that are absent. Students sign a contract of expectations when they begin to attend TOA. After ten consecutive absences and repeated efforts to locate the student have been unsuccessful, the student may be dropped (FEA local).

4e. Each six weeks the OFSDP records will be reviewed and certified by the teacher.

5. TOA students do not attend a community-based dropout recovery education program.

Optional Flexible School Day Program (OFSDP)

School Year 2021-2022

(Updated May 2021)

Insert 6-digit district
number here

District Number	Campus Name	ELIGIBILITY DESIGNATION							Estimated Total Students	School Year Period of Agreement (Reported in TSDS PEIMS Summer Collection 3)			Credit Recovery - Designation 5 only (Reported in TSDS PEIMS Extended Collection 4)				
		1	2	3	4	5	6	7		Start Date	End Date	Proposed Days: SUMTWTWFS	Minutes Per Day	Start Date	End Date	Proposed Days: SUMTWTWFS	Minutes Per Day
071907001	CANUTILLO H S					5		7	70	8/2/2021	5/27/2022	MTWTFH	450	6/1/2022	6/30/2022	MTWTFH	450
071907003	NORTHWEST EARLY COLLEGE H S (NWECHS)			3				365		8/9/2021	5/13/2022	MTWTFH	440				
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OFFICE OF THE ASSOCIATE SUPERINTENDENT

CANUTILLO A Premier District

TO: Canutillo Board of Trustees and Superintendent Galaviz

FROM: Ms. Marnie Rocha

DATE: September 20, 2021

RE: Student Handbook and Student Code of Conduct

Policy FO (Legal) states: *The board shall adopt a Student Code of Conduct for a district, with the advice of its district-level committee.*

Submitted for your review are the 2021-2022 handbook and code of conduct. Campus administrator's input as well as the Texas Association of School Board recommendations were used in updating both resources. Upon approval, both documents will be placed on the district websites in English and Spanish.

Street Address:
7965 Artcraft Rd.
El Paso, TX 79932

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

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