

Agenda of Regular Meeting

The Board of Trustees Canutillo ISD

A Regular meeting of the Board of Trustees of Canutillo ISD will be held December 14, 2022, 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

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. **BOARD HONORS**

- A. District Recognition of Out-Going Trustee
Presenter: G. Reveles
- B. Recognition of Bill Childress Elementary School and Reyes Elementary School for their Designation as Purple Star Campuses by the Texas Education Agency
Presenter: G. Reveles
- C. Recognition of Canutillo High School Varsity Football Team for their Outstanding Performance in the Texas State Playoffs
Presenter: G. Reveles
- D. Recognition of Canutillo High School Cross Country Regional and State Tournament Qualifiers
Presenter: G. Reveles

4. **BOARD OF TRUSTEE BUSINESS**

- A. Discussion and Possible Action Regarding Request from Buyer of Reyes Property to Address District Position Concerning Possible Future Liquor License and Sales
Presenter: S. Blanco

- B. Discussion and Possible Action Regarding Conduct of Trustee B. Trout During Canutillo ISD Events to Include Possible Censure of Board Member
Presenter: S. Coronado
5. **CONSENT AGENDA-VOTING**
- A. *BUSINESS SERVICES*
1. Approval of the Meeting Minutes
 - a. Approval of the July 26, 2022 Special Board Meeting Minutes 5
 - b. Approval of the November 15, 2022 Regular Board Meeting Minutes 7
 2. Approval of the Monthly Donations 14
Presenter: C. Pulley
 3. Approval of the Budget Amendments 17
Presenter: C. Pulley
 4. Acceptance of the Comprehensive Annual Financial Report for the Year Ended June 30, 2022
Presenter: C. Pulley
 5. Approval of Purchase from Apple, Inc., in the amount of \$1,854,925.00, Utilizing Texas DIR Contract DIR-TSO-3789 19
Presenter: E. Sida
- B. *CHIEF BUSINESS OFFICER*
1. Approval of Updated CFC (LOCAL) Policy **1st Reading** 23
Presenter: M. Piekarski
- C. *HUMAN RESOURCES*
1. Approval of TASB Policy Update 119 **1st Reading** 27
Presenter: M. Carrasco
6. **EXECUTIVE SESSION**
To Consult with Attorney Under Sections 551.071, 551.072, 551.074 and 551.076 of the Texas Government Code:
- A. Discussion Regarding Status of Potential Sale of District Owned Real Property Adjacent to Cap Carter; Pursuant to Texas Government Code Sections 551.071 and 551.072
 - B. Discussion Regarding Recommendation of Administration to Propose the Termination of the Term Contract of L. Maldonado for Good Cause; Pursuant to Texas Government Code Sections 551.071 and 551.074
 - C. Discussion with Internal Auditor Regarding Safety and Security Audit Tasks and Status of Administrative Actions; Pursuant to Texas Government Code Section 551.076
 - D. Discussion Regarding Administration's Recommendation for Canutillo Elementary School Principal; Pursuant to Texas Government Code Section 551.074
7. **NEW BUSINESS (continued); OTHER**
- A. Discussion and Possible Action Regarding Potential Sale of District Owned Real Property Adjacent to Cap Carter
 - B. Discussion and Possible Action Regarding the Recommendation of Administration to Propose the Termination of the Term Contract of L. Maldonado for Good Cause
 - C. Discussion and Possible Action Regarding Administration's Recommendation for Canutillo Elementary School Principal

8. **BOARD OF TRUSTEE BUSINESS**

A. Discussion and Possible Action to Elect Officers for the Canutillo ISD Board of Trustees

Presenter: S. Coronado

9. **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 the premier district.
We lead today to positively impact tomorrow.

Mission

Canutillo ISD 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.

#BeCanutillo
Tomorrow's⁴ Best Today

1. GENERAL FUNCTIONS-OTHER

1.A. Call to Order

The meeting was called to order at **5:05 p.m.**, by Board President Coronado.

1.B. Roll Call

Present: Trustees Coronado, Hernandez, Mendoza, Payan, Rodriguez, Searls and Trout

2. OPEN FORUM-OTHER

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Breanne Barnes addressed the board regarding the bond proposal and expressed her concerns.

3. BOARD BUSINESS

3.A. Discussion and Possible Action to Approve Underground Utility Easement Agreement Between Canutillo ISD and the Town of Vinton for Development within the Cap Carter Subdivision

President Coronado stated that Mr. Steve Blanco, Legal Counsel for Canutillo ISD advised that this item would need to be taken into Executive Session. Mr. Blanco stated that the item would be taken into Executive Session under 551.071 and 551.072.

The meeting adjourned into Executive Session at **5:09 p.m.**

The meeting reconvened into Open Session at **5:41 p.m.**

Mr. Blanco addressed the Board and stated that he provided the Board with an update. He recommended that the Board agree to authorize to grant a 30 ft. underground utility easement to the Town of Vinton, on the sale and closing of the property, which is referred to as Cap Carter, to BRE Development. He continued by clarifying that the easement would only become effective upon the sale and closing of the property to BRE.

It was motioned by Trustee **Payan**, seconded by Trustee **Mendoza**, and passed with five affirmative votes to move forward with Legal Counsel's recommendation.

Trustees Searls and Trout voted no.

3.B. Discussion and Review Regarding the Canutillo Demographic Study

Mr. Smith, a representative from Zonda presented on this item and answered questions throughout the presentation. This item was for discussion only and no action was taken.

3.C. Discussion and Recommendation Regarding the 2022 Bond

Mr. Gustavo Reveles, Public Information Officer for Canutillo ISD and Mr. Bruno Vasquez, Executive Director for Facilities and Transportation presented on this item and answered questions from board members.

No action was taken on this item.

3.D. Discussion and Approval of the Lone Star Governance Plan

This item was presented by Ms. Monica Jaloma from the Texas Education Agency (TEA). As Ms. Jaloma went through the presentation she asked for participation and feedback from the board. Recommendations were made on presentations to the public regarding the upcoming bond.

No action was taken on this item.

4. ADJOURNMENT

The meeting was adjourned at **8:42 p.m.** under unanimous consent.

Presented to the Board of Trustees for approval on **December 14, 2022**. 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 at **5:46 p.m.**, by Board President Coronado.

1.B. Pledge of Allegiance

1.C. Texas Pledge of Allegiance

1.D. Roll Call

Present: Trustees Coronado, Hernandez, Mendoza, Rodriguez, Searls and Trout

Absent: Trustee Payan

Student Advisors Present: Aitiana Mondragon and Leslie Reyes

1.E. CISD Vision and Mission Statements

The Canutillo ISD Vision and Mission Statement were read aloud by Trustee **Hernandez** and Trustee **Rodriguez**, respectively.

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.

Maria de la O addressed the board and expressed concerns regarding Board President Sergio Coronado.

Ms. Carol Cassady addressed the board regarding the Bond and Agenda Item 6D and expressed her concerns on both items.

Sonia Frayre addressed the board and thanked outgoing board members for their service. She continued by congratulating and welcoming the incoming board members. Ms. Frayre expressed concerns regarding Trustee Rodriguez.

Bernardo Barela addressed the board and expressed various concerns about Canutillo ISD. He also requested that the board consider Mr. Sal Gonzalez to replace Trustee Coronado, as Trustee Coronado won a seat in the County election. Mr. Barela stated that Mr. Gonzalez was the next person with the most votes in the Board of Trustee Election.

Jose Rodriguez addressed the board regarding Trustee Coronado's upcoming seat vacancy on the board. He recommended that Mr. Sal Gonzalez be appointed to fill the vacancy and felt that it was the most transparent thing to do.

Jess Salgado-Ramos addressed the board and congratulated the newly elected trustees and thanked the outgoing board members for their service.

3. BOARD OF TRUSTEE BUSINESS

3.A. Discussion and Possible Action to Approve the Board Member Continuing Education Credits for the November 1, 2021 to October 31, 2022 year per BBD Legal

There was no discussion on this item.

It was motioned by Trustee **Searls**, seconded by Trustee **Trout**, and unanimously passed to Approve the Board Member Continuing Education Credits.

3.B. Discussion and Possible Action to Canvass the November 8, 2022, Election Results, and Consider Approval of the Order and Certificate Canvassing the Election Results

Ms. Priscilla Mata, Legal Counsel for Canutillo ISD, addressed the board and presented on this item. She read through the proposed Order and provided the results of the votes for the elected board members.

It was motioned by Trustee **Trout**, seconded by Trustee **Mendoza**, and unanimously passed to approve the Order and Certificate Canvassing the Election results.

3.C. Discussion and Possible Action on a Resolution Canvassing Returns and Declaring Results of the Canutillo ISD Bond Election Held on November 8, 2022; and Containing Provisions Necessary and Incidental Thereto

Ms. Priscilla Mata, Legal Counsel for Canutillo ISD, addressed the board and presented on this item. She read through the proposed Resolution and provided the results of votes for the propositions on the election ballot in regard to the Canutillo ISD Bond.

It was motioned by Trustee **Trout**, seconded by Trustee **Searls**, and unanimously passed to issue, adopt and approve the proposed Resolution.

3.D. District Recognition of Out-Going Trustees

Gustavo Reveles recognized Trustees Hernandez, Payan and Searls for their work on the Canutillo ISD School Board.

3.E. Discussion and Possible Action to Obtain Statement of Officer and Conduct the Oath of Office for Newly-Elected Trustees, and Issue Certificates of Election for Newly-Elected Trustees

Hon. Carlos Carrasco conducted the Oath of Office for the Newly-Elected Trustees; Ms. Breanne Barnes, Ms. Lucia Borrego and Ms. Cindy Zuniga.

3.F. Discussion and Possible Action Regarding the Rescheduling of the December 13, 2022 Regular Board Meeting

Dr. Galaviz addressed the board and stated that Trustee Borrego has a conflict for the date of the upcoming December Board meeting and has requested a rescheduling of the meeting to December 14, 2022.

It was motioned by Trustee **Mendoza**, seconded by Trustee **Barnes**, and unanimously passed to reschedule the December board meeting to December 14, 2022.

4. SPECIAL PRESENTATION-OTHER

4.A. Discussion and Possible Action to Approve a Resolution to Identify Transportation Routes Where Hazardous Conditions Exist within Two Miles of a School Campus

Mr. Bruno Vasquez, Executive Director of Facilities and Transportation addressed the board and answered a question from Trustee Trout. There was no further discussion.

It was motioned by Trustee **Trout**, seconded by Trustee **Mendoza**, and unanimously passed to approve the proposed Resolution.

5. CONSENT AGENDA-VOTING

It was motioned by Trustee **Trout**, seconded by Trustee **Mendoza**, and passed with six affirmative votes to approve the consent agenda as presented.

Trustee Trout voted to approve all items under the consent agenda, with the exception of Items 5.A.1.a and 5.A.1.b. She requested to abstain from those two items.

5.A. BUSINESS SERVICES

5.A.1. Approval of the Meeting Minutes

5.A.1.a. Approval of the October 25, 2022 Regular Board Meeting Minutes

5.A.1.b. Approval of the November 2, 2022 Special Board Meeting Minutes

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

5.A.3. Approval of the Monthly Donations

5.A.4. Approval of the Budget Amendments

5.A.5. Approval of the Quarterly Investment Report for the Quarter Ended September 30, 2022

5.A.6. Approval to Award RFP 2023-04 Decommissioning of Existing Wastewater Treatment Plant Infrastructure to Smithco Construction Inc. in the Amount of \$497,000.00

5.A.7. Approval of Inter-local Agreement Between Canutillo ISD and the County of El Paso for Installation of Antennas and Routers for Connectivity Project

5.B. CURRICULUM AND INSTRUCTION

5.B.1. Approval of Memorandum of Agreement Between Canutillo ISD and Familias Triumfadoras Inc.

5.B.2. Approval of Academic Language Services Report on the Number of Emergent Bilingual Students in Canutillo ISD

5.B.3. Approval of District Improvement Plan

5.C. HUMAN RESOURCES

5.C.1. Approval of Adoption of Local Policy CKE 2nd Reading

6. EXECUTIVE SESSION

The meeting adjourned in Executive Session at **6:48 p.m.**

To Consult with Attorney Under Sections 551.071, 551.072 and 551.074 of the Texas Government Code:

6.A. Discussion and Recommendation from Administration Regarding the Resignation of Canutillo High School Teacher, G. Sanchez, During Contract Term; Pursuant to Texas Government Code Sections 551.071 and 551.074

6.B. Discussion Regarding Status of Potential Sale of District Owned Real Property Adjacent to Cap Carter and Reyes Elementary School; Pursuant to Texas Government Code Sections 551.071 and 551.072

6.C. Discussion Regarding Options and Process to Fill Vacancy on Board of Trustees; Pursuant to Texas Government Code Sections 551.071 and 551.074

- 6.D. Discussion Regarding Board Communications and Complaint Regarding Trustee Blanca Trout's Behavior; Pursuant to Texas Government Code Sections 551.071 and 551.074

7. NEW BUSINESS (continued); OTHER

The meeting reconvened into Open Session at **9:01 p.m.**

- 7.A. Discussion and Possible Action Regarding Findings and Determination of the Board Related to the Resignation of Canutillo High School Teacher, G. Sanchez, During Contract Term

Ms. Priscilla Mata, Legal Counsel for Canutillo ISD, addressed the board and recommended a motion to decline the resignation, finding of no good cause and file written complaint if no replacement is found.

It was motioned by Trustee **Mendoza**, seconded by Trustee **Trout**, and unanimously passed to approve legal counsel's recommended motion.

- 7.B. Discussion and Possible Action Regarding Potential Sale of District Owned Real Property Adjacent to Cap Carter and Reyes Elementary School

Ms. Priscilla Mata, Legal Counsel for Canutillo ISD addressed the board and recommended a motion to direct and authorize the district's real estate broker, legal counsel and administration to proceed with contract negotiations as discussed in closed session.

It was motioned by Trustee **Trout**, seconded by Trustee **Barnes**, and unanimously passed to approve legal counsel's recommended motion.

- 7.C. Discussion and Possible Action Regarding Process to Fill Vacancy on Board of Trustees

Ms. Priscilla Mata, Legal Counsel for Canutillo ISD addressed the board and recommended, based on discussion in closed session, a motion to direct administration to establish application process, and dates and times for board interviews of any and all interested applicants, in filling the unexpired term of Sergio Coronado upon his forthcoming resignation.

It was motioned by Trustee Rodriguez, seconded by Trustee Mendoza, and passed with five affirmative votes to approve legal counsel's recommended motion.

Trustees Barnes and Trout voted no.

8. ADJOURNMENT

The meeting was adjourned at **9:05 p.m.** under unanimous consent.

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

DRAFT

Executive Summary of Board Agenda Item

Subject/Title for Agenda Posting: Board acceptance of November 2022 donations report

Justification Statement: Presentation for your review and acceptance of the donations report for donations received in November, 2022

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

Staff Responsible: Cristina Pulley

Signature of Requester(s)
Cristina Pulley *Cristina Pulley*

Signature of Presenter(s)
Elizabeth B. Sida *[Signature]* 11/30/2022
Business Services Approval (Initials) *Date*

Agenda Summary:

The Financial Services Department presents the following donations report of donations received in the month of November, 2022. There are no web donations to report for this month.

RECOMMENDATION: Administration recommends that the Board accept this donations report as presented

PRIOR BOARD ACTION: YES AWARDED: AWARDED AMOUNT:

Nov 15, 2022

AMOUNT(S): \$4,754.00

ACCOUNT NO(S):
NA

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

REQUESTING DEPARTMENT:
NA

CONSEQUENCES OF NON-APPROVAL:
NA

IMPLEMENTATION TIMELINE:
NA

ATTACHMENT(S): ✓ November Donations Report



CISD Approved Online November 2022 Donations

Date	Item Name	Amount	Purchaser First Name	Purchaser Last Name	Address 1	Address 2	City	State	Zip
	NO ONLINE DONATIONS RECEIVED NOVEMBER 2022	-							
		-							
	Total Online Donations	-							

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)

C Pulley
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, Executive Director of Financial Services

DATE: November 30, 2022

SUBJECT: Budget Amendments for November 2022

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 343088 - This budget amendment will allocate funds for a new DAEP teacher classroom at the Lone Star Building. This budget amendment will have a positive impact on the administrative cost ratio by increasing instructional costs.

BUDGET ACCOUNT NUMBER		CURRENT BUDGET	CHANGE	AMENDED BUDGET
185.11.6117.05.923.28	Extra Duty - Professional	\$ 588	\$ (588)	\$ -0-
185.11.6398.00.923.28	Controlled Asset Technology	\$ 9,487	\$ (726)	\$ 8,761
185.11.6412.00.923.28	Student Travel	\$ 150	\$ (150)	\$ -0-
185.13.6411.00.923.28	In-City Mileage Reimbursement	\$ 3,200	\$ (2,925)	\$ 275
185.21.6411.00.923.28	In-City Mileage Reimbursement	\$ 1,600	\$ (1,125)	\$ 475
185.31.6399.00.923.28	General Supplies	\$ 250	\$ (250)	\$ -0-
185.31.6411.00.823.28	In-City Mileage Reimbursement	\$ 900	\$ (900)	\$ -0-
185.11.6399.00.923.28	General Supplies	\$ 2,292	\$ 6,664	\$ 8,956

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).

Executive Summary of Board Agenda Item

Subject/Title for Agenda Posting:

Justification Statement: District currently has a refresh plan in effect to renew our apple stock every 4-7 years. Our current plan can benefit from federal funding available from COVID relief funds made available.

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

Staff Responsible:

Signature of Requester(s)

Signature of Presenter(s)

Elizabeth B. Sida
Business Services Approval (Initials)

11/30/2022
Date

Agenda Summary:

RECOMMENDATION:

PRIOR BOARD ACTION: AWARDED: AWARDED AMOUNT:

AMOUNT(S):

ACCOUNT NO(S): 199.11.6398.97.XXX.11

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

REQUESTING DEPARTMENT:

CONSEQUENCES OF NON-APPROVAL:

IMPLEMENTATION TIMELINE:

ATTACHMENT(S):



Apple Inc. Education Price Quote

Customer:	Oscar Rico CANUTILLO ISD Phone: 915-877-6600 email: orico@canutillo-isd.org	Apple Inc:	Amy Holland 6900 W. Parmer Lane Austin, TX 78729 email: amy_holland2@apple.com
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Apple Quote: 2211564382

Quote Date: Wednesday, November 02, 2022

Quote Valid Until: Saturday, November 19, 2022

Quote Comments:

Please reference Apple Quote number on your Purchase Order.

Texas DIR TSO 3789

#	Product Description	Qty	Unit List Price	Discount per Unit	Unit Discounted Price	Extended Discounted Price
1	13-inch MacBook Air: Apple M1 chip with 8-core CPU and 7-core GPU, 128GB – Space Gray (Packaged in a 5-pack) Part Number MGNF3LL/A Configuration: <ul style="list-style-type: none"> • 065-C99J Apple M1 chip with 8-core CPU, 7-core GPU and 16-core Neural Engine • 065-C99M 8GB unified memory • 065-C99P 128GB SSD storage • 065-C9CK Touch ID • 065-C9CJ Two Thunderbolt / USB 4 ports • 065-C9CH Force Touch trackpad • 065-C9CL Retina display with True Tone • 065-C171 None • 065-C172 None • 065-C9DG Backlit Magic Keyboard – US English • 065-C9DN Accessory Kit 	2,500	\$779.00	\$54.53	\$724.47	\$1,811,175.00
2	Jamf School for macOS, iOS and tvOS lifetime license (per unique device) Part Number HL2M2LL/A	2,500	\$17.50	\$0.00	\$17.50	\$43,750.00
Extended EDU List Price Total						\$1,991,250.00
Total Discount						\$136,325.00

Extended Discounted Price Subtotal	\$1,854,925.00
- Additional Tax	\$0.00
- Estimated Tax	\$0.00
Extended Discounted Total Price*	\$1,854,925.00

*In most cases Extended discounted Total price does not include Sales Tax
 *If applicable, eWaste/Recycling Fees are included.
 Standard shipping is complimentary

Complete your order by one of the following:

- This document has been created for you as Apple Quote ID 2211564382. Please contact your institution's Authorized Purchaser to submit the above quote online. For account access or new account registration, go to <https://ecommerce.apple.com>. Simply go to the Quote area of your Apple Education Online Store, click on it and convert to an order.
 - For registration assistance, call 1.800.800.2775
- If you are unable to submit your order online, please send a copy of this Quote with your Purchase Order via email to institutionorders@apple.com. **Be sure to reference the Apple Quote number on the PO to ensure expedited processing of your order.**
 - For more information, go to provision C below, for details.

THIS IS A QUOTE FOR THE SALE OF PRODUCTS OR SERVICES. YOUR USE OF THIS QUOTE IS SUBJECT TO THE FOLLOWING PROVISIONS WHICH CAN CHANGE ON SUBSEQUENT QUOTES:

- A. A. ANY ORDER THAT YOU PLACE IN RESPONSE TO THIS QUOTE WILL BE GOVERNED BY (1) ANY CONTRACT IN EFFECT BETWEEN APPLE INC. ("APPLE") AND YOU AT THE TIME YOU PLACE THE ORDER OR (2), IF YOU DO NOT HAVE A CONTRACT IN EFFECT WITH APPLE, CONTACT contracts@apple.com.
- B. B. ALL SALES ARE FINAL. PLEASE REVIEW RETURN POLICY BELOW IF YOU HAVE ANY QUESTIONS. IF YOU USE YOUR INSTITUTION'S PURCHASE ORDER FORM TO PLACE AN ORDER IN RESPONSE TO THIS QUOTE, APPLE REJECTS ANY TERMS SET OUT ON THE PURCHASE ORDER THAT ARE INCONSISTENT WITH OR IN ADDITION TO THE TERMS OF YOUR AGREEMENT WITH APPLE.
- C. C. YOUR ORDER MUST REFER SPECIFICALLY TO THIS QUOTE AND IS SUBJECT TO APPLE'S ACCEPTANCE. ALL FORMAL PURCHASE ORDERS SUBMITTED BY EMAIL MUST SHOW THE INFORMATION BELOW:
- APPLE INC. AS THE VENDOR
 - BILL-TO NAME AND ADDRESS FOR YOUR APPLE ACCOUNT
 - PHYSICAL SHIP-TO NAME AND ADDRESS (NO PO BOXES)
 - PURCHASE ORDER NUMBER
 - VALID SIGNATURE OF AN AUTHORIZED PURCHASER
 - APPLE PART NUMBER AND/OR DESCRIPTION OF PRODUCT AND QUANTITY
 - TOTAL DOLLAR AMOUNT AUTHORIZED OR UNIT PRICE AND EXTENDED PRICE ON ALL LINE ITEMS
 - CONTACT INFORMATION: NAME, PHONE NUMBER AND EMAIL
- D. UNLESS THIS QUOTE SPECIFIES OTHERWISE, IT REMAINS IN EFFECT UNTIL Saturday, November 19, 2022 UNLESS APPLE WITHDRAWS IT BEFORE YOU PLACE AN ORDER, BY SENDING NOTICE OF ITS INTENTION TO WITHDRAW THE QUOTE TO YOUR ADDRESS SET OUT IN THE QUOTE.
- APPLE MAY MODIFY OR CANCEL ANY PROVISION OF THIS QUOTE, OR CANCEL ANY ORDER YOU PLACE PURSUANT TO THIS QUOTE, IF IT CONTAINS A TYPOGRAPHIC OR OTHER ERROR.
- E. THE AMOUNT OF THE VOLUME PURCHASE PROGRAM (VPP) CREDIT SHOWN ON THIS QUOTE WILL ALWAYS BE AT UNIT LIST PRICE VALUE DURING REDEMPTION ON THE VPP STORE.
- F. UNLESS SPECIFIED ABOVE, APPLE'S STANDARD SHIPPING IS INCLUDED IN THE TOTAL PRICE.

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Document rev 10.6.1

Date of last revision – June 20th, 2016

Executive Summary of Board Agenda Item

Subject/Title for Agenda Posting: Discussion to update the external audit CFC (Local) Policy (First Reading)

Justification Statement: This change is to update CFC local to meet the best practices in selection of external audit firms

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

Staff Responsible: Cristina Pulley, Martha E Piekarski

Signature of Requester(s)

Signature of Presenter(s)

CPulley

Business Services Approval (Initials)

12/5/2022

Date

Agenda Summary:
This change is to update CFC Local to meet best practices in selection of external audit firms.

RECOMMENDATION: Update

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

AMOUNT(S): N/A

ACCOUNT NO(S): N/A

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

REQUESTING DEPARTMENT:
Finance Department

CONSEQUENCES OF NON-APPROVAL:
The external audit CFC (LOCAL) policy will no be current

IMPLEMENTATION TIMELINE:
Immediately after 1st and 2nd readings

ATTACHMENT(S):
External audit CFC (LOCAL) Policy with track changes 23



Board Policy Manual

CFC — Accounting: Audits

Legal Framework

Local Policy

Internal Audit

Purpose

The Canutillo Independent School District (CISD) has established an internal audit function as an independent, objective assurance and consulting activity designed to add value to and improve the District's operations.

Internal audit shall assist the Board and the administration in accomplishing the District's objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes.

The internal audit function shall further promote an ethical environment based on integrity, fairness, and accountability through open communication, professionalism, and expertise. In addition, it will also help foster quality and continuous improvement within the District.

Authority

With stringent regard for safekeeping and confidentiality, authorization is granted to the internal audit office for full and unrestricted access to any of the District's records in any form, physical properties, functions, and personnel necessary to effectively discharge the responsibilities assigned within the legal limits of state, local, and federal law. With approval from District-affiliated organizations, the internal auditor may also review the records and activities of affiliated organizations in conjunction with specific assurance services.

The District's executive director of internal audit shall be selected by and shall report directly to the Board [see BAA and DC]. Administratively, he or she shall report to the Superintendent. On an annual basis, the Board shall conduct the employee performance review of the executive director of internal audit with input from the Superintendent. Staff auditors may be selected by a subset of the Board and shall report directly to the executive director of internal audit. Annual performance evaluations for internal audit staff shall be performed by the executive director of internal audit. In lieu of a vacancy for the executive director of internal audit position, the highest level staff auditor shall report directly to the Board and administratively to the Superintendent. Overall, the internal audit function is a direct report to the Board. This reporting relationship ensures independence and promotes broad audit coverage. It will also ensure adequate consideration of audit reports and appropriate and timely action on audit recommendations.

The internal audit staff is not authorized to:

Perform any operational duties for the District;

Initiate or approve accounting transactions external to the internal audit activity; or

Direct the activities of any District employee not employed by the internal audit activity, except to the extent that such employee(s) has been appropriately assigned to an auditing team or to otherwise assist the internal auditor.

In response to financial or operational exigencies, the Board may temporarily direct the internal audit staff to perform duties outside of the internal audit function, as deemed necessary. Such events shall result in an actual impairment to the internal audit staff's objectivity specific to the affected District operations. As a result, the internal auditor may not provide assurance services to the affected operations for a period of no less than one year following the completion of the temporary reassignment.

Responsibility

The internal audit function encompasses the examination and evaluation of the adequacy and effectiveness of the District's system of internal controls and the quality of performance in carrying out assigned responsibilities. It includes:

Developing a flexible annual audit plan using an appropriate risk-based methodology to include any risks or control concerns identified by the Board and/or the administration.

Implementing the annual audit plan, as approved, including any special tasks or projects requested by the Board and/or the administration.

Reviewing the reliability and integrity of financial and operating information and the means used to identify, measure, classify, and report such information.

Reviewing the systems established to ensure compliance with those policies, plans, procedures, laws, and regulations that could have a significant impact on operations and reports and whether the District is in compliance.

Reviewing the means of safeguarding assets, and as appropriate, verifying the existence of such assets.

Reviewing and appraising the economy and efficiency with which resources are employed.

Reviewing operations or programs to ascertain whether results are consistent with established objectives and goals and whether the operations or programs are being carried out as planned.

Issuing periodic reports to the Board and the administration summarizing results of audit activities.

Establishing a system to follow-up on reportable conditions in order to ensure that these conditions are satisfactorily addressed and/or resolved by the District administration.

Performing consulting services, beyond internal auditing assurance services, to assist the administration in meeting its objectives. Examples may include facilitation, reviewing process design, training, and advisory services.

Coordinating audit efforts with independent and external auditors, as well as with any outside agency.

Assisting in the investigation of any suspected fraudulent activities within the District.

Establishing a quality assurance program by which the District's internal auditor ensures the quality of operations as well as to ensure the internal auditor function complies with the Institute of Internal Auditors' *Code of Ethics* and *International Standards for the Professional Practice of Internal Auditing*.

Keeping the Board and the administration informed of emerging trends and successful practices in internal auditing.

Annually reviewing and revising the internal audit charter as necessary.

Disclosing to the Board a personal financial interest, a business interest, or any other obligation or relationship that in any way creates a potential conflict of interest with the proper discharge of assigned duties and responsibilities and the best interest of the District.

External Audit

Selection of Audit Firm

The Board shall select an external auditor to conduct an annual financial audit for a one-year period with an option to renew annually for up to three additional years. In accordance with prudent business practices, the District shall conduct a formal request for qualifications after the third renewal for these services. A firm will be selected based on demonstrated competence and qualifications and fair and reasonable prices as required by state law.

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~~The District shall contract with a certified public accounting firm that has sufficient resources and capabilities to audit the financial statements of the District.~~

~~Proposals for audit services shall be solicited as deemed appropriate. However, a rotation of the audit firm will be required at the end of a five-year period.~~

~~The audit firm under contract for the District's audit needs may not be simultaneously engaged to perform other technical or administrative services unrelated to the audit function.~~

CANUTILLO ISD
CFC(LOCAL)-X
LDU 2019.02
DATE ISSUED: 4/9/2019

Executive Summary of Board Agenda Item

Subject/Title for Agenda Posting:

Discussion and recommendation to approve TASB Localized Policy Update 119

Justification Statement:

To update local policies Online through Update 119

Purpose of Agenda Item:

Information Discussion Action

Item Type:

Curriculum & Instruction HumanResources Business Services

Staff Responsible:

Martha Carrasco, Chief Human Resources Officer.

Signature of Requester(s)

Martha Carrasco, Chief Human Resources Officer.

Signature of Presenter(s)

Business Services Approval (Initials)

Date December 2022

Agenda Summary:

Policy Update 119

Local policies affected: CPC, DMA, EHAA, EHB, EHBAA, EHBB, EIF, FFBA, FFH

RECOMMENDATION: That Update 119 goes through 1st and 2nd reading, respectively.

PRIOR BOARD ACTION:

AWARDED:

AWARDED AMOUNT:

AMOUNT(S): N/A

ACCOUNT

NO(S): N/A

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

REQUESTING DEPARTMENT:

HUMAN RESOURCES DIVISION

CONSEQUENCES OF NON-APPROVAL:

Online Policy will not be current

IMPLEMENTATION TIMELINE:

Immediately; 1st and 2nd Readings required

ATTACHMENT(S): Policy List, Policy Comparison Packet, Explanatory Notes.



(LOCAL) Policy Action List

CANUTILLO ISD(071907) - Update / LDU 119

As described in the cover letter to the update, TASB attorneys recommend that posting board consideration of and action on policies be specific enough to advise staff and members of the public of the changes.

The (LOCAL) policy changes—each addition, deletion, or replacement—should be listed in alphabetical order by policy code, title, and subtitle. The following document is our compilation of that list, which may be copied and pasted into your meeting notice, staff communications of board action, and board meeting minutes.

(LOCAL) Policy Action List

CANUTILLO ISD(071907) - Update / LDU 119

CPC(LOCAL): OFFICE MANAGEMENT - RECORDS MANAGEMENT

DMA(LOCAL): PROFESSIONAL DEVELOPMENT - REQUIRED STAFF DEVELOPMENT

EHAA(LOCAL): BASIC INSTRUCTIONAL PROGRAM - REQUIRED INSTRUCTION (ALL LEVELS)

EHB(LOCAL): CURRICULUM DESIGN - SPECIAL PROGRAMS

EHBAA(LOCAL): SPECIAL EDUCATION - IDENTIFICATION, EVALUATION, AND ELIGIBILITY

EHBB(LOCAL): SPECIAL PROGRAMS - GIFTED AND TALENTED STUDENTS

EIF(LOCAL): ACADEMIC ACHIEVEMENT - GRADUATION

FFBA(LOCAL): CRISIS INTERVENTION - TRAUMA-INFORMED CARE

FFH(LOCAL): STUDENT WELFARE - FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION



(LOCAL) Policy Comparisons

These documents are generated by an automated process that compares the updated policy to the current policy as found in TASB records.

In this packet, you will find:

- Policies being recommended for revision (annotated)
- New policies (not annotated)
- Policies recommended for deletion (annotated in PDF; not shown in Word)

Annotations are shown as follows:

- Deletions are in a red strike-through font: ~~deleted text~~.
- Additions are in a blue, bold font: **new text**.
- Blocks of text that were moved without changes are shown in green, with double underline and double strike-through formatting to distinguish the text's new placement from its original location: ~~moved text~~ becomes moved text.
- Revision bars appear in the right margin to show sections with changes.

Note: While the annotation software competently identifies simple changes, large or complicated changes—as in an extensive rewrite—may be more difficult to follow. In addition, TASB's recent changes to the policy templates to facilitate accessibility sometimes makes formatting changes appear tracked, even though the text remains the same.

For further assistance in understanding policy changes, please refer to the explanatory notes in your Localized Policy Manual update packet or contact your policy consultant.

Contact:	School Districts and Education Service Centers	Community Colleges
	policy.service@tasb.org	colleges@tasb.org
	800.580.7529 512.467.0222	800.580.1488 512.467.3689

The Superintendent shall oversee the performance of records management functions prescribed by state and federal law:

- Records ~~administrator~~ **Administrator**, as prescribed by Local Government Code 176.001 and 176.~~0065.007~~ [See BBFA and CHE]
- Officer for ~~public information~~ **Public Information**, as prescribed by Government Code 552.201–.205. [See GBAA]
- Public ~~information coordinator~~ **Information Coordinator**, as prescribed by Government Code 552.012. [See BBD]

Local Government Records Act

The term “local government record” shall pertain to all items identified as such by the Local Government Records Act.

“Local Government Record”

Records Management Officer

The ~~Superintendent~~ **Superintendent** shall serve as and perform the duties of the District’s records management officer as prescribed by Local Government Code 203.023, and shall administer the District’s records management program pertaining to local government records in compliance with the Local Government Records Act.

Notification

The records management officer shall file his or her name with the Texas State Library and Archives Commission (TSLAC) within 30 days of assuming the position.

Electronic Records

The records management officer shall develop procedures for the management of electronic records that comply with the District’s records control schedules and meet the minimum components required by law.

The procedures shall:

1. Specify the objectives of the electronic records management program;
2. Identify the responsibilities of employees who create, receive, or maintain electronic records;
3. Ensure the maintenance of electronic records until the expiration of the applicable retention period and final disposition; and
4. Ensure that electronic records that must be protected from unauthorized use or disclosure are appropriately protected as required by law, regulation, or other applicable requirements.

Records Control Schedules

The records management officer shall file with the TSLAC a written declaration that the District has adopted records control schedules

that comply with records retention schedules issued by the TSLAC as provided by law.

Website Postings

The District's records management program shall address the length of time records will be posted on the District's website when the law does not specify a posting period.

Records Destruction Practices

All local government records shall be considered District property and any unauthorized destruction or removal shall be prohibited. The District shall follow its records control schedules, records management program, and all applicable laws regarding records destruction. However, the District shall preserve records, including electronically stored information, and suspend routine record destruction practices where appropriate and in accordance with procedures developed by the records management officer. Such procedures shall describe the circumstances under which local government records scheduled for destruction must be retained. Notification shall be given to appropriate staff when routine record destruction practices must be suspended and when they may be resumed.

Training

The records management officer shall receive appropriate training regarding the Local Government Records Act and shall ensure that custodians of records, as defined by law, and other applicable District staff are trained on the District's records management program, including this policy and corresponding procedures.

The Superintendent shall recommend the District's professional development plan for all District employees. The Board shall annually review the professional development clearinghouse published by the State Board for Educator Certification (SBEC) and annually approve the District's professional development plan. The District's professional development plan must:

1. Be guided by the SBEC clearinghouse training recommendations;
2. Note any differences in the District's plan from the clearinghouse recommendations; and
3. Include a schedule of the required professional development for all District employees.

**Food Service
Training and
Certification**

The District shall offer a monetary incentive for food service employees who take courses taught in the District that lead to seven different levels of state certification in food service. The amount of the incentive shall be established by the Board during the budget development process.

**Human Sexuality
Instruction**

The following process shall apply regarding the adoption of curriculum materials for the ~~District's~~ district's human sexuality instruction:

1. The Board shall adopt a resolution convening the District's school health advisory council (SHAC) to recommend curriculum materials for the instruction.
2. The SHAC shall hold at least two public meetings on the curriculum materials before adopting recommendations to present to the Board.
3. The SHAC recommendations must comply with the instructional content requirements in law, be suitable for the subject and grade level for which the materials are intended, and be reviewed by academic experts in the subject and grade level for which the materials are intended.
4. The SHAC shall present its recommendations to the Board at a public meeting.
5. After the Board ensures the recommendations from the SHAC meet the standards in law, the Board shall take action on the recommendations by a record vote at a public meeting.

**Instruction on
Prevention of Child
Abuse, Family
Violence, Dating
Violence, and Sex
Trafficking**

The following process shall apply regarding the adoption of curriculum materials for the District's instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking:

1. The Board shall adopt a resolution convening the District's SHAC to recommend curriculum materials for the instruction.
2. The SHAC shall hold at least two public meetings on the curriculum materials before adopting recommendations to present to the Board.
3. The SHAC recommendations must comply with the instructional content requirements in law, be suitable for the subject and grade level for which the materials are intended, and be reviewed by academic experts in the subject and grade level for which the materials are intended.
4. The SHAC shall present its recommendations to the Board at a public meeting.
5. After the Board ensures the recommendations from the SHAC meet the standards in law, the Board shall take action on the recommendations by a record vote at a public meeting.

In accordance with administrative procedures, the District shall provide regular training opportunities for teachers of students with dyslexia that include new research and practices for educating students with dyslexia.

When a student transitions from early childhood intervention (ECI) to early childhood special education (ECSE) services, the District shall develop and implement an individualized education program (IEP) by the child's third birthday.

Referral	Students may be referred for the gifted and talented program at any time by teachers, school counselors, parents, or other interested persons.
Screening and Identification Process	<p>The District shall provide assessment opportunities to complete the screening and identification process for referred students at least once per school year.</p> <p>The District shall schedule a gifted and talented program awareness session for parents that provides an overview of the assessment procedures and services for the program prior to beginning the screening and identification process.</p>
Parental Consent	The District shall obtain written parental consent before any special testing or individual assessment is conducted as part of the screening and identification process. All student information collected during the screening and identification process shall be an educational record, subject to the protections set out in policies at FL.
Identification Criteria	The Board-approved program for the gifted and talented shall establish criteria to identify gifted and talented students. The criteria shall be specific to the state definition of gifted and talented and shall ensure the fair assessment of students with special needs, such as the culturally different, the economically disadvantaged, and students with disabilities.
Assessments	Data collected through both objective and subjective assessments shall be measured against the criteria approved by the Board to determine individual eligibility for the program. Assessment tools may include, but are not limited to, the following: achievement tests, intelligence tests, creativity tests, behavioral checklists completed by teachers and parents, student/parent conferences, and available student work products.
Selection	A selection committee shall evaluate each referred student according to the established criteria and shall identify those students for whom placement in the gifted and talented program is the most appropriate educational setting. The committee shall be composed of at least three professional educators who have received training in the nature and needs of gifted students, as required by law.
Notification	The District shall provide written notification to parents of students who qualify for services through the District's gifted and talented program. Participation in any program or services provided for gifted students shall be voluntary, and the District shall obtain written permission from the parents before placing a student in a gifted and talented program.

Reassessment	If the District reassesses students in the gifted and talented program, the reassessment shall be based on a student's performance in response to services and shall occur no more than once in elementary grades, once in middle school grades, and once in high school grades.
Transfer Students	When a student identified as gifted by a previous school district enrolls in the District, the selection committee shall review the student's records and conduct assessment procedures when necessary to determine if placement in the District's program for gifted and talented students is appropriate.
Interdistrict	[See FDD(LEGAL) for information regarding transfer students and the Interstate Compact on Educational Opportunities for Military Children]
Intradistrict	A student who transfers from one campus in the District to the same grade level at another District campus shall continue to receive services in the District's gifted and talented program.
Furloughs	The District may place on a furlough any student who is unable to maintain satisfactory performance or whose educational needs are not being met within the structure of the gifted and talented program. A furlough may be initiated by the District, the parent, or the student. In accordance with the Board-approved program, a furlough shall be granted for specified reasons and for a specified period of time. At the end of a furlough, the student may reenter the gifted and talented program, be placed on another furlough, or be exited from the program.
Exit Provisions	The District shall monitor student performance in response to gifted and talented program services. If at any time the selection committee or a parent determines it is in the best interest of the student to exit the program, the committee shall meet with the parent and student before finalizing an exit decision.
Appeals	A parent, student, or educator may appeal any final decision of the selection committee regarding selection for or exit from the gifted and talented program. Appeals shall be made first to the selection committee. Any subsequent appeals shall be made in accordance with FNG(LOCAL) beginning at Level Two.
Program Evaluation	The District shall annually evaluate the effectiveness of the District's gifted and talented program, and the results of the evaluation shall be used to modify and update the District and campus improvement plans. The District shall include parents in the evaluation process and shall share the information with Board members,

administrators, teachers, school counselors, students in the gifted and talented program, and the community.

Funding

The District's gifted and talented program shall address effective use of funds for programs and services consistent with the standards in the state plan for gifted and talented students.

~~The District shall annually report to the Texas Education Agency (TEA) regarding funding used to implement the District's gifted and talented program. The District shall annually certify to TEA:~~

- ~~1. The establishment of a gifted and talented program by the District; and~~
- ~~2. That the District's program is consistent with the state plan for gifted and talented students.~~

Community Awareness

The District shall ensure that information about the District's gifted and talented program is available to parents and community members and that they have an opportunity to develop an understanding of and support for the program.

Course Requirements	To graduate, a student must complete the courses required by the District in addition to those mandated by the state.
Foundation Program	The courses that satisfy District requirements under the foundation program, including courses for the distinguished level of achievement and courses for endorsements offered by the District, shall be listed in appropriate District publications.
Without an Endorsement	The District requires no additional credits beyond the number mandated by the state to graduate under the foundation program without an endorsement. Graduation under the foundation program without an endorsement shall be permitted only as authorized under state law and rules.
With an Endorsement	The District requires no additional credits beyond the number mandated by the state to graduate under the foundation program with an endorsement.
Distinguished Level of Achievement	The District requires no additional credits beyond the number mandated by the state to graduate under the foundation program with the distinguished level of achievement.
No Fine Arts Substitutions	The District shall not award state graduation credit in fine arts for participation in a community-based fine arts program.
Physical Education Substitutions	To the extent permitted by state rules, the District shall award state graduation credit in physical education for participation in approved activities and elective courses.
Activities and Courses	
No Private or Commercial Programs	The District shall not award state graduation credit in physical education for private or commercially sponsored physical activity programs conducted either on or off campus. [See also EHAC]
Financial Aid Application Confirmation	As confirmation of a student's completion and submission of a free application for federal student aid (FAFSA) or a Texas application for state financial aid (TASFA), the District shall accept the following: <ol style="list-style-type: none">1. A screenshot that includes the processed date field in ApplyTexas Counselor Suite FAFSA data;2. Notification, such as a copy of an email, from the United States Department of Education verifying completion of the FAFSA;3. A copy or screenshot of the FAFSA acknowledgment page;4. A screenshot of the TASFA submission acknowledgment page (from those institutions that offer an electronic form);

5. An acknowledgment receipt from an institution of higher education (IHE); or
6. A copy of a financial aid award letter from an IHE.

[For students who choose not to complete and submit a FAFSA or a TASFA, see EIF(LEGAL).]

The District shall maintain individual student documentation of the financial aid application requirement as an education record. [See FL]

**Trauma-Informed
Care Program**

The District's trauma-informed care program, as included in the District improvement plan, shall provide for the integration of trauma-informed care practices in the school environment, including increasing staff and parent awareness of trauma-informed care, implementation of trauma-informed practices and care by District and campus staff, and providing information about available counseling options for students affected by trauma or grief.

Training

The District shall provide training in trauma-informed care to District educators as required by law [and the Board-approved District professional development plan](#). The District improvement plan shall specify required training for any other District employees as applicable.

Annual Report

~~The District shall provide an annual report to the Texas Education Agency on the number of employees who have participated in trauma-informed care training.~~

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

**Statement of
Nondiscrimination**

~~The District prohibits discrimination, including harassment, against any student on the basis of race, color, religion, sex, gender, national origin, age, disability, or any other basis prohibited by law. The District prohibits dating violence, as defined by this policy. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.~~

Discrimination

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

Prohibited Conduct

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

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

**Prohibited
Harassment
Prohibited
harassment**
**Statement
of
Nondiscrimination**

The District prohibits discrimination, including harassment, against any student. Discrimination is defined as treating a student or group of students differently from similarly situated students on the basis of race, color, religion, sex, gender, national origin, age, disability, or any other basis prohibited by law. One type of harassment this policy prohibits is dating violence, as defined below. Retaliation against anyone exercising their rights under this policy is a violation of District policy and is prohibited.

Harassment

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

1. Affects a student’s ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;

2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

Harassment ~~Prohibited harassment~~ includes dating violence as defined by law and this policy.

Examples

Examples of prohibited harassment may include offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, or need for accommodation; threatening, intimidating, or humiliating conduct; offensive jokes, name calling, slurs, or rumors; cyberharassment; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or other kinds of aggressive conduct such as theft or damage to property.

**Title IX Sexual
Based Harassment**

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

**Other Sexual
Harassment**

By an Employee

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

1. A District employee causes the student to believe that the student must submit to the conduct in order to participate in a school program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct; or
2. The conduct is so severe, persistent, or pervasive that it:
 - a. Affects the student's ability to participate in or benefit from an educational program or activity, or otherwise adversely affects the student's educational opportunities; or
 - b. Creates an intimidating, threatening, hostile, or abusive educational environment.

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

By Others

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

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

Examples

Examples of sexual harassment of a student may include sexual advances; touching intimate body parts or coercing physical contact that is sexual in nature; jokes or conversations of a sexual nature; and other sexually motivated conduct, contact, or communications, including electronic communication.

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

Gender-Based Harassment

Gender-based harassment includes physical, verbal, or nonverbal conduct based on the student's gender, the student's expression of characteristics perceived as stereotypical for the student's gender, or the student's failure to conform to stereotypical notions of masculinity or femininity. For purposes of this policy, gender-based harassment is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct:

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

Examples	Examples of gender-based harassment directed against a student, regardless of the student's or the harasser's actual or perceived sexual orientation or gender identity, may include offensive jokes, name-calling, slurs, or rumors; cyberharassment; physical aggression or assault; threatening or intimidating conduct; or other kinds of aggressive conduct such as theft or damage to property.
Dating Violence	Dating violence occurs when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control the other person in the relationship. Dating violence also occurs when a person commits these acts against a person in a marriage or dating relationship with the individual who is or was once in a marriage or dating relationship with the person committing the offense. For purposes of this policy, dating violence is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct: <ol style="list-style-type: none">1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or3. Otherwise adversely affects the student's educational opportunities.
Examples	Examples of dating violence against a student may include physical or sexual assaults; name-calling; put-downs; or threats directed at the student, the student's family members, or members of the student's household. Additional examples may include destroying property belonging to the student, threatening to commit suicide or homicide if the student ends the relationship, attempting to isolate the student from friends and family, stalking, threatening a student's spouse or current dating partner, or encouraging others to engage in these behaviors.
Reporting Procedures	Any student who believes that he or she has experienced prohibited conduct and any person who believes that another student has experienced prohibited conduct should immediately report the alleged acts to a teacher, school counselor, principal, other District employee, or the appropriate District official listed in this policy.
Student Report	
Employee Report	Any District employee who suspects or receives direct or indirect notice that a student or group of students has or may have experienced prohibited conduct shall immediately notify the appropriate District official listed in this policy and take any other steps required by this policy.

STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH
(LOCAL)

Definition of District Officials	For the purposes of this policy, District officials are the Title IX coordinator, the ADA/Section 504 coordinator, and the Superintendent.
<i>Title IX Coordinator</i>	Reports of discrimination based on sex, including sexual harassment, gender-based harassment, or dating violence, may be directed to the designated Title IX coordinator for students. [See FFH(EXHIBIT)]
<i>ADA / Section 504 Coordinator</i>	Reports of discrimination based on disability may be directed to the designated ADA/Section 504 coordinator for students. [See FFH(EXHIBIT)]
<i>Superintendent</i>	The Superintendent shall serve as coordinator for purposes of District compliance with all other nondiscrimination laws.
Alternative Reporting Procedures	<p>An individual shall not be required to report prohibited conduct to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the Title IX coordinator or ADA/Section 504 coordinator, may be directed to the Superintendent.</p> <p>A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.</p>
Timely Reporting	To ensure the District's prompt investigation, reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act.
Notice to Parents	<p>The District official or designee shall promptly notify the parents of any student alleged to have experienced prohibited conduct by a District employee or another adult.</p> <p>[For parental notification requirements regarding an allegation of educator misconduct with a student, see FFF.]</p> <p>When the District receives a report of prohibited conduct that includes dating violence, the appropriate District official shall immediately notify the parent or guardian of the student who has been identified in the report as the alleged victim or perpetrator.</p>
Investigation of Reports Other Than Title IX	The following procedures apply to all allegations of prohibited conduct other than allegations of harassment prohibited by Title IX. [See FFH(LEGAL)] For allegations of sex-based harassment that, if proved, would meet the definition of sexual harassment under Title IX, including sexual harassment, gender-based harassment, and dating violence, see the procedures below at Response to Title IX Sexual Harassment—Title IX .

	<p>The District may request, but shall not require, a written report. If a report is made orally, the District official shall reduce the report to written form.</p>
Initial Assessment	<p>Upon receipt or notice of a report, the District official shall determine whether the allegations, if proved, would constitute prohibited conduct as defined by this policy. If so, the District shall immediately undertake an investigation, except as provided below at Criminal Investigation.</p> <p>If the District official determines that the allegations, if proved, would not constitute prohibited conduct as defined by this policy, the District official shall refer the complaint for consideration under FFI.</p>
Interim Action	<p>If appropriate and regardless of whether a criminal or regulatory investigation regarding the alleged conduct is pending, the District shall promptly take interim action calculated to address prohibited conduct or bullying prior to the completion of the District's investigation.</p>
District Investigation	<p>The investigation may be conducted by the District official or a designee, such as the principal, or by a third party designated by the District, such as an attorney. When appropriate, the principal shall be involved in or informed of the investigation.</p> <p>The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.</p>
Criminal Investigation	<p>If a law enforcement or regulatory agency notifies the District that a criminal or regulatory investigation has been initiated, the District shall confer with the agency to determine if the District investigation would impede the criminal or regulatory investigation. The District shall proceed with its investigation only to the extent that it does not impede the ongoing criminal or regulatory investigation. After the law enforcement or regulatory agency has finished gathering its evidence, the District shall promptly resume its investigation.</p>
Concluding the Investigation	<p>Absent extenuating circumstances, such as a request by a law enforcement or regulatory agency for the District to delay its investigation, the investigation should be completed within ten District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.</p>

	<p>The investigator shall prepare a written report of the investigation. The report shall include a determination of whether prohibited conduct or bullying occurred. The report shall be filed with the District official overseeing the investigation.</p>
<i>Notification of Outcome</i>	<p>Notification of the outcome of the investigation shall be provided to both parties in compliance with FERPA.</p>
District Action <i>Prohibited Conduct</i>	<p>If the results of an investigation indicate that prohibited conduct occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the Student Code of Conduct and may take corrective action reasonably calculated to address the conduct.</p>
Corrective Action	<p>Examples of corrective action may include a training program for those involved in the report, a comprehensive education program for the school community, counseling to the victim and the student who engaged in prohibited conduct, follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where prohibited conduct has occurred, and reaffirming the District's policy against discrimination, and harassment, and retaliation.</p>
<i>Bullying</i>	<p>If the results of an investigation indicate that bullying occurred, as defined by FFI, the District official shall refer to FFI for appropriate notice to parents and District action. The District official shall refer to FDB for transfer provisions.</p>
<i>Improper Conduct</i>	<p>If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take disciplinary action in accordance with the Student Code of Conduct or other corrective action reasonably calculated to address the conduct.</p>
Confidentiality	<p>To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.</p>
Appeal	<p>A student or parent who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level. A student or parent has the shall be informed of his or her right to file a complaint with the United States Department of Education Office for Civil Rights.</p>

**Response to Title IX
Sexual Harassment–
Title IX**

General Response

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

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

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

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

If a formal complaint is not filed [or dismissed](#), the District reserves the right to investigate and respond to prohibited conduct in accordance with Board policies and the Student Code of Conduct. [The Title IX coordinator also reserves the right to sign a formal complaint, initiating the Title IX grievance process, if it would be deliberately indifferent not to investigate and respond to the prohibited conduct in accordance with Board policies and the Student Code of Conduct.](#)

Title IX Formal
Complaint Process

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

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

1. Equitable treatment of complainants and respondents;
2. An objective evaluation of all relevant evidence;

3. A requirement that the Title IX coordinator, investigator, decision-maker, or any person designated to facilitate an informal resolution process not have a conflict of interest or bias;
4. A presumption that the respondent is not responsible for the alleged sexual harassment until a determination is made at the conclusion of the Title IX formal complaint process;
5. Time frames that provide for a reasonably prompt conclusion of the Title IX formal complaint process, including time frames for appeals and any informal resolution process, and that allow for temporary delays or the limited extension of time frames with good cause and written notice as required by law;
6. A description of the possible disciplinary sanctions and remedies that may be implemented following a determination of responsibility for the alleged sexual harassment;
7. A statement of the standard of evidence to be used to determine responsibility for all Title IX formal complaints of sexual harassment;
8. Procedures and permissible bases for the complainant and respondent to appeal a determination of responsibility or a dismissal of a Title IX formal complaint or any allegations therein;
9. A description of the supportive measures available to the complainant and respondent;
10. A prohibition on using or seeking information protected under a legally recognized privilege unless the individual holding the privilege has waived the privilege;
11. Additional formal complaint procedures in 34 C.F.R. 106.45(b), including written notice of a formal complaint, consolidation of formal complaints, recordkeeping, and investigation procedures; and
12. Other local procedures as determined by the Superintendent.

Standard of Evidence

The standard of evidence used to determine responsibility in a Title IX formal complaint of sexual harassment shall be the preponderance of the evidence.

Retaliation

The District prohibits retaliation by a student or District employee against a student alleged to have experienced discrimination or harassment, including dating violence, or another student who, in good faith, makes a report of harassment or discrimination, files a complaint of harassment or discrimination, serves as a witness, or participates in an investigation. The definition of prohibited retaliation under this policy also includes retaliation against a student

who refuses to participate in any manner in an investigation under Title IX. [In the absence of a formal complaint, allegations of retaliation shall be investigated under Investigation of Reports Other Than Title IX, above.](#)

Examples

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

False Claim

A student who intentionally makes a false claim or offers false statements in a District investigation regarding discrimination or harassment, including dating violence, shall be subject to appropriate disciplinary action in accordance with law.

Records Retention

The District shall retain copies of allegations, investigation reports, and related records regarding any prohibited conduct in accordance with the District's records control schedules, but for no less than the minimum amount of time required by law. [See CPC]

[For Title IX recordkeeping and retention provisions, see FFH(LEGAL) and the District's Title IX formal complaint process.]

Access to Policy and Procedures

Information regarding this policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the District's website, to the extent practicable, and readily available at each campus and the District's administrative offices.

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ATTN(NOTE)

GENERAL INFORMATION ABOUT THIS UPDATE

Please note: Unless otherwise noted, references to legislative bills throughout these explanatory notes refer to Senate Bills (SB) or House Bills (HB) from the 87th Legislature Regular and Special Sessions.

AIB(LLEGAL)

ACCOUNTABILITY: PERFORMANCE REPORTING

Quality of learning indicators for remote instruction performance reporting have been added from SB 15 (Second Called Session). (See page 6.)

BBB(LLEGAL)

BOARD MEMBERS: ELECTIONS

Provisions have been added to this legally referenced policy on elections for a more complete presentation of applicable legal content.

BBBA(LLEGAL)

ELECTIONS: CONDUCTING ELECTIONS

Upon the board's receipt of certification that a candidate is unopposed in an election, SB 1 (Second Called Session) requires the board to cancel the election and declare each unopposed candidate elected to office.

SB 1 also changed the definition for *eligible county polling place*. Other revisions are to better match legal sources.

BBE(LLEGAL)

BOARD MEMBERS: AUTHORITY

Provisions on board authority that are addressed at other codes have been removed to eliminate duplication.

BBG(LLEGAL)

BOARD MEMBERS: COMPENSATION AND EXPENSES

A revision clarifies that an officer *or employee* may participate in the comptroller's contract for travel services when traveling for official business. The comptroller can no longer charge fees for these services.

BBI(LLEGAL)

BOARD MEMBERS: TECHNOLOGY RESOURCES AND ELECTRONIC COMMUNICATIONS

Revisions are to update citations and better reflect legal sources.

BDAA(LLEGAL)

OFFICERS AND OFFICIALS: DUTIES AND REQUIREMENTS OF BOARD OFFICERS

Revisions are to better reflect legal sources.

BDB(LLEGAL)

BOARD INTERNAL ORGANIZATION: INTERNAL COMMITTEES

Provisions on board committees have been revised based on current legal authority.

BE(LLEGAL)

BOARD MEETINGS

This legally referenced policy on board meetings has been revised to reorder and add some existing legal provisions, delete nonessential provisions, and better reflect legal sources.

BQ(LLEGAL)

PLANNING AND DECISION-MAKING PROCESS

Revised Administrative Code rules resulted in changes to shared services arrangements for DAEP services.

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CCGA(LLEGAL) AD VALOREM TAXES: EXEMPTIONS AND PAYMENTS

As provided by SB 611 (Regular Session) and Senate Joint Resolution 35 and approved by voters in November 2021, the surviving spouse of a member of the U.S. armed forces who is fatally injured in the line of duty is entitled to the residence homestead property tax exemption as long as the surviving spouse remains unmarried. (See page 5.)

CDB(LLEGAL) OTHER REVENUES: SALE, LEASE, OR EXCHANGE OF SCHOOL-OWNED PROPERTY

Revisions are to better reflect statutory sources.

CDC(LLEGAL) OTHER REVENUES: GIFTS AND SOLICITATIONS

SB 3 (Second Called Session) revised the provisions on prohibited use of private funding for certain curriculum and professional development purposes.

CH(LLEGAL) PURCHASING AND ACQUISITION

We have added a reference on page 12 to amended rules from the Texas Department of Information Resources on purchasing information technology commodity items.

CI(LLEGAL) SCHOOL PROPERTIES DISPOSAL

Revisions are to better reflect statutory sources.

CPC(LLEGAL) OFFICE MANAGEMENT: RECORDS MANAGEMENT

Revisions to this legally referenced policy are based on revised Administrative Code rules from the Texas State Library and Archives Commission (TSLAC) published in [Bulletin B: Electronic Records Standards and Procedures](#). An [overview of Bulletin B](#) is available on the TSLAC website.

CPC(LOCAL) OFFICE MANAGEMENT: RECORDS MANAGEMENT

Recent updates by the Texas State Library and Archives Commission (TSLAC) to [Bulletin B: Electronic Records Standards and Procedures](#) prompted recommended revisions to this local policy on records management. The new rules add local policy requirements for district management of electronic records.

To meet these requirements, new policy provisions delegate to the records management officer the responsibility to develop procedures for the management of electronic records that comply with the district's records control schedules and meet minimum components required by law.

The [Regulations Resource Manual](#) includes updated sample procedures on this topic, and the [Legal Issues in Update 119](#) memo describes common legal concerns and best practices specific to [this policy topic](#).

CQA(LLEGAL) TECHNOLOGY RESOURCES: DISTRICT, CAMPUS, AND CLASSROOM WEBSITES

Based on HB 1525 (Regular Session) and SB 9 (Second Called Session), we have added the requirement to post curriculum materials on human sexuality instruction and instruction related to the prevention of child abuse, family violence, dating violence, and sex trafficking to the extent the materials are in the public domain. (See item 42.)

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CRD(LLEGAL) INSURANCE AND ANNUITIES MANAGEMENT: HEALTH AND LIFE INSURANCE

Revisions to TRS-ActiveCare provisions are based on amended Administrative Code rules. New text addresses prohibitions on offering alternative group health coverage (see page 2) and highlights the information that must be submitted with written elections to participate in TRS-ActiveCare (see page 3).

CS(LLEGAL) FACILITY STANDARDS

Changes throughout this legally referenced policy on facility standards are from new Administrative Code rules that add extensive standards for capital improvement projects on or after November 1, 2021, and revised Administrative Code rules on the standards applicable to these projects before November 1, 2021.

CV(LLEGAL) FACILITIES CONSTRUCTION

Changes to this legally referenced policy on facilities construction are from new Administrative Code rules that add extensive facility standards for construction of capital improvement projects on or after November 1, 2021.

An existing provision has been added on page 3 regarding the board's notice of delegation.

DC(LLEGAL) EMPLOYMENT PRACTICES

We have added on page 4 new Administrative Code rules addressing the monthly certified statement of employment the district must submit to TRS for retirees employed by the district.

DEAA(LLEGAL) COMPENSATION PLAN: INCENTIVES AND STIPENDS

Changes reflect revised Administrative Code rules on the local optional teacher designation system and mentor teacher programs.

DECB(LLEGAL) LEAVES AND ABSENCES: MILITARY LEAVE

This legally referenced policy on military leave has been updated based on revisions to the Uniformed Services Employment and Reemployment Rights Act (USERRA).

DFE(LLEGAL) TERMINATION OF EMPLOYMENT: RESIGNATION

Provisions on contract abandonment are revised based on amended rules from the State Board for Educator Certification. The reasons an educator may abandon a contract for good cause now include the educator's reasonable belief that the educator had written permission from the district to resign. Several new mitigating factors have also been added.

DG(LLEGAL) EMPLOYEE RIGHTS AND PRIVILEGES

SB 3 (Second Called Session) broadened a provision from HB 3979 (Regular Session) so that a teacher may not be compelled to discuss a widely debated and controversial issue of public policy or social affairs for any course or subject. The provision is no longer limited to social studies courses in the required curriculum. (See page 5.)

DHC(LLEGAL) EMPLOYEE STANDARDS OF CONDUCT: REPORTS TO TEXAS EDUCATION AGENCY

Amended Administrative Code rules revise terminology from *solicitation of sexual conduct* to *solicitation of sexual contact* to better align with statute.

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DMA(LEGAL) PROFESSIONAL DEVELOPMENT: REQUIRED STAFF DEVELOPMENT

Revisions are to update citations and better reflect statutory wording.

DMA(LOCAL) PROFESSIONAL DEVELOPMENT: REQUIRED STAFF DEVELOPMENT

SB 1267 (Regular Session) requires the board to annually review the State Board for Educator Certification (SBEC) clearinghouse regarding best practices and industry recommendations for professional development and adopt a professional development policy based on the training recommendations in the clearinghouse.

To meet the policy requirements, the recommended local policy text reflects that the board shall annually approve the district's professional development plan, which must be guided by the clearinghouse; note any differences from the clearinghouse recommendations; and include a schedule of required professional development.

We have retained the district's locally developed text dating from 2000 regarding training and certification for food service workers. If this no longer reflects district practice, please contact your policy consultant for appropriate revisions.

Please note: SB 1267 requires SBEC to publish the clearinghouse by June 1, 2022, and districts to adopt a professional development policy by August 1, 2022. TASB Policy and Legal Services recommend that the board adopt DMA(LOCAL) and approve the district professional development plan by August 1, or as soon as possible thereafter, to ensure compliance with the bill.

DP(LEGAL) PERSONNEL POSITIONS

Provisions on school psychological services have been updated based on revised Administrative Code rules.

E(LEGAL) INSTRUCTION

The E section table of contents has been updated to add the new code EHDF, which includes provisions on local remote learning programs, and to update the subtitle for EFB, Library Materials.

EF(LEGAL) INSTRUCTIONAL RESOURCES

SB 3 (Second Called Session) requires a district to provide login credentials to parents to access learning management or online learning portals used for student instructional materials.

EHAA(LEGAL) BASIC INSTRUCTIONAL PROGRAM: REQUIRED INSTRUCTION (ALL LEVELS)

Effective with the 2022–23 school year, SB 9 (Second Called Session) provides that the SHAC must recommend the appropriate grade levels and curriculum for instruction on child abuse, family violence, dating violence, and sex trafficking.

The bill also imposes several requirements regarding curriculum materials on those topics, including:

- Revised parental notification and new parental consent provisions;
- Posting of proposed and adopted curriculum materials and options for a parent to purchase copyrighted materials from the publisher; and
- New board policy on adopting curriculum materials [see EHAA(LOCAL), below].

The [Regulations Resource Manual](#) includes a sample board resolution for convening the SHAC and a sample parental consent form.

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EHAA(LOCAL) BASIC INSTRUCTIONAL PROGRAM: REQUIRED INSTRUCTION (ALL LEVELS)

New provisions are recommended based on SB 9 (Second Called Session), which imposes several requirements for instruction on the prevention of child abuse, family violence, dating violence, and sex trafficking, including a board policy on adopting curriculum materials. The policy follows the steps required by law, including board adoption of a resolution to convene the school health advisory council (SHAC) to hold meetings and make recommendations to the board at a public meeting, as well as board confirmation that the recommendations meet the requirements in law before taking action by a record vote.

The [Regulations Resource Manual](#) includes a sample board resolution for convening the SHAC and a sample parental consent form.

EHB(LOCAL) CURRICULUM DESIGN: SPECIAL PROGRAMS

This policy requiring the district to provide regular training opportunities for teachers of students with dyslexia is recommended to meet TEA policy requirements for the ongoing TEA special education [cyclical monitoring reviews](#).

Please note: This policy will need to be adopted by the board and linked to the [Legal Framework](#) by the August 31, 2022, deadline. See TEA's FAQ on [Special Education Operating Procedures](#).

EHBAA(LEGAL) SPECIAL EDUCATION: IDENTIFICATION, EVALUATION, AND ELIGIBILITY

Amended Administrative Code rules now refer to a student with an *auditory impairment* as a student who is *deaf or hard of hearing* to match statute. (See page 5.)

EHBAA(LOCAL) SPECIAL EDUCATION: IDENTIFICATION, EVALUATION, AND ELIGIBILITY

This policy requiring the district to ensure that a student who is transitioning from early childhood intervention (ECI) has an individualized education program (IEP) developed and implemented by the child's third birthday is recommended to meet TEA policy requirements for the ongoing TEA special education [cyclical monitoring reviews](#).

Please note: This policy will need to be adopted by the board and linked to the [Legal Framework](#) by the August 31, 2022, deadline. See TEA's FAQ on [Special Education Operating Procedures](#).

EHBAB(LEGAL) SPECIAL EDUCATION: ARD COMMITTEE AND INDIVIDUALIZED EDUCATION PROGRAM

Amended Administrative Code rules revise the list of individuals who must be included in ARD committee meetings for students with deaf-blindness and revise terminology addressing students who are deaf or hard of hearing. Participating special education teachers or providers must be appropriately certified or licensed as required by federal law. The rules also address, as reflected on page 5, IEP implementation for students who enroll in a new district during the summer.

A new Administrative Code rule prohibits consideration of eligibility for supplemental special education services when developing or revising a student's IEP, determining the appropriate educational setting, or in the provision of a free appropriate public education. (See page 8.)

EHBAC(LEGAL) SPECIAL EDUCATION: STUDENTS IN NONDISTRICT PLACEMENT

We have removed a repealed Administrative Code provision on out-of-state placement.

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EHBB(LOCAL) SPECIAL PROGRAMS: GIFTED AND TALENTED STUDENTS

HB 1525 (Regular Session) removed the statutory requirement for a district to annually certify to the commissioner of education that the district's gifted and talented program is consistent with the Texas State Plan for the Education of Gifted/Talented Students. We recommend deletion of the corresponding local policy provision.

EHBC(LEGAL) SPECIAL PROGRAMS: COMPENSATORY/ACCELERATED SERVICES

Reporting provisions on expenditure of the state compensatory education allotment have been added from the Administrative Code.

EHDE(LEGAL) ALTERNATIVE METHODS FOR EARNING CREDIT: DISTANCE LEARNING

A new provision from SB 15 (Second Called Session) explains how off-campus electronic courses or programs are counted for purposes of average daily attendance. (See page 12.)

EHDF(LEGAL) ALTERNATIVE METHODS FOR EARNING CREDIT: LOCAL REMOTE LEARNING PROGRAM

Provisions on local remote learning programs from SB 15 (Second Called Session) are reflected in this new legally referenced policy. All provisions in the bill expire on September 1, 2023.

EIF(LEGAL) ACADEMIC ACHIEVEMENT: GRADUATION

Revised Administrative Code rules provide additional detail on the requirement for a student to complete a financial aid application to meet graduation requirements. The rules, beginning on page 3 of this policy, require the board to adopt the TEA-provided form a student may submit to opt out of the financial aid application requirement and require adoption of a board policy to address the methods by which a student can confirm submission of a financial aid application. See EIF(LOCAL), below.

EIF(LOCAL) ACADEMIC ACHIEVEMENT: GRADUATION

This local policy on graduation ensures students and parents are aware of district expectations and ensures consistent application of requirements of the foundation program based on information the district provided to Policy Service.

Revised Administrative Code rules require a board policy to address the methods by which a student can confirm completion and submission of a financial aid application to meet graduation requirements. The recommended text aligns with TEA guidance and addresses methods for both the free application for federal financial aid (FAFSA) and the Texas application for state financial aid (TASFA).

Additional [TEA guidance](#) on this topic is available.

The [Regulations Resource Manual](#) includes sample procedures on this topic, and the *Legal Issues in Update 119* memo describes common legal concerns and best practices specific to [this policy topic](#).

Please note: Be sure to review and update the district's student handbook to ensure the information regarding credit requirements for graduation aligns with this new policy.

EKB(LEGAL) TESTING PROGRAMS: STATE ASSESSMENT

HB 3261 (Regular Session) allows a district to administer a state assessment instrument on the first instructional day of the week upon authorization by the commissioner of education.

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EMB(LEGAL) MISCELLANEOUS INSTRUCTIONAL POLICIES: TEACHING ABOUT CONTROVERSIAL ISSUES

SB 3 (Second Called Session) revised provisions on instructional requirements and prohibitions, including prohibited concepts and activities.

FEC(LEGAL) ATTENDANCE: ATTENDANCE FOR CREDIT

From SB 15 (Second Called Session) we have added a provision permitting a district to exempt students from the 90 percent attendance requirement for courses that are offered under a local remote learning program.

FFBA(LOCAL) CRISIS INTERVENTION: TRAUMA-INFORMED CARE

SB 1267 (Regular Session) requires training in trauma-informed care to be provided in accordance with the board's professional development policy. Therefore, at Training, a reference has been added to the district's professional development plan. See DMA(LOCAL), above, for more information.

SB 1267 also repealed the requirement for a district to annually report to TEA the number of employees who participated in trauma-informed care training. We recommend deleting the local policy provision.

FFG(LEGAL) STUDENT WELFARE: CHILD ABUSE AND NEGLECT

Revisions are to update citations and better reflect legal sources.

FFH(LEGAL) STUDENT WELFARE: FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

From SB 9 (Second Called Session) we have added the following on page 2:

- New policy requirements on dating violence, including parental notification upon a report of dating violence [see FFH(LOCAL), below]; and
- A provision requiring districts to make available to students age-appropriate materials on the dangers of dating violence and resources for students seeking help.

Other revisions are to better reflect legal sources.

FFH(LOCAL) STUDENT WELFARE: FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

To meet new board policy requirements from SB 9 (Second Called Session), we recommend text at Notice to Parents, which requires the district, upon receipt of a report of dating violence, to immediately notify the parent of the student identified as the alleged victim or perpetrator.

District policy must also include reporting procedures and guidelines for students who are victims of dating violence and include a clear statement that dating violence is not tolerated at school. No changes to your district's policy are recommended regarding these elements based on the district's existing policy provisions, which include reporting procedures and a statement of nondiscrimination that specifically prohibits dating violence.

Additional revisions are recommended to clarify the definition of prohibited conduct and the district's response to such conduct.

FM(LEGAL) STUDENT ACTIVITIES

Provisions from HB 25 (Third Called Session) address transgender students in athletic activities sponsored or authorized by a district and prohibit a student from participating in an athletic competition that is

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designated for a biological sex that differs from the biological sex stated on the student's official birth certificate. (See page 8.)

FNA(LLEGAL) STUDENT RIGHTS AND RESPONSIBILITIES: STUDENT EXPRESSION

We have added the recent U.S. Supreme Court case on student speech, *Mahanoy Area School District v B.L.* The case holds that public schools may have a special interest in regulating some off-campus student speech where the district's interest is sufficient to overcome the student's interest in free expression, such as in situations of serious or severe bullying or harassment, threats, or breaches of school security devices.

FOC(LLEGAL) STUDENT DISCIPLINE: PLACEMENT IN A DISCIPLINARY ALTERNATIVE EDUCATION SETTING

Revisions are to better reflect legal sources.

FOCA(LLEGAL) PLACEMENT IN A DISCIPLINARY ALTERNATIVE EDUCATION SETTING: DISCIPLINARY ALTERNATIVE EDUCATION PROGRAM OPERATIONS

Amended Administrative Code rules resulted in revisions to shared services arrangements for DAEP services and to provisions regarding transitions for students in DAEP.

FOF(LLEGAL) STUDENT DISCIPLINE: STUDENTS WITH DISABILITIES

From HB 785 (Regular Session) we have added a provision requiring the commissioner of education to adopt rules regarding the use of restraint and time-out with a student who is receiving special education services. (See page 8.)

GKA(LLEGAL) COMMUNITY RELATIONS: CONDUCT ON SCHOOL PREMISES

An existing statutory provision has been added to clarify the effect of failing to post signs at each entrance to the premises or other property indicating that firearms and other weapons are prohibited. (See page 8.)

GKD(LLEGAL) COMMUNITY RELATIONS: NONSCHOOL USE OF SCHOOL FACILITIES

We have added existing statutory provisions regarding the use of district facilities by places of worship.

GKG(LLEGAL) COMMUNITY RELATIONS: SCHOOL VOLUNTEER PROGRAM

We have updated for clarification the provisions on obtaining criminal history record information.