

Join from PC, Mac, iOS or Android:
<https://esc11.zoom.us/j/95510367037>
Or join by phone:
+1 346 248 7799 or +1 669 900 6833 US Toll
Meeting ID: 955 1036 7037
International numbers available:
<https://esc11.zoom.us/j/95510367037>

Agenda of Regular Board Meeting

The Board of Trustees Mineral Wells ISD

A Regular Board Meeting of the Board of Trustees of Mineral Wells ISD will be held Monday, August 10, 2020, beginning at 6:00 PM in the District Services Complex.

Meeting site will be closed to the public.

In an effort to mitigate the spread of COVID-19 by avoiding meetings that bring people in a group setting, and in accordance with the Texas Governor's Declaration of Disaster enacted March 13, 2020, members of the Mineral Wells ISD Board of Trustees may be participating remotely in compliance with the Texas Open Meetings Act, as temporarily modified by the Texas Governor.

Members of the public may participate only by joining at:

Join from PC, Mac, iOS or Android: https://esc11.zoom.us/j/95510367037 Or join by phone: +1 346 248 7799 or +1 669 900 6833 US Toll Meeting ID: 955 1036 7037 International numbers available: https://esc11.zoom.us/j/95510367037
--

An electronic copy of the agenda packet is attached to this online notice.

Public comments related to this meeting will be handled as follows: Registration for public comment will be accepted by completing the online form at the registration link below anytime between the time this agenda is posted online and up to 48 hours before the beginning of the board meeting. Registered comments received during this time-frame will be presented to the Board President to be read aloud during the Public Comment portion of the meeting.

The open portions of this meeting will be recorded and made available to the public upon request.

REGISTRATION FOR PUBLIC COMMENT: Members of the public who desire to address the board regarding an item on this agenda must [CLICK HERE](#) to register for public comment. Registration will be accepted anytime between the time this agenda is posted online and up to 48 hours before the beginning of the board meeting.

The subjects to be discussed or considered or upon which any formal action may be taken are listed below. Items do not have to be taken in the same order as shown on this meeting notice. Unless removed from the consent agenda, items identified within the consent agenda will be acted on at one time.

1. **Call to Order/Establish Quorum**
2. **Closed Session - Texas Government Code 551.074**
 - A. Employment/Appointment/Reassignment/Evaluation/Compensation/Duties of Personnel
 - B. Renewal/Nonrenewal/Assignment/Reassignment/Probationary Status/Return to Probationary Status/Continuing Status of District Personnel
3. **Open Session - 7:00 p.m.**
4. **Prayer**
5. **Pledges - U.S./Texas Flags**
6. **Mission & Vision Statements**
7. **Public Comment**
8. **President's Report**
9. **Superintendent's Reports**
 - A. Food Service Update
Presenter: Carrie Davis, Food Services Director
 - B. Maintenance/Construction Update
Presenter: James Bradford, Maintenance Director
 - C. Technology Update
Presenter: Justin Lascsak, Technology Director
 - D. Transportation Update
Presenter: Bret Barrick, Transportation Director
 - E. Student Handbook and Employee Handbook for 2020-2021
Presenter: David Tarver, Assistant Superintendent HR/Student Services
10. **Consent Agenda Items**
 - A. Monthly Financial Reports and Accounts Payable Listing 4
 - B. Water/Electricity/Gas Reports 17
 - C. Minutes of the July 13, 2020 meeting of the Board 21
 - D. Leasor Crass, P.C. *Proactive Legal Services & Retainer Program* 25

E. Eichelbaum Wardell Hansen Powell & Munoz, P.C. <i>Telephone Consultation Agreement</i>	29
F. Resolutions of Palo Pinto County Extracurricular Status of 4-H Organization/Adjunct Faculty Appointment	32
G. 2020-2021 Teacher Appraisal Calendar and T-TESS Appraisers	38
11. Consider and Take Action on the 2020-2021 Compensation Plan	41
Presenter: David Tarver, Assistant Superintendent HR/Student Services	
12. Announce Tentative Tax Rate; Set Board Meeting for August 27, 2020 for Adoption of Final Budget, New Budget, and Tax Rate	54
Presenter: Paul Hearn, Chief Financial Officer	
13. Consider Approval of the School Resource Officer Program Agreement and the First and Second Amendments to the Agreement between the City and MWISD for the 2020-2021 School Year	55
Presenter: John Kuhn, Superintendent	
14. Consider Approval of Memorandum of Understanding for Facility Use Program between City of Mineral Wells and Mineral Wells ISD	65
Presenter: John Kuhn, Superintendent	
15. Consider Approval of Interlocal Agreement for Emergency Medical Services	69
Presenter: John Kuhn, Superintendent	
16. Consider Amendments to 2020-2021 Student Code of Conduct	77
Presenter: David Tarver, Assistant Superintendent HR/Student Services	
17. Consider 2020-2021 Innovative Courses	126
Presenter: David Tarver, Assistant Superintendent HR/Student Services	
18. Consider Approval of Resolution of the Mineral Wells ISD Board of Trustees regarding Delegation to Superintendent for Waivers	135
Presenter: Carey Carter, Executive Director of Curriculum	
19. Consider Asynchronous Remote Instruction Academy Guide	138
Presenter: Carey Carter, Executive Director of Curriculum	
20. FIRST READING: Local District Update 115, affecting local policies (see attached list)	157
Presenter: John Kuhn, Superintendent	
21. Information	
A. Calendars for August and September	229
22. Vote on Closed Session Items	
23. Adjournment	



BOARD OF TRUSTEES

Agenda Item

MEETING DATE: August 10, 2020

MEETING TYPE:

- Regular Meeting
- Special Meeting

AGENDA ITEM TYPE:

- Action Item
- Non Action Item

DISTRICT GOALS (Check all that apply):

- Academic Competitiveness
- Competitive Work Force
- Promote Community/School Partnerships
- Fiscal Responsibility
- Safe and Secure Schools

TITLE: Monthly Financial Reports and Accounts Payable Listing

RECOMMENDED ACTION: It is recommended that the monthly Financial Reports and Accounts Payable Listing be approved as presented.

BOARD POLICY/STATE REGULATION/LAW REFERENCE (if applicable):

OVERVIEW:

See attached information.

FISCAL IMPACT: Variable revenue and expenditures to District

ATTACHMENTS: Tax Receipt Report; Financial Statement; AP Listing

DEPARTMENT(S) SUBMITTING FORM: Business and Finance

DEPARTMENT SIGNATURE/APPROVAL:  

**AUGUST 10, 2020 BOARD MEETING
2019-2020 TAX COLLECTIONS
As Of June 30, 2020**

MAINTENANCE & OPERATIONS						
	LEVY	MONTHLY ACTIVITY	PRIOR ACTIVITY	YEAR-TO-DATE ACTIVITY	BALANCE DUE	YEAR-TO-DATE PERCENTAGE COLLECTED
CURRENT TAXES	\$ 8,736,821.00	\$ 50,303.08	\$ 8,561,535.50	\$ 8,611,838.58	\$ 124,982.42	98.57%
DELINQUENT TAXES	\$ 230,778.00	\$ 3,947.02	\$ 205,569.29	\$ 209,516.31	\$ 21,261.69	90.79%
PENALTY & INTEREST	\$ 145,978.00	\$ 7,147.26	\$ 99,681.33	\$ 106,828.59	\$ 39,149.41	73.18%
GRAND TOTAL	\$ 9,113,577.00	\$ 61,397.36	\$ 8,866,786.12	\$ 8,928,183.48	\$ 185,393.52	97.97%

INTEREST & SINKING						
	LEVY	MONTHLY ACTIVITY	PRIOR ACTIVITY	YEAR-TO-DATE ACTIVITY	BALANCE DUE	YEAR-TO-DATE PERCENTAGE COLLECTED
CURRENT TAXES	\$ 2,702,093.00	\$ 15,557.56	\$ 2,647,880.48	\$ 2,663,438.04	\$ 38,654.96	98.57%
DELINQUENT TAXES	\$ 57,522.00	\$ 898.81	\$ 48,892.42	\$ 49,791.23	\$ 7,730.77	86.56%
PENALTY & INTEREST	\$ 34,947.00	\$ 2,078.49	\$ 26,474.29	\$ 28,552.78	\$ 6,394.22	81.70%
GRAND TOTAL	\$ 2,794,562.00	\$ 18,534.86	\$ 2,723,247.19	\$ 2,741,782.05	\$ 52,779.95	98.11%

**MINERAL WELLS INDEPENDENT SCHOOL DISTRICT
CASH POSITION**

FOR PERIOD ENDING JUNE 30, 2020

GENERAL FUND	\$ 4,665,298.65
FOOD SERVICE	\$ 39,526.10
SPECIAL REVENUE	\$ 1,416,412.76
INTEREST & SINKING	\$ 886,937.60
INSURANCE FUND	\$ 388,172.46
WORKERS' COMPENSATION	\$ 424.55
TRUST & AGENCY FUND	\$ 187,823.78
PAYROLL	\$ <u>(18,256.21)</u>
TOTAL	\$ 7,566,339.69
<u>Lone Star Investment</u>	
General Fund	\$ 7,139.14
Food Service Fund	\$ 3.85
Interest & Sinking	\$ 1,202.38
Insurance Fund	\$ <u>93,127.16</u>
TOTAL INVESTMENTS	\$ 101,472.53

<u>End</u>	<u>End</u>	CASH <u>RECEIVED</u>	2019-2020 <u>Budget</u>	<u>Balance</u>
180	CO-CURRICULAR	132,128.02	148,782.00	16,653.98
199	GENERAL FUND	25,209,675.59	32,745,025.00	7,535,349.41
211	TITLE I, PART A	723,086.88	1,095,473.00	372,386.12
240	FOOD SERVICE	1,645,244.02	2,033,448.00	388,203.98
244	CARL PERKINS BASIC FORM. GRANT	18,380.94	54,994.00	36,613.06
255	TITLE II, PART A-SUP EFF INSTR	105,548.26	139,414.00	33,865.74
263	Title III, PART A-ELA	22,745.19	40,623.00	17,877.81
270	TITLE V,B,SP 2, RLIS	35,372.04	81,167.00	45,794.96
289	FEDERALLY FUNDED SPECIAL REV	66,436.92	83,220.00	16,783.08
313	IDEA-B FORMULA	771,694.19	1,152,601.00	380,906.81
314	IDEA-B PRESCHOOL	0.00	37,890.00	37,890.00
397	ADVANCED PLACEMENT INCENTIVES	26.46	0.00	-26.46
410	STATE TEXTBOOK FUND	162,648.01	0.00	-162,648.01
429	STATE FUNDED SPECIAL REVENUE	2,100.00	0.00	-2,100.00
437	SPECIAL EDUCATION	887,864.49	0.00	-887,864.49
455	SHARS-MEDICAID	476,674.27	0.00	-476,674.27
461	CAMPUS ACTIVITY FUND	25,803.03	0.00	-25,803.03
599	DEBT SERVICE	3,510,709.07	3,725,130.00	214,420.93
660	CAPITAL PROJECTS	17.17	0.00	-17.17
753	INSURANCE FUND	4,419.49	0.00	-4,419.49
829	SCHOLARSHIP FUND	7,595.60	0.00	-7,595.60
Grand Revenue Totals		33,808,169.64	41,337,767.00	7,529,597.36

Number of Accounts: 94

***** End of report *****

Fnd	Fnd	2019-2020			Balance
		Expended	Encumbered	Budget	
180	CO-CURRICULAR	1,097,930.19	27,345.10	1,227,168.00	101,892.71
199	GENERAL FUND	25,514,272.32	120,416.19	31,666,639.00	6,031,950.49
211	TITLE I, PART A	930,610.42	0.00	1,095,473.00	164,862.58
240	FOOD SERVICE	1,553,202.84	412.00	2,033,448.00	479,833.16
244	CARL PERKINS BASIC FORM. GRANT	51,435.08	0.00	54,994.00	3,558.92
255	TITLE II, PART A-SUP EFF INSTR	128,522.58	0.00	139,414.00	10,891.42
263	Title III, PART A-ELA	27,892.80	0.00	40,623.00	12,730.20
270	TITLE V,B,SP 2, RLIS	39,464.07	694.00	81,167.00	41,008.93
289	FEDERALLY FUNDED SPECIAL REV	73,157.31	0.00	83,220.00	10,062.69
313	IDEA-B FORMULA	952,970.13	407.16	1,152,601.00	199,223.71
314	IDEA-B PRESCHOOL	0.00	0.00	37,890.00	37,890.00
410	STATE TEXTBOOK FUND	180,549.56	10,137.27	0.00	-190,686.83
429	STATE FUNDED SPECIAL REVENUE	2,100.00	0.00	0.00	-2,100.00
437	SPECIAL EDUCATION	881,590.58	0.00	0.00	-881,590.58
455	SHARS-MEDICAID	90,677.11	444.40	0.00	-91,121.51
461	CAMPUS ACTIVITY FUND	9,578.52	7,268.50	0.00	-16,847.02
599	DEBT SERVICE	2,745,287.51	0.00	3,725,130.00	979,842.49
660	CAPITAL PROJECTS	17.17	0.00	0.00	-17.17
829	SCHOLARSHIP FUND	4,000.00	0.00	0.00	-4,000.00
Grand Expense Totals		34,283,258.19	167,124.62	41,337,767.00	6,887,384.19

Number of Accounts: 1730

***** End of report *****

										2019-2020	YTD	Encumbered	Unencumbered	
End	T	Fn	Obj	Sb	Org	F	Pr	L	L2	Obj	BUDGET	EXPENDED	Amount	Balance
XXX	E	00	----	--	----	-	-	-	-	----	363,830.00	181,006.22	0.00	182,823.78
XXX	E	11	----	--	----	-	-	-	-	----	19,131,960.00	15,392,140.63	33,266.81	3,706,552.56
XXX	E	12	----	--	----	-	-	-	-	----	1,501,991.00	1,149,820.91	65,756.99	286,413.10
XXX	E	13	----	--	----	-	-	-	-	----	318,073.00	237,982.43	2,040.00	78,050.57
XXX	E	21	----	--	----	-	-	-	-	----	107,202.00	93,972.86	0.00	13,229.14
XXX	E	23	----	--	----	-	-	-	-	----	2,304,441.00	1,909,475.14	7,085.89	387,879.97
XXX	E	31	----	--	----	-	-	-	-	----	572,339.00	461,490.86	25.00	110,823.14
XXX	E	33	----	--	----	-	-	-	-	----	396,186.00	286,921.67	2,789.99	106,474.34
XXX	E	34	----	--	----	-	-	-	-	----	1,152,148.00	868,085.94	6,619.66	277,442.40
XXX	E	35	----	--	----	-	-	-	-	----	2,062,378.00	1,574,877.84	412.00	487,088.16
XXX	E	36	----	--	----	-	-	-	-	----	1,258,684.00	1,120,093.18	27,345.10	111,245.72
XXX	E	41	----	--	----	-	-	-	-	----	1,387,102.00	1,180,139.25	1,570.00	205,392.75
XXX	E	51	----	--	----	-	-	-	-	----	3,167,374.00	2,553,992.03	1,261.85	612,120.12
XXX	E	52	----	--	----	-	-	-	-	----	73,603.00	45,537.69	0.00	28,065.31
XXX	E	53	----	--	----	-	-	-	-	----	198,177.00	169,846.10	0.00	28,330.90
XXX	E	71	----	--	----	-	-	-	-	----	3,968,707.00	2,923,909.01	0.00	1,044,797.99
XXX	E	81	----	--	----	-	-	-	-	----	0.00	13,500.00	0.00	-13,500.00
XXX	E	93	----	--	----	-	-	-	-	----	645,401.00	645,401.00	0.00	0.00
XXX	E	97	----	--	----	-	-	-	-	----	42,789.00	102,500.10	0.00	-59,711.10
Grand Expense Totals											38,652,385.00	30,910,692.86	148,173.29	7,593,518.85

Number of Accounts: 1556

***** End of report *****

<u>VENDOR</u>	<u>INVOICE NUMBER</u>	<u>INVOICE DESCRIPTION</u>	<u>CHECK DATE</u>	<u>CHECK NUMBER</u>	<u>CHE TYP</u>	<u>AMOUNT</u>
ACE HARDWARE OF MINE	Multiple	Multiple Invoices	07/15/2020	90412	R	2,330.71
ALLSTAR ATHLETICS	1793	STAFF APPRECIATION	07/15/2020	90413	R	1,099.00
AT&T LONG DISTANCE	811340500	SERVICE-CORPORATION #346970 811340500-0	07/15/2020	90414	R	41.03
AT&T MOBILITY	Multiple	Multiple Invoices	07/15/2020	90415	R	750.99
ATCO INTERNATIONAL	Multiple	Multiple Invoices	07/15/2020	90416	R	1,985.00
ATSSB	0714	MEMBERSHIP #17,492	07/15/2020	90417	R	50.00
BALFOUR	1337316	DIPLOMAS	07/15/2020	90418	R	113.30
BANC OF AMERICA LEAS	R78411	LEASE PAYMENT - NORESKO	07/15/2020	90419	R	49,775.00
BENNETT'S OFFICE SUP	Multiple	Multiple Invoices	07/15/2020	90421	R	11,844.85
CARDINAL'S SPORT CEN	0758930-01	SUPPLIES	07/15/2020	90422	R	599.00
CARRIER ENTERPRISES,	Multiple	Multiple Invoices	07/15/2020	90423	R	1,068.32
CDW-G	Multiple	Multiple Invoices	07/15/2020	90424	R	44,787.35
CITY WATER WORKS	0714	SERVICE	07/15/2020	90425	R	5,890.94
DEMCO, INC	6812437	Supplies-Library	07/15/2020	90426	R	251.98
DOUBLE H TIRE	Multiple	Multiple Invoices	07/15/2020	90427	R	66.94
EDUCATION SERVICE CT	07062020	Monthly Internet Service 07/06/2020	07/15/2020	90428	R	1,000.00
ELLIOTT ELECTRIC SUP	Multiple	Multiple Invoices	07/15/2020	90429	R	1,378.57
THE FAULK COMPANY	5714	CONTRACTED SERVICES	07/15/2020	90430	R	71,667.00
FREEZE CARPETS, INC.	0423	flooring for new quiet room	07/15/2020	90431	R	393.88
FURR BUILDING MATERI	139585	MAINTENANCE-June 2020	07/15/2020	90432	R	20.00
GILBERT SAW SHOP	1149	MAINTENANCE-June 2020	07/15/2020	90433	R	50.00
HARVEY, JACKIE	0714	ROOM	07/15/2020	90434	R	75.00
HARVEY, JACKIE	0714	ROOM	07/23/2020	90434	V	-75.00
HUDSON ENERGY SERVIC	S200702000	SERVICE	07/15/2020	90435	R	37,158.04
JIVE COMMUNICATIONS,	IN60008020		07/15/2020	90436	R	6,183.96
KYOCERA DOCUMENT SOL	5010815378	COPIER RENTAL	07/15/2020	90437	R	408.85
LEASOR CRASS, P.C.	16802	LEGAL FEES	07/15/2020	90438	R	25.00
MATHESON TRI-GAS	Multiple	Multiple Invoices	07/15/2020	90439	R	860.50
MITEC	Multiple	Multiple Invoices	07/15/2020	90440	R	11,112.18
MR. C INC.	Multiple	Multiple Invoices	07/15/2020	90441	R	2,008.90
MYS INITIATIVES, LLC	1926	Registration for Kaitlin Blackwell, and Zayle Riddle for Managing your Crazy.	07/15/2020	90442	R	600.00
NAPA AUTOMOTIVE PART	3979-31049	TRANSPORTATION - SUPPLY	07/15/2020	90443	R	125.82
NORTON METALS, INC.	Multiple	Multiple Invoices	07/15/2020	90444	R	4,621.00
PEAK UP TIME	57253	Monthly backup service 07/01/2020	07/15/2020	90445	R	701.88
PITNEY BOWES	3311442192	Inv. #3311442192 Lease on postage meter	07/15/2020	90446	R	172.59
RED LION HOTEL	0714	TRAVEL	07/15/2020	90447	R	237.54
REGION 4 ESC	Multiple	Multiple Invoices	07/15/2020	90450	R	250.00
RICHARDS SIGNS	20930	CONTRACTED SERVICES	07/15/2020	90451	R	3,967.00
SCHOOL SPECIALTY	2081252509	SUPPLIES	07/15/2020	90452	R	636.72
SOUTHWEST INTERNATIO	02P29172	TRANSPORTATION - PARTS	07/15/2020	90453	R	149.53
SUPERIOR CHEER	SIV152124	SUPPLIES	07/15/2020	90454	R	950.60
SUTHERLANDS BLDG. MA	26954	MAINTENANCE-June 2020	07/15/2020	90455	R	5.99
TEXAS TECH UNIVERSIT	600432	CBE Reading Grade 1	07/15/2020	90456	R	25.00
THE LONE STAR NEWS G	170	READERS CHOICE, BANNER INTERNET - ACCT #3366	07/15/2020	90457	R	250.00
UNIFIRST CORPORATION	Multiple	Multiple Invoices	07/15/2020	90458	R	1,651.54
UNITE PRIVATE NETWOR	SI-20-0094	Monthly WAN service due 08/01/2020	07/15/2020	90459	R	837.37
UNITED REFRIGERATION	73838602-0	MAINTENANCE-June 2020	07/15/2020	90460	R	353.20
VATAT	Multiple	Multiple Invoices	07/15/2020	90461	R	600.00

VENDOR	INVOICE	INVOICE	CHECK	CHECK	CHE	AMOUNT
	NUMBER	DESCRIPTION	DATE	NUMBER	TYP	
VIRCO, INC.	91921461	desks for students	07/15/2020	90462	R	16,602.50
WALMART COMMUNITY BR	Multiple	Multiple Invoices	07/15/2020	90463	R	115.76
WALLACE INSURANCE AG	0313	SURETY BOND RENEWAL - TAX ASSESSOR STACY L CHOATE	07/15/2020	90464	R	175.00
WASTE CONNECTIONS LO	Multiple	Multiple Invoices	07/15/2020	90465	R	5,599.72
WESTIN RIVERWALK - S	0714	ROOM	07/15/2020	90466	R	337.49
WESTIN RIVERWALK - S	0714	ROOM	07/23/2020	90466	V	-337.49
WEX BANK	66098769	FUEL	07/15/2020	90467	R	42.00
WORKERS' COMPENSATIO	0531	WORKERS' COMP	07/15/2020	90468	R	11,534.60
BULLOCK, KARYN	0721	REIMBURSE ESC REGION 13 ONLINE COURSE	07/21/2020	90469	R	50.00
CDW-G	ZGD4463	ATEN Livestream device	07/21/2020	90470	R	728.58
DEMCO, INC	6811690	Library Supplies	07/21/2020	90471	R	743.06
PURCHASE POWER	0721	POSTAGE - ACCT #8000-9090-1069-1413	07/21/2020	90472	R	34.05
U.S. POSTAL SERVICE(48662662	POSTAGE	07/21/2020	90473	R	3,000.00
ASSETGENIE, INC.	Multiple	Multiple Invoices	07/28/2020	90474	R	2,467.00
A T & T	0727	SERVICE - ACCT #214 A31-0060 668 0	07/28/2020	90475	R	2,301.29
AT&T MOBILITY	Multiple	Multiple Invoices	07/28/2020	90476	R	305.40
BAEZ, MARISELA	0728	Employee reimbursement for Bilingual Language Proficiency practice test and exam.	07/28/2020	90477	R	128.87
BILL'S DIESEL & WREC	3686	TRANSPORTATION - VEHICLE STATE INSPECTIONS	07/28/2020	90478	R	207.00
ELLIOTT ELECTRIC SUP	95-62217-0	maintenance supplies	07/28/2020	90479	R	37.50
HEARTSAFE AMERICA, I	22883	PHILIPS ONSITE/FRX BATTERY FOR AED	07/28/2020	90480	R	2,101.00
INTRADO INTERACTIVE	121859	School Messenger annual license	07/28/2020	90481	R	8,391.60
KYOCERA DOCUMENT SOL	Multiple	Multiple Invoices	07/28/2020	90482	R	1,676.99
LAKESHORE LEARNING M	4328170520	Supplies for Makerspace	07/28/2020	90483	R	525.42
PEAK UP TIME	57420	Monthly backup service 08/01/2020	07/28/2020	90484	R	701.88
RASBERRY, JACKIE	0727	Mileage Mar/Apr & May/June - Rasberry	07/28/2020	90485	R	86.82
SUTHERLANDS BLDG. MA	27253	Maintenance Supplies	07/28/2020	90486	R	8.37
TASA	INV131316	TASA Summer Online Conference Registration for Shanna, Joey, Kelly, & Neil	07/28/2020	90487	R	1,400.00
TEXAS GAS SERVICES	0727	SERVICE	07/28/2020	90488	R	957.73
WALSH GALLEGOS TREVI	Multiple	Multiple Invoices	07/28/2020	90489	R	1,062.00
WORKERS' COMPENSATIO	0630	WORKERS' COMP CLAIMS	07/28/2020	90490	R	6,010.51
Totals for checks						336,051.72

FUND SUMMARY

<u>FUND</u>	<u>DESCRIPTION</u>	<u>BALANCE SHEET</u>	<u>REVENUE</u>	<u>EXPENSE</u>	<u>TOTAL</u>
180	CO-CURRICULAR	0.00	0.00	3,178.72	3,178.72
199	GENERAL FUND	0.00	0.00	332,873.00	332,873.00
***	Fund Summary Totals ***	0.00	0.00	336,051.72	336,051.72

***** End of report *****

<u>VENDOR</u>	<u>INVOICE NUMBER</u>	<u>INVOICE DESCRIPTION</u>	<u>CHECK DATE</u>	<u>CHECK NUMBER</u>	<u>CHE TYP</u>	<u>AMOUNT</u>
BLACK ROCK TECHNOLOG	33416	SUPPLIES	07/15/2020	5928	R	412.00
C D HARTNETT CO	0630	TRAVIS-FOOD	07/15/2020	5929	R	44,351.01
CHEMSEARCH	3994535	DRAIN COBRA	07/15/2020	5930	R	147.00
COLORADO BOXED BEEF	9405300	COMMODITY DELIVERY	07/15/2020	5931	R	328.65
DEAN FOODS COMPANY	0630	TRAVIS MILK	07/15/2020	5932	R	3,214.58
Totals for checks						48,453.24

FUND SUMMARY

<u>FUND</u>	<u>DESCRIPTION</u>	<u>BALANCE SHEET</u>	<u>REVENUE</u>	<u>EXPENSE</u>	<u>TOTAL</u>
240	FOOD SERVICE	0.00	0.00	48,453.24	48,453.24
***	Fund Summary Totals ***	0.00	0.00	48,453.24	48,453.24

***** End of report *****

<u>VENDOR</u>	<u>INVOICE NUMBER</u>	<u>INVOICE DESCRIPTION</u>	<u>CHECK DATE</u>	<u>CHECK NUMBER</u>	<u>CHE TYP</u>	<u>AMOUNT</u>
THE CURRICULUM CENTE	30327	Curriculum	07/15/2020	18426	R	1,200.00
Eduspire Solutions L	1843	Flex Time Manager for Jr. High	07/21/2020	18427	R	4,000.00
CRISIS PREVENTION IN	CUS0224132	Virtual Renewal: Trauma for Kim Garza	07/28/2020	18428	R	3,175.00
MEDICAID CLAIM SOLUT	20-182901-	For services rendered 6/19/20	07/28/2020	18429	R	1.91
MEDICAID CLAIM SOLUT	20-182902-	For services rendered 6/19/20	07/28/2020	18429	R	1.27
MEDICAID CLAIM SOLUT	20-182903-	For services rendered 6/19/20	07/28/2020	18429	R	587.71
MEDICAID CLAIM SOLUT	20-182904-	For services rendered 6/19/20	07/28/2020	18429	R	1.53
MEDICAID CLAIM SOLUT	20-182905-	For services rendered 6/19/20	07/28/2020	18429	R	8.47
PLAYGROUNDS ETC	13093	Playground equipment	07/28/2020	18430	R	6,000.00
RAMSEY, PAULA	0728	Contracted services for Paula Ramsey for the month of June 2020	07/28/2020	192000065	A	1,037.00
Totals for checks						16,012.89

FUND SUMMARY

<u>FUND</u>	<u>DESCRIPTION</u>	<u>BALANCE SHEET</u>	<u>REVENUE</u>	<u>EXPENSE</u>	<u>TOTAL</u>
244	CARL PERKINS BASIC FORM. GRANT	0.00	0.00	1,200.00	1,200.00
270	TITLE V,B,SP 2, RLIS	0.00	0.00	4,000.00	4,000.00
437	SPECIAL EDUCATION	0.00	0.00	4,212.00	4,212.00
455	SHARS-MEDICAID	0.00	0.00	600.89	600.89
461	CAMPUS ACTIVITY FUND	0.00	0.00	6,000.00	6,000.00
***	Fund Summary Totals ***	0.00	0.00	16,012.89	16,012.89

***** End of report *****



BOARD OF TRUSTEES Agenda Item

MEETING DATE: August 10, 2020

MEETING TYPE:

- Regular Meeting
- Special Meeting

AGENDA ITEM TYPE:

- Action Item
- Non Action Item

DISTRICT GOALS (Check all that apply):

- Academic Competitiveness
- Competitive Work Force
- Promote Community/School Partnerships
- Fiscal Responsibility
- Safe and Secure Schools

TITLE: Water/Electricity/Gas Reports

RECOMMENDED ACTION: It is recommended that the Water/Electricity/Gas Reports be approved as presented.

BOARD POLICY/STATE REGULATION/LAW REFERENCE (if applicable):

OVERVIEW:

See attached utility reports.

FISCAL IMPACT: Variable cost to District

ATTACHMENTS: Water/Electricity/Gas Reports

DEPARTMENT(S) SUBMITTING FORM: Business and Finance

DEPARTMENT SIGNATURE/APPROVAL:  

Water

2013-2014	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Total
High School	1,251.61	1,284.23	1,450.75	1,115.32	983.51	962.61	993.52	1,203.50	1,151.68	770.82	709.90	838.08	12,715.53
Junior High	861.57	845.01	744.23	523.34	643.56	633.13	610.12	760.74	800.35	464.38	265.11	617.77	7,769.31
Travis	1,856.89	1,638.29	1,612.19	1,191.27	1,315.52	1,537.60	1,267.62	1,715.77	1,626.69	561.34	463.17	990.39	15,776.74
Houston	1,376.03	1,515.03	1,138.91	926.20	1,268.00	1,242.53	1,136.18	1,508.88	1,357.98	491.70	422.62	680.78	13,064.84
Lamar	860.83	961.66	745.31	548.45	784.39	984.37	781.15	1,058.91	970.74	386.25	404.39	509.28	8,995.73
DSC	388.51	378.97	412.79	371.09	476.42	426.49	531.31	232.85	390.34	348.37	334.10	298.53	4,589.77
Athletics	3,054.50	1,826.62	1,369.61	2,251.19	1,094.04	1,026.07	1,007.45	1,788.69	1,860.97	2,871.31	1,482.49	2,619.87	22,252.81
Transportation	71.99	82.27	76.27	293.52	98.09	123.55	77.18	93.54	91.72	117.17	90.81	64.45	1,280.56
Total	9,721.93	8,532.08	7,550.06	7,220.38	6,663.53	6,936.35	6,404.53	8,362.88	8,250.47	6,011.34	4,172.59	6,619.15	86,445.29

2014-2015	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Total
High School	4,724.97	1,823.96	1,618.93	1,451.94	3,630.59	4,385.30	(1,664.53)	822.18	2,486.71	1,496.31	1,220.08	1,813.29	23,809.73
Junior High	930.84	974.44	721.70	661.04	1,708.66	2,138.79	(770.96)	436.35	1,114.69	563.69	434.72	1,483.09	10,397.05
Travis	1,613.05	1,855.51	1,701.51	1,411.51	4,056.19	4,539.55	(2,280.98)	69.63	2,687.29	1,106.88	702.06	2,545.37	20,007.57
Houston	1,208.90	1,526.90	1,181.91	1,074.92	2,753.00	3,223.79	(1,234.03)	769.94	1,927.60	906.65	624.04	1,373.84	15,337.46
Lamar	856.71	1,059.14	918.38	875.14	2,469.63	2,887.98	(809.17)	605.82	1,844.69	1,441.70	590.89	846.77	13,587.68
DSC	297.74	312.09	352.09	505.10	1,225.42	1,357.89	(586.58)	76.45	722.86	595.71	545.21	585.38	5,989.36
Athletics	2,315.32	1,622.02	1,437.76	1,136.24	2,637.51	2,918.25	(1,105.36)	389.17	1,473.85	1,332.89	2,869.10	7,004.56	24,031.31
Transportation	76.27	75.90	73.90	75.90	167.76	192.62	(69.53)	38.87	103.32	93.13	82.94	61.30	972.38
Total	12,023.80	9,249.96	8,006.18	7,191.79	18,648.76	21,644.17	(8,521.14)	3,208.41	12,361.01	7,536.96	7,069.04	15,713.60	114,132.54

2015-2016	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Total
High School	2,756.59	2,569.46	2,053.89	2,060.25	2,039.80	1,774.43	1,654.41	2,041.42	1,740.43	1,027.42	786.43	1,492.43	21,996.96
Junior High	1,189.08	1,232.27	1,716.51	1,154.41	802.60	742.60	761.30	774.65	693.27	1,129.25	794.57	791.09	11,781.60
Travis	1,245.64	2,276.77	1,804.49	1,689.91	1,742.52	1,304.50	1,493.51	1,516.52	1,410.50	805.51	580.52	1,174.26	17,044.65
Houston	2,348.96	2,947.27	1,618.26	1,399.30	1,059.91	1,318.92	1,472.92	1,542.92	1,442.90	632.90	628.35	1,093.91	17,506.52
Lamar	1,288.38	3,677.70	853.20	869.74	662.51	813.78	745.60	836.34	836.51	1,411.76	6,501.16	797.37	19,294.05
DSC	792.01	742.70	792.87	845.07	573.10	851.54	711.10	687.54	735.10	766.09	752.27	978.96	9,228.35
Athletics	4,399.92	6,726.55	1,804.00	1,477.44	981.19	1,242.67	1,077.14	1,282.62	1,034.73	2,843.80	3,447.24	2,789.21	29,106.51
Transportation	147.86	119.86	107.13	113.50	89.92	205.90	81.90	92.91	82.91	115.90	68.91	101.90	1,328.60
Total	14,168.44	20,292.58	10,750.35	9,609.62	7,951.55	8,254.34	7,997.88	8,774.92	7,976.35	8,732.63	13,559.45	9,219.13	127,287.24

2016-2017	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Total
High School	1,877.42	1,777.42	1,698.70	2,135.78	1,943.91	1,765.39	1,674.40	1,722.63	1,788.27	1,068.37	1,872.41	1,460.98	20,785.68
Junior High	2,050.48	2,860.17	900.61	1,011.92	818.24	790.29	723.68	775.94	834.74	411.48	418.81	713.62	12,309.98
Travis	1,824.52	1,688.50	1,637.84	1,511.64	1,998.99	1,711.70	1,534.53	1,776.66	1,550.94	741.43	578.30	431.58	16,986.63
Houston	1,610.92	1,643.91	1,893.61	1,094.36	1,558.11	1,481.16	1,530.73	1,717.46	1,702.06	559.10	548.84	1,244.47	16,584.73
Lamar	1,511.84	938.82	889.93	701.45	998.88	988.73	884.41	984.86	945.88	371.53	317.14	816.75	10,350.22
DSC	758.88	769.10	791.64	780.36	776.25	770.10	770.99	788.43	798.69	741.23	695.07	770.99	9,211.73
Athletics	2,903.21	2,180.50	1,555.99	1,027.56	1,730.00	951.04	1,344.57	1,160.79	1,205.79	2,066.10	1,488.66	1,885.77	19,499.98
Transportation	89.92	97.90	127.61	87.60	99.91	107.10	95.67	95.67	93.62	97.72	77.20	103.88	1,173.80
Total	12,627.19	11,956.32	9,495.93	8,350.67	9,924.29	8,565.51	8,558.98	9,022.44	8,919.99	6,056.96	5,996.43	7,428.04	106,902.75

2017-2018	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Total
High School	1,793.41	2,002.35	2,077.96	1,352.11	2,761.64	1,630.65	4,459.94	1,791.19	1,604.97	1,052.63	980.76	1,475.33	22,982.94
Junior High	894.63	1,124.27	823.31	667.31	825.28	882.72	482.65	759.68	574.70	365.66	420.75	756.47	8,677.43
Travis	2,956.57	1,769.29	2,275.21	1,914.24	2,791.32	2,879.13	2,052.84	2,209.42	1,726.97	609.72	452.08	458.42	22,095.21
Houston	1,725.66	2,328.61	1,891.37	1,746.70	2,122.29	2,861.84	1,213.47	1,776.32	1,488.54	879.84	841.05	1,409.21	20,284.90
Lamar	992.25	1,041.73	908.43	755.02	942.28	942.28	885.15	1,018.46	984.60	630.18	460.89	891.49	10,452.76
DSC	746.37	798.89	831.23	814.75	834.86	796.77	844.23	798.89	845.44	831.04	828.51	809.47	9,780.45
Athletics	2,601.71	2,375.07	1,532.22	1,924.56	1,312.88	1,348.02	1,375.72	1,324.17	1,348.06	2,033.00	1,671.53	2,920.34	21,767.28
Transportation	107.99	120.25	113.03	109.67	113.91	114.96	118.14	120.25	112.84	116.03	459.87	111.79	1,718.73
Total	11,818.59	11,560.46	10,452.76	9,284.36	11,704.46	11,556.37	11,432.14	9,798.38	8,686.12	6,518.10	6,115.44	8,832.52	117,759.70

2018-2019	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Total
High School	2,035.85	1,841.10	1,632.61	1,576.98	1,745.54	2,020.16	1,685.36	2,035.33	1,640.82	915.49	713.22	1,391.03	19,233.49
Junior High	1,852.81	1,636.34	1,119.09	1,098.72	1,319.49	1,768.03	1,268.32	1,243.90	1,069.90	757.09	734.00	1,282.05	15,149.74
Travis	3,238.70	2,257.94	2,068.61	1,886.65	1,992.11	1,912.15	1,479.83	2,002.55	1,544.75	825.01	1,023.19	1,609.64	21,841.13
Houston	1,805.94	1,777.39	1,613.69	1,622.97	1,861.73	1,672.80	1,434.05	1,794.50	1,502.44	847.60	897.43	1,606.73	18,437.27
Lamar	1,173.98	1,230.05	1,103.44	1,033.90	1,103.44	1,239.05	1,051.29	1,339.88	1,083.74	574.93	600.43	1,244.83	12,778.96
DSC	850.72	874.00	905.79	944.04	979.97	964.70	999.67	1,034.44	1,002.44	941.67	802.85	768.63	11,068.92
Athletics	2,097.28	1,914.95	1,798.22	1,472.44	1,437.23	1,436.02	1,427.63	1,491.29	1,442.04	1,331.90	1,341.56	3,890.43	21,080.99
Transportation	126.60	135.05	139.64	150.08	165.13	160.50	205.71	186.00	163.97	162.82	167.45	184.85	1,947.80
Total	13,181.88	11,666.82	10,381.09	9,785.78	10,604.64	11,173.41	9,551.86	11,127.89	9,450.10	6,356.51	6,280.13	11,978.19	121,538.30

2019-2020	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Total
High School	1,966.40	2,147.15	1,730.77	1,513.98	1,707.02	1,872.76	885.08	702.67	1,037.72	629.04			14,192.59
Junior High	1,603.39	2,624.26	1,027.81	819.54	943.91	1,121.78	650.49	502.94	471.09	826.08			10,591.29
Travis	1,668.76	2,786.04	1,648.91	1,948.28	1,637.02	1,892.45	1,205.79	845.82	603.47	924.23			15,160.77
Houston	2,017.02	2,197.82	2,266.41	1,651.03	2,145.23	2,151.17	2,136.91	426.19	1,002.37	1,112.86			17,107.01
Lamar	1,692.21	1,527.63	1,580.20	1,007.58	1,157.27	1,2							

Electricity

2013-2014	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Total
High School	16,018.79	13,627.28	12,686.41	10,818.49	10,999.97	11,607.78	11,064.09	13,936.76	15,730.50	15,088.99	14,356.93	15,915.51	161,851.50
MW Academy	375.43	293.24	217.68	157.70	153.20	154.78	135.96	209.58	228.47	259.65	242.37	293.09	2,721.15
Junior High	9,707.45	7,173.99	6,073.81	6,810.02	6,549.09	7,161.73	6,088.98	5,801.60	7,326.08	6,795.90	5,408.95	8,794.99	83,692.59
Travis	6,705.11	5,297.46	4,270.53	4,603.60	4,592.51	4,906.62	4,457.19	4,536.01	5,509.98	4,681.82	4,218.61	5,539.25	59,318.69
Houston	5,118.89	4,177.49	3,127.49	2,783.78	2,949.96	3,173.17	2,945.67	3,359.95	4,321.47	3,770.51	3,691.29	4,197.23	43,616.90
Lamar	7,243.79	5,184.22	4,278.39	4,388.74	4,542.26	4,897.51	4,415.94	4,482.87	5,459.51	5,482.65	3,471.57	5,648.58	59,496.03
DSC	3,471.14	2,773.19	1,846.07	1,718.68	1,705.47	1,786.16	1,634.09	2,070.38	2,386.39	2,835.93	3,060.58	3,305.91	28,593.99
Athletics	4,904.60	4,475.94	5,011.81	6,196.52	5,191.81	6,714.98	6,375.35	5,168.02	4,311.92	5,052.69	3,870.82	4,323.63	61,598.09
Transportation	197.88	139.97	138.75	169.77	190.26	186.95	159.58	166.07	184.81	169.78	243.06	260.80	2,207.68
Total	53,743.08	43,142.78	37,650.94	37,647.30	36,874.53	40,589.68	37,276.85	39,731.24	45,459.13	44,137.92	38,564.18	48,278.99	503,096.62

2014-2015	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Total
High School	18,058.91	16,085.56	13,081.15	11,466.86	12,078.78	12,247.28	10,688.04	13,704.42	15,097.39	276.51	275.35	45,360.47	168,420.72
MW Academy	316.63	297.94	186.15	124.39	141.02	133.75	119.74	175.14	233.68	246.23	278.56	344.65	2,597.88
Junior High	10,328.04	8,495.42	7,521.97	6,041.92	7,526.37	7,083.97	6,854.97	6,346.62	6,982.72	6,644.70	7,239.60	8,285.58	89,351.88
Travis	7,029.77	5,911.53	4,795.82	4,628.33	5,156.05	4,787.30	4,646.78	4,514.02	4,924.04	4,668.55	4,179.61	5,880.85	61,122.65
Houston	5,234.81	4,507.70	3,183.84	2,826.94	3,057.79	3,135.06	2,739.84	3,425.85	3,544.02	3,702.52	3,448.60	4,271.48	43,078.45
Lamar	7,008.14	5,971.10	4,534.12	3,916.33	4,770.97	4,285.26	3,939.92	4,466.98	5,337.36	5,296.47	6,129.58	9,283.75	64,939.98
DSC	3,186.97	2,670.99	1,839.00	1,698.80	1,760.73	1,719.25	1,684.02	2,001.53	2,145.21	2,933.74	3,041.16	3,722.14	28,403.54
Athletics	5,278.70	4,577.11	6,671.94	4,530.53	5,831.49	5,666.97	6,023.26	4,777.40	3,369.27	5,106.54	4,478.74	4,307.29	60,619.24
Transportation	234.84	188.64	172.92	205.42	247.25	239.86	195.87	170.69	169.21	209.63	361.20	343.96	2,739.49
Total	56,676.81	48,705.99	41,986.91	35,439.52	40,570.45	39,298.70	36,892.44	39,582.65	41,802.90	29,084.89	29,432.40	81,800.17	521,273.83

2015-2016	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Total
High School	19,285.40	15,918.24	13,117.08	12,119.56	12,391.10	12,945.46	12,504.04	14,102.71	15,918.01	16,544.52	17,055.63	19,227.03	181,728.78
MW Academy	394.74	304.86	234.31	197.90	169.91	212.95	222.70	237.02	234.78	274.14	340.01	352.41	3,175.73
Junior High	10,124.71	8,047.32	5,640.91	5,564.80	7,076.18	6,175.75	4,874.22	5,368.50	6,903.49	7,314.44	8,113.13	9,072.99	84,276.44
Travis	6,935.27	5,488.57	4,472.25	4,143.23	4,741.02	4,350.36	3,903.49	4,272.60	5,080.47	5,055.78	5,063.45	6,665.61	60,172.10
Houston	5,048.44	4,076.30	3,078.51	2,634.63	2,777.62	2,857.03	2,613.39	3,053.52	3,672.34	3,773.49	3,661.17	4,516.26	41,762.70
Lamar	7,851.26	6,504.28	6,448.78	5,099.57	5,270.30	5,076.47	5,212.08	5,936.37	6,725.60	6,569.01	6,499.47	7,041.73	74,234.92
DSC	3,338.58	2,618.40	1,895.75	1,691.02	1,804.89	1,845.69	1,757.64	1,917.04	2,313.18	3,036.51	3,620.96	3,590.07	29,429.73
Athletics	5,608.54	5,357.91	5,083.66	5,182.59	7,418.72	6,262.19	5,577.03	5,277.06	3,793.16	5,011.11	6,097.92	5,694.99	66,364.88
Transportation	340.53	223.64	244.25	397.82	462.24	456.16	349.05	383.82	332.44	342.16	386.79	403.73	4,322.63
Total	58,927.47	48,539.52	40,815.50	37,031.12	42,111.98	40,182.06	37,013.64	40,548.64	44,973.47	47,921.16	50,838.53	56,564.82	545,467.91

2016-2017	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Total
High School	20,919.65	16,973.39	16,003.06	13,586.05	14,301.45	15,573.28	15,439.28	17,512.44	18,420.45	17,210.10	16,163.45	19,799.39	201,901.99
MW Academy	389.94	316.29	267.34	159.44	230.63	230.18	245.11	265.42	258.59	250.29	280.20	319.12	3,212.55
Junior High	10,762.22	8,525.76	7,036.01	6,515.25	7,160.18	6,048.94	4,952.82	6,358.84	6,953.10	5,892.68	6,368.32	9,211.03	85,785.15
Travis	7,961.38	6,093.17	5,107.87	4,412.35	4,838.40	4,487.88	4,049.43	5,025.42	5,326.86	4,997.80	5,191.39	6,718.73	64,210.68
Houston	5,439.03	4,177.62	3,674.72	2,829.03	2,840.76	2,883.24	2,744.48	3,176.95	3,503.66	2,688.73	2,210.28	4,871.16	41,039.66
Lamar	8,119.62	7,803.98	7,800.60	6,189.96	5,447.49	5,484.12	5,807.16	6,639.01	6,522.83	5,740.62	5,001.62	6,931.25	77,488.26
DSC	3,263.69	2,632.65	2,234.54	1,685.86	1,796.32	1,724.01	1,953.49	2,202.40	2,397.56	3,088.17	3,428.29	3,508.26	29,915.24
Athletics	5,812.57	5,032.72	5,117.11	6,011.04	6,037.43	6,842.30	5,712.03	4,763.88	3,493.39	4,701.27	4,380.02	4,518.22	62,421.98
Transportation	396.81	329.94	332.01	457.77	642.83	587.63	466.11	360.33	469.20	377.02	415.92	421.99	5,257.56
Total	63,064.91	51,885.52	47,573.26	41,846.75	43,295.49	43,861.58	41,369.91	46,304.69	47,345.64	44,946.68	43,439.49	56,299.15	571,233.07

2017-2018	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Total
High School	20,964.79	17,125.19	14,383.09	14,348.03	13,867.31	14,530.75	12,948.84	15,373.78	17,994.50	17,853.85	17,135.62	18,680.20	195,205.95
MW Academy	360.46	277.60	257.11	246.51	184.54	228.89	199.80	190.17	233.70	299.20	268.17	316.68	3,062.83
Junior High	10,253.48	7,699.62	5,307.05	6,673.01	7,770.87	7,347.54	6,261.66	6,675.49	7,384.95	7,054.17	7,915.46	9,454.23	89,797.53
Travis	7,608.70	5,901.07	4,151.22	4,637.92	5,438.93	4,925.77	4,161.10	4,699.43	5,840.13	5,629.80	5,912.99	6,745.18	65,652.24
Houston	5,478.81	4,433.23	3,025.93	2,820.42	3,123.12	3,039.27	2,555.92	3,206.64	4,287.62	4,177.63	4,741.04	4,810.21	45,699.84
Lamar	7,105.51	6,564.41	5,829.67	5,587.82	4,357.69	5,047.29	4,443.31	5,716.89	6,753.37	6,864.56	6,753.36	7,287.57	72,311.45
DSC	3,284.29	2,538.91	1,895.38	1,965.06	1,912.56	1,868.35	1,670.00	2,116.76	2,665.65	3,397.56	3,537.50	3,412.22	30,264.24
Athletics	6,529.66	5,215.85	7,024.63	5,078.24	6,758.31	7,074.44	6,005.25	5,518.98	4,236.23	5,171.44	5,004.97	5,012.44	68,630.44
Transportation	423.30	362.94	523.97	616.39	813.05	698.49	445.97	461.36	413.16	494.58	518.08	510.69	6,281.98
Total	62,009.00	50,118.82	42,398.05	41,973.40	44,226.38	44,760.79	38,691.85	43,959.50	49,809.31	50,942.79	51,787.19	56,229.42	576,906.50

2018-2019	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Total
High School	20,022.10	16,004.47	13,985.43	12,571.13	12,701.49	14,411.68	12,722.34	15,478.05	16,871.46	16,597.18	16,815.57	21,528.40	189,709.30
MW Academy	271.21	199.10	147.85	123.84	117.57	137.82	115.46	184.26	243.02	289.49	384.65	435.73	2,650.00
Junior High	9,384.43	7,000.42	6,821.27	6,855.84	7,901.36	7,526.86	7,038.19	5,739.45	6,327.74	6,681.61	7,309.58	9,250.23	87,836.98
Travis	7,750.05	5,803.50	4,647.11	4,279.74	4,326.99	4,907.85	4,562.72	4,047.71	4,860.13	4,904.84	5,677.17	7,328.97	63,096.78
Houston	5,227.47	3,728.27	2,557.39	2,096.01	2,535.17	2,723.18	2,449.58	2,376.43	2,911.73	3,060.62	3,632.95	4,734.33	38,033.13
Lamar	8,104.29	6,576.67	4,852.09	3,548.17	4,534.93	5,165.77	4,518.18	4,867.48	5,657.92	5,789.92	5,903.56	7,245.77	66,764.75
DSC	3,203.42	2,410.42	1,672.48	1,608.66	1,729.17	1,870.30	1,609.06	1,868.75	2,232.64	2,892.7			

Gas

2013-2014	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Total
High School	503.05	554.16	1,229.01	6,349.27	5,910.22	7,038.36	4,249.40	1,251.11	588.91	509.78	358.60	411.85	28,953.72
MW Academy	43.74	43.60	56.13	140.75	193.88	158.54	96.33	59.57	42.27	43.82	42.55	43.82	965.00
Junior High	140.46	257.22	993.50	3,852.28	3,791.09	5,674.26	3,302.02	1,691.96	489.65	214.75	97.06	111.55	20,615.80
Travis	145.13	155.64	971.48	2,976.28	3,700.68	4,088.98	2,480.23	663.87	140.49	131.22	107.01	111.44	15,672.45
Houston	165.53	180.42	396.67	2,085.54	2,315.07	2,617.35	1,731.95	538.81	179.98	147.87	135.37	133.32	10,627.88
Lamar	139.38	241.47	796.39	2,976.38	2,890.13	3,982.97	2,203.07	837.00	307.80	283.61	234.60	208.24	15,101.04
DSC	47.35	65.73	298.07	1,859.10	1,752.97	2,628.90	1,161.93	380.24	91.65	104.04	99.26	97.12	8,586.36
Athletics	42.55	42.55	42.55	42.55	42.55	42.55	42.55	43.47	42.55	42.55	42.55	42.55	511.52
Transportation	53.34	68.88	106.73	923.01	632.95	701.06	742.95	145.44	81.34	88.67	83.79	83.15	3,711.31
Total	1,280.53	1,609.67	4,890.53	21,205.16	21,229.54	26,932.97	16,010.43	5,611.47	1,964.64	1,566.31	1,200.79	1,243.04	104,745.08

2014-2015	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Total
High School	683.11	898.04	2,314.56	3,189.39	6,979.79	4,960.98	3,357.59	1,090.77	599.70	488.41	310.16	332.32	25,204.82
MW Academy	42.55	44.35	75.06	108.00	162.19	129.68	101.20	50.60	44.88	43.73	42.55	42.55	887.34
Junior High	179.98	321.69	2,086.57	2,939.04	4,704.20	4,512.03	2,914.82	1,414.63	321.79	229.51	96.14	80.58	19,800.98
Travis	151.27	191.48	1,076.30	2,239.43	3,527.54	2,930.93	2,008.71	482.54	243.25	131.09	105.21	107.76	13,195.51
Houston	184.34	270.50	674.38	1,318.07	2,308.13	1,962.78	1,291.00	196.23	92.99	89.54	85.10	85.10	8,558.16
Lamar	269.30	300.16	1,250.85	1,906.05	3,365.52	2,476.42	1,796.05	425.30	292.63	389.34			12,471.62
DSC	103.63	125.49	723.16	1,341.20	2,171.46	1,692.91	1,270.92	278.67	125.10	110.92	81.59	51.38	8,076.43
Athletics	42.55	42.55	42.55	42.55	42.55	42.55	42.55	43.48	42.55	42.55	42.55	42.55	511.53
Transportation	88.37	109.27	417.05	1,154.97	1,600.01	1,239.32	908.38	120.10	108.83	93.26	68.56	51.38	5,959.50
Total	1,745.10	2,303.53	8,660.48	14,238.70	24,861.39	19,947.60	13,691.22	4,102.32	1,871.72	1,618.35	831.86	793.62	94,665.89

2015-2016	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Total
High School	551.84	876.92	811.28	3,194.39	4,208.18	4,040.01	1,327.14	736.38	423.32	319.76	244.71	324.89	17,058.82
MW Academy	42.55	42.55	42.55	79.84	90.58	103.41	60.93	48.73	43.42	42.55	43.56	42.55	683.22
Junior High	142.55	226.20	566.12	3,189.08	3,424.80	4,077.63	1,607.25	1,021.59	366.05	224.31	158.07	110.35	15,114.00
Travis	151.31	204.71	469.75	1,921.77	2,598.33	2,675.07	1,318.77	566.16	200.93	124.67	104.21	110.55	10,446.23
Houston	126.79	188.27	253.78	1,116.70	1,573.45	1,877.61	915.62	381.99	144.06	131.26	105.11	106.55	6,921.19
Lamar	181.92	247.71	1,023.00	3,139.21	3,676.37	3,066.41	1,095.53	426.77	165.35	82.22	55.40	51.82	13,211.71
DSC	46.22	48.51	202.30	1,397.68	1,703.64	1,598.46	644.44	240.37	114.28	68.93	58.09	59.97	6,182.89
Athletics	42.55	42.55	42.55	42.55	42.55	42.55	42.55	43.49	42.55	42.55	42.55	42.55	511.54
Transportation	52.36	48.51	56.51	727.89	1,034.43	972.76	693.35	105.41	85.59	88.71	90.35	96.15	4,052.02
Total	1,338.09	1,925.93	3,467.84	14,809.11	18,352.33	18,453.91	7,705.58	3,570.89	1,585.55	1,124.96	902.05	945.38	74,181.62

2016-2017	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Total
High School	604.99	973.81	2,123.93	4,204.14	5,986.69	4,607.88	2,605.42	1,593.29	594.71	313.63	228.21	348.17	24,184.87
MW Academy	42.55	44.25	42.55	107.92	185.50	126.77	128.27	77.07	43.59	42.55	43.73	42.55	927.30
Junior High	183.91	262.38	527.74	2,586.04	3,696.92	4,908.83	1,805.30	772.50	447.72	347.24	192.35	86.83	15,817.76
Travis	149.29	194.26	351.21	2,030.50	3,476.95	2,773.33	1,039.06	474.97	246.93	164.07	117.23	114.43	11,132.23
Houston	151.95	192.24	309.48	755.98	446.91	359.19	194.99	90.51	86.03	85.10	85.10	85.10	2,842.58
Lamar	129.85	346.88	1,341.96	2,937.79	4,188.51	2,884.89	1,500.08	492.31	246.27	87.76	47.91	59.44	14,263.65
DSC	47.89	50.63	91.98	1,238.59	2,142.99	1,636.62	715.08	298.26	205.58	135.89	85.85	46.95	6,696.31
Athletics	42.55	42.55	42.55	42.55	42.55	42.55	42.55	43.49	42.55	42.55	42.55	42.55	511.54
Transportation	96.04	107.23	164.20	826.59	1,630.72	1,389.34	280.51	134.65	88.79	74.14	63.51	44.02	4,899.74
Total	1,449.02	2,214.23	4,995.60	14,730.10	21,797.74	18,729.40	8,311.26	3,977.05	2,002.17	1,292.93	906.44	870.04	81,275.98

2017-2018	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Total
High School	615.95	740.47	1,026.91	3,569.45	7,600.59	5,612.48	2,846.87	759.23	569.07	213.11	373.85	430.89	24,358.87
MW Academy	42.55	42.55	63.93	122.50	308.31	182.05	147.66	72.57	55.69	42.55	43.93	42.55	1,166.84
Junior High	163.62	220.76	844.47	2,651.06	5,403.41	4,533.34	2,360.45	1,263.58	463.54	243.79	223.61	237.34	18,608.97
Travis	143.39	167.96	498.06	2,140.69	4,670.36	3,087.28	2,017.47	818.30	446.94	271.96	302.01	292.44	14,856.86
Houston	85.10	85.10	114.81	301.84	501.29	5,862.55	1,316.94	523.74	271.86	130.19	117.73	130.80	9,441.95
Lamar	111.95	160.16	476.27	1,714.44	4,128.15	3,104.00	1,624.58	708.62	281.09	82.49	76.37	97.72	12,565.84
DSC	46.92	56.96	316.45	1,404.65	2,777.14	2,189.25	1,058.18	340.53	172.98	66.93	65.38	67.04	8,562.41
Athletics	42.55												42.55
Transportation	44.01	44.35	364.21	1,154.11	1,602.85	1,125.52	420.04	134.63	107.77	76.66	75.18	76.83	5,226.16
Total	1,296.04	1,518.31	3,705.11	13,058.74	26,992.10	25,696.47	11,792.19	4,621.20	2,368.94	1,127.68	1,278.06	1,375.61	94,830.45

2018-2019	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Total
High School	661.89	624.07	1,674.62	4,148.47	6,827.47	5,923.24	4,435.73	1,406.14	337.42	288.36	293.75	242.42	26,863.58
MW Academy	42.55	54.78	123.88	304.70	362.89	283.53	248.16	130.12		82.81	91.57	80.26	1,805.25
Junior High	241.49	550.95	1,278.47	3,283.51	4,222.67	3,197.52	2,510.40	961.55	159.99	261.28	180.92	92.96	16,941.71
Travis	181.19	403.37	1,339.50	3,160.76	4,000.28	3,391.25	2,571.19	853.66	69.12	231.18	201.06	174.75	16,577.31
Houston	191.14	284.22	881.11	2,365.71	2,912.38	2,286.74	1,857.70	668.57	59.68	209.10	190.27	163.10	12,069.72
Lamar	252.52	482.74	1,695.63	3,456.13	3,591.56	2,664.71	2,135.88	669.71	105.74	155.07	126.62	85.23	15,421.54
DSC	67.40	164.95	830.08	1,771.29	2,210.28	2,162.66	1,648.35	418.15	106.89	156.65	110.63	84.15	9,731.48
Transportation	75.68	200.57	427.34	1,170.85	2,180.86	1,786.57	1,281.68	386.59	26.63	119.39	105.24	80.26	7,841.66
Total	1,713.86	2,765.65	8,250.63	19,661.42	26,308.39	21,696.22	16,689.09	5,494.49	865.47	1,503.84	1,300.06	1,003.13	107,252.25

2019-2020	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Total
High School	464.81	625.18	1,526.98	7,010.89	4,466.58	3,507.60	1,946.76						19,548.80
MW Academy	80.26	81.62	116.46	296.18	224.72	186.79	122.41	50.13	81.26	80.26			1,320.09
Junior High	142.74	221.36	580.81	3,433.80	2,852.83	2,116.85	656.97	347.04	227.84	195.09			1



BOARD OF TRUSTEES Agenda Item

MEETING DATE: August 10, 2020

MEETING TYPE:

- Regular Meeting
- Special Meeting

AGENDA ITEM TYPE:

- Action Item
- Non Action Item

DISTRICT GOALS (Check all that apply):

- Academic Competitiveness
- Competitive Work Force
- Promote Community/School Partnerships
- Fiscal Responsibility
- Safe and Secure Schools

TITLE: Minutes of the July 13, 2020 meeting of the Board

RECOMMENDED ACTION: It is recommended that the July 13, 2020 minutes be approved as presented.

BOARD POLICY/STATE REGULATION/LAW REFERENCE (if applicable): Board Policy BE(LOCAL)

OVERVIEW:

Board action shall be carefully recorded by the Board Secretary or clerk; when approved, these minutes shall serve as the legal record of official Board actions. The written minutes of all meetings shall be approved by vote of the Board and signed by the Board President and the Board Secretary.

FISCAL IMPACT: N/A

ATTACHMENTS: July 13, 2020 Minutes

DEPARTMENT(S) SUBMITTING FORM: Superintendent

DEPARTMENT SIGNATURE/APPROVAL: 

**MINERAL WELLS INDEPENDENT SCHOOL DISTRICT
MINERAL WELLS, TEXAS**

SUBJECT: Minutes of Regular Board Meeting
PLACE: via Videoconference
DATE: July 13, 2020
TIME: 6:00 p.m.

Meetings of the Mineral Wells Independent School District Board of Trustees are routinely held at the District Services Complex, 906 SW 5th Avenue, Mineral Wells, Texas. Due to health and safety concerns related to the COVID-19 coronavirus, this meeting was conducted by video and audio conference in accordance with the provisions of Section 551.125 or 551.127 of the Texas Government Code that have not been suspended by order of the governor.

Board Members Present: Maria Jones, President
Sunny Lee, Vice President
Donna Henderson
Greg Malone
Lauretta Poole
Joe Ruelas

Board Members Absent: Scott Elder, Secretary

Central Administrators Present: John Kuhn, Superintendent
David Tarver, Assistant Superintendent
Paul Hearn, Chief Financial Officer
Carey Carter Executive Director of Curriculum
Natalie Griffin, Executive Director of Special Programs

Call to Order/Establish Quorum: The regular meeting was called to order at 6:01 p.m. by Vice President Sunny Lee. Let the record show that a quorum of board members was present, that this meeting had been duly called, and that notice of this meeting had been posted.

Oath of Office for Elected Board Members: Marilyn Bradshaw, Notary Public, administered the Oath of Office to newly elected board member Maria Jones, Place 7.

Closed Session – Texas Government Code 551.074: The Board adjourned into closed session at 6:02 p.m. The closed session ended at 7:03 p.m. No action was taken in closed session.

Open Session: The Board reconvened in open session at 7:04 p.m.

Prayer: Donna Henderson opened the meeting with prayer.

Pledges – U.S./Texas Flags: The Board led the audience in the pledges of allegiance.

Mission & Vision Statements: Sunny Lee read the Mission and Vision Statements.

Public Comment:

None

President's Report:

- Sunny Lee, Board Vice President, announced that virtual SLI courses are still available on demand until July 24.
- Joe Ruelas will be attending the TASA/TASB Annual Convention in October and volunteered to serve as Delegate.

Superintendent's Report:

Dr. Kuhn updated the Board on MWISD COVID-19 response plan and provided them with copies of the following documents. These documents will be released to the public on July 14: COVID-19 cover letter, MWISD Prevention and Response Protocol, MWISD Remote Instruction Guide, MWISD Remote Instruction FAQs, and MWISD Athletic Department Prevention and Response Protocol.

Consent Agenda Items:

- A. **Monthly Financial Reports and Accounts Payable Listing**
- B. **Water/Electricity/Gas Reports**
- C. **Investment Report**
- D. **Minutes of the June 8, 2020 and July 6, 2020 Meetings of the Board**
- E. **Interlocal Agreement with Palo Pinto County Tax Assessor-Collector for Assessment and Collection Services for the 2020-2021 School Year**

Joe Ruelas moved and Maria Jones seconded a motion to approve the consent agenda items as presented. *Roll call vote:* Henderson–AYE, Ruelas–AYE, Malone–AYE, Jones–AYE, Lee–AYE, Poole–AYE. The motion carried 6-0. (copies attached)

Consider Nomination of MWISD Board Member to Serve on Tax Increment Reinvestment Zone No. 2 Board of Directors

Greg Malone moved and Joe Ruelas seconded a motion nominating Scott Elder to serve on the Tax Increment Reinvestment Zone No. 2 Board of Directors. *Roll call vote:* Henderson–AYE, Ruelas–AYE, Malone–AYE, Jones–AYE, Lee–AYE, Poole–AYE. The motion carried 6-0. (copy attached)

Consider Endorsement of Region 11 Candidate for TASB Board Position:

Maria Jones moved and Donna Henderson seconded a motion to endorse Julie Cole, Hurst-Euleless-Bedford ISD, as candidate for Region 11, Position C, TASB Board Position. *Roll call vote:* Henderson–AYE, Ruelas–AYE, Malone–AYE, Jones–AYE, Lee–AYE, Poole–AYE. The motion carried 6-0. (copy attached)

Consider Request for Qualifications for Design and Construction Services for Agricultural Science Facility:

Maria Jones moved and Donna Henderson seconded a motion to postpone this agenda item until November. *Roll call vote:* Henderson–AYE, Ruelas–AYE, Malone–AYE, Jones–AYE, Lee–AYE, Poole–AYE. The motion carried 6-0.

**PUBLIC HEARING Regarding
Optional Flexible School Day
Program:**

A Public Hearing was held regarding the Optional Flexible School Day Program. Following a brief overview by David Tarver, Assistant Superintendent, the floor was opened for questions and discussion.

**Consider Application for Optional
Flexible School Day Program:**

Joe Ruelas moved and Greg Malone seconded a motion approving the application for Optional Flexible School Day Program as presented. *Roll call vote: Henderson–AYE, Ruelas–AYE, Malone–AYE, Jones–AYE, Lee–AYE, Poole–AYE.* The motion carried 6-0. (copy attached)

**Consider Student Code of Conduct
for 2020-2021:**

Maria Jones moved and Donna Henderson seconded a motion to approve the Student Code of Conduct for 2020-2021 as presented. *Roll call vote: Henderson–AYE, Ruelas–AYE, Malone–AYE, Jones–AYE, Lee–AYE, Poole–AYE.* The motion carried 6-0. (copy attached)

**Consider Purchase of Equipment to
Facilitate At-Home and In-Class
Learning Environments:**

Joe Ruelas moved and Maria Jones seconded a motion approving purchase of technology equipment to facilitate at-home and in-class learning environments as presented. *Roll call vote: Henderson–AYE, Ruelas–AYE, Malone–AYE, Jones–AYE, Lee–AYE, Poole–AYE.* The motion carried 6-0. (copy attached)

Information:

**A. Calendars for July and
August**

The Board received calendars for July and August.

Vote on Closed Session Items:

None

Adjournment:

Motion was made by Joe Ruelas and seconded by Greg Malone to adjourn the meeting. *Roll call vote: Henderson–AYE, Ruelas–AYE, Malone–AYE, Jones–AYE, Lee–AYE, Poole–AYE.* The motion carried 6-0 and the meeting adjourned at 8:22 p.m.

Maria Jones, President

Sunny Lee, Vice President

Scott Elder, Secretary

mb



BOARD OF TRUSTEES Agenda Item

MEETING DATE: August 10, 2020

MEETING TYPE:

- Regular Meeting
- Special Meeting

AGENDA ITEM TYPE:

- Action Item
- Non Action Item

DISTRICT GOALS (Check all that apply):

- Academic Competitiveness
- Competitive Work Force
- Promote Community/School Partnerships
- Fiscal Responsibility
- Safe and Secure Schools

TITLE: *Leasor Crass, P.C. Proactive Legal Services & Retainer Program*

RECOMMENDED ACTION: It is recommended that the *Leasor Crass, P.C. Proactive Legal Services & Retainer Program* be approved as presented.

BOARD POLICY/STATE REGULATION/LAW REFERENCE (if applicable): Board Policy BDD(LOCAL)

OVERVIEW:

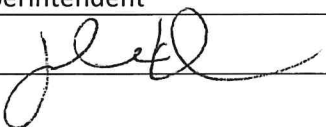
The Board shall retain an attorney or attorneys, as necessary, to serve as the District's legal counsel and representatives in matters requiring legal services. Services to be performed and reasonable compensation to be paid by the Board shall be set forth in a written contract between the Board and the attorney or attorneys. In accordance with the written contract, individual Trustees shall channel legal inquiries through the Superintendent or Board designee, as appropriate, when advice or information from the District's legal counsel is sought. Staff requests for legal advice from the District's legal counsel shall be submitted through the Superintendent or designee. A report of legal advice received shall be presented to the Board when deemed appropriate by the administration or upon request of the Board.

Board Policy BDD(LOCAL): Board Internal Organization - Attorney

FISCAL IMPACT: \$397.50

ATTACHMENTS: Proactive Legal Services & Retainer Program

DEPARTMENT(S) SUBMITTING FORM: Superintendent

DEPARTMENT SIGNATURE/APPROVAL: 



PROACTIVE LEGAL SERVICES & RETAINER PROGRAM

The Mineral Wells Independent School District (hereinafter “District”), acting by and through the authorized Trustee or Employee whose signature appears below, hereby retains the law firm of Leasor Crass, PC (hereinafter “Law Firm”), to provide the services to the District set forth below.

1. **Telephone Consultation:** The Law Firm shall provide telephone consultation on routine matters at no charge to the District’s Trustees, Superintendent, Business Manager, Special Education Director, or any Superintendent designee pertaining to questions arising out of the operation of the District. District Trustees and staff shall have access to attorneys’ cell phone numbers and direct telephone numbers to enable access to the firm’s attorneys 24 hours a day, 7 days a week.

2. **Email Questions:** The Law Firm shall provide responses to email questions regarding routine matters at no charge to the District’s Trustees, Superintendent, Business Manager, Special Education Director, or any Superintendent designee pertaining to questions arising out of the general operation of the District. The District shall be provided a list of attorney email addresses for email access.

3. **Additional Legal Work:** The District shall be entitled to a reduced hourly rate for additional legal work over and above the routine general consultation described in paragraphs 1 and 2. Examples of such additional legal work include, but are not limited to, negotiation of contracts, grievances, personnel nonrenewal or terminations, review of construction documents, review and preparation for ARD and §504 meetings, litigation, administrative appeals, and specialized trainings. This includes research, the preparation of opinion letters and memorandum of law, and the provision of legal advice as well as the representation in adversarial matters. All time, including telephone calls, is charged at the hourly rates set forth below billable in six (6) minute increments, plus expenses and shall be charged and invoiced on a monthly basis. Files shall not be opened nor additional fees incurred by the District without express consent of the Board President, Superintendent or Superintendent’s designee to open a file on such matter.

Fees for Retainer Districts and Charter Schools

Shareholders	Partners/ Of Counsel	Sr. Associates	Associates	Law Clerks	Paralegals
\$265/hour	\$250/hour	\$225/hour	\$210/hour	\$125/hour	\$115/hour

Fees for Non-Retainer Districts and Charter Schools

Shareholders	Partners/ Of Counsel	Sr. Associates	Associates	Law Clerks	Paralegals
\$350/hour	\$325/hour	\$295/hour	\$260/hour	\$150/hour	\$125/hour

4. **Access to Publications:** The Law Firm shall send information in the form of publications to designated District personnel and trustees on a routine bases relating to developments in school law. The content and publication schedule of such updates shall be determined by the Law Firm.
5. **School Board Trainings:** The Law Firm is approved by TEA to provide board training continuing education credits. Discounted rates will be provided to your District for the annual required school board training hours. Customized programs at special rates can be negotiated for your specific district.
6. **Administrator Recruitment:** Because of the vast networking opportunities available, combined with our many years of service, both as educators and school attorneys, we are in a unique position to assist the District in recruiting top candidates for your administrator positions. Firm members will assist the Superintendent/Human Resources Department in soliciting, contacting, or evaluating individuals for key administrator positions within your District at no charge to the District.
7. **District Trainings:** The Law Firm is approved by TEA to provide professional continuing education credits. Discounted rates will be provided to your District for training in the areas listed below. Customized programs at special rates can be negotiated for your specific district.
 - a) Documentation Training for Administrators
 - b) Special Education Training
 - c) §504 Training
 - d) Social Media Training
 - e) Bond Election Issues for Board Members and Administrators
 - f) Sexual Harassment Documentation Training
 - g) Bullying Training
8. **Retainer Term and Cost:** There is an annual fee for this Retainer Agreement due no later than September 1st of each year. For the 2020-21 school year, Leasor Crass is reducing the rate for membership by half due to the difficult climate districts are facing this year. Failure to provide the annual retainer agreement and remit payment shall result in the non-retainer rates being charged and the inability to access the services of our programs. ***Payment received prior to September 1, 2020 will qualify for a \$100.00 discount on the annual retainer program fee.*** This Retainer Agreement shall remain in effect unless notice of cancellation is received in writing by Leasor Crass. The annual fee is based upon the District's total student enrollment as of the last day of school for the 2019-2020 school year and is as follows:

Student enrollment of <999	\$595.00	\$297.50/annually
Student enrollment of 1000-2499.....	\$695.00	\$347.50/annually
Student enrollment of 2500-4999	\$795.00	\$397.50/annually
Student enrollment of 5000-7499	\$895.00	\$447.50/annually
Student enrollment of >7500	\$995.00	\$497.50/annually
Charter Schools	\$895.00	\$447.50/annually
Special Education Cooperatives	\$895.00	\$447.50/annually

9. **Scope of Attorney-Client Relationship:** Membership in the Leasor Crass Proactive Legal Services & Retainer Program establishes a limited attorney-client relationship only between the Law Firm and the District. The relationship exists only as to the consultations and additional legal work that are requested by the District. Membership in the Proactive Legal Services & Retainer Program does not impose any duty upon the Law Firm to provide advice or legal services to the District regarding matters unless a specific request by the District's Board President, Superintendent or designee is made for specific advice. The Law Firm and the District acknowledge and represent that this Agreement does not establish an attorney-client relationship between the Law Firm and any individual Trustee or employee of the District. If a lawsuit or other adversarial matter is brought against the District and/or any Trustee or employee of the District, the Law Firm may require the execution of one or more separate letters of engagement prior to establishing an attorney-client relationship in the matter.
10. **Term of Agreement:** Upon the payment of the invoice and execution, this Agreement shall be effective immediately and shall renew annually on September 1st unless written notice of cancellation is received by Leasor Crass. Access to the publications shall become effective upon completion and return of the District Information Sheet included herein.


Effective this _____ day of _____, 2020.

LEASOR CRASS, P.C.

Mineral Wells INDEPENDENT SCHOOL DISTRICT

By: 
Mike Leasor, Shareholder

By: _____
John Kuhn _____, Superintendent

By: 
Rhonda Crass, Shareholder



BOARD OF TRUSTEES Agenda Item

MEETING DATE: August 10, 2020

MEETING TYPE:

- Regular Meeting
- Special Meeting

DISTRICT GOALS (Check all that apply):

- Academic Competitiveness
- Competitive Work Force
- Promote Community/School Partnerships
- Fiscal Responsibility
- Safe and Secure Schools

AGENDA ITEM TYPE:

- Action Item
- Non Action Item

TITLE: Eichelbaum Wardell Hansen Powell & Munoz, P.C. *Telephone Consultation Agreement*

RECOMMENDED ACTION: It is recommended that the Eichelbaum Wardell Hansen Powell & Munoz, P.C. *Telephone Consultation Agreement* be approved as presented.

BOARD POLICY/STATE REGULATION/LAW REFERENCE (if applicable): Board Policy BDD(LOCAL)

OVERVIEW:

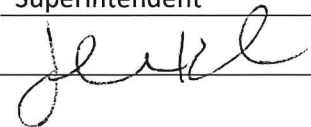
The Board shall retain an attorney or attorneys, as necessary, to serve as the District's legal counsel and representatives in matters requiring legal services. Services to be performed and reasonable compensation to be paid by the Board shall be set forth in a written contract between the Board and the attorney or attorneys. In accordance with the written contract, individual Trustees shall channel legal inquiries through the Superintendent or Board designee, as appropriate, when advice or information from the District's legal counsel is sought. Staff requests for legal advice from the District's legal counsel shall be submitted through the Superintendent or designee. A report of legal advice received shall be presented to the Board when deemed appropriate by the administration or upon request of the Board.

Board Policy BDD(LOCAL): Board Internal Organization - Attorney

FISCAL IMPACT: \$750

ATTACHMENTS: Telephone Consultation Agreement

DEPARTMENT(S) SUBMITTING FORM: Superintendent

DEPARTMENT SIGNATURE/APPROVAL: 



EICHELBAUM WARDELL
HANSEN POWELL & MUÑOZ, P.C.

5801 Tennyson Parkway, Suite 360 | Plano, Texas 75024
P: (972) 377-7900 | F: (972) 377-7277 | C: (972) 679-1907
(800) 488-9045 | www.edlaw.com

Julie H. Eichelbaum
Director of Client Relations

July 3, 2019

Dr. John Kuhn
Superintendent
Mineral Wells ISD
906 W 5th Ave
Mineral Wells, TX 76067

Dear Dr. Kuhn,

Thank you for your continued trust and partnership. We appreciate the many years our firm has worked with the district.

Enclosed please find an invoice for the legal service retainer for the 2020-21 school year. While the annual retainer fee has remained unchanged, this letter serves as notice that on September 1, 2020, our new hourly rates will take effect. The new rates are set out in the attached "Exhibit A."

We thank you for your confidence in our firm. If you have any concerns or questions, please be sure to contact me at (800) 488-9045.

Sincerely,

EICHELBAUM WARDELL
HANSEN POWELL & MUÑOZ, P.C.

By 
Julie H. Eichelbaum
jeichelbaum@edlaw.com

Enclosures: Exhibit A and Invoice

EXHIBIT A

EICHELBAUM WARDELL HANSEN POWELL & MUÑOZ, P.C. TELEPHONE CONSULTATION AGREEMENT FEES, RATES, AND EXPENSES AS OF SEPTEMBER 1, 2020

FEES

On each September 1, the District will be billed one flat fee of \$750, which entitles authorized District representatives to unlimited telephone advice on initial calls under .3 hours related to a single matter.

RATES

For any work conducted on a matter beyond the initial telephone call, the District will be charged the following reduced hourly rates:

\$295 for Senior Shareholders (20+ Years of Practice);
\$265 for Shareholders;
\$245 for Senior Associates;
\$235 for Associates;
\$195 for Attorneys Pending Licensure; and
\$110 for Law Clerks and/or Paralegals.

EXPENSES

In addition to fees for legal services, statements will include other charges for expenses and services incurred in relation to providing legal services.

Copying and Printing	\$.15 per page for black & white copies \$.50 per page for color copies
Delivery charges, Long Distance Charges, Long Distance Cellular, Postage, Electronic Research and Travel	Actual cost
Mileage	IRS standard rate
Court Reporters and other Outside Vendor Fees	Actual cost <i>Invoices for such services will be sent to the District for direct payment by the District to the vendor involved.</i>



BOARD OF TRUSTEES Agenda Item

MEETING DATE: August 10, 2020

MEETING TYPE:

- Regular Meeting
- Special Meeting

AGENDA ITEM TYPE:

- Action Item
- Non Action Item

DISTRICT GOALS (Check all that apply):

- Academic Competitiveness
- Competitive Work Force
- Promote Community/School Partnerships
- Fiscal Responsibility
- Safe and Secure Schools

TITLE: Resolutions of Palo Pinto County Extracurricular Status of 4-H Organization/Adjunct Faculty Appointment

RECOMMENDED ACTION: It is recommended that the Resolutions of Palo Pinto County Extracurricular Status of 4-H Organization/Adjunct Faculty Appointment be approved as presented.

BOARD POLICY/STATE REGULATION/LAW REFERENCE (if applicable): TAC §76.1

OVERVIEW:

An extracurricular activity is an activity sponsored by the University Interscholastic League (UIL), the school district board of trustees, or an organization sanctioned by resolution of the board of trustees. The activity is not necessarily directly related to instruction of the essential knowledge and skills but may have an indirect relation to some areas of the curriculum. Extracurricular activities include, but are not limited to, public performances, contests, demonstrations, displays, and club activities, with the exception of public performances.

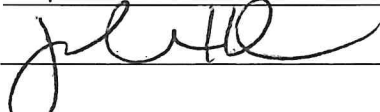
Texas Administrative Code, Title 19, Part I Chapter 76. Extracurricular Activities

Statutory Authority: The provisions of this Chapter 76 issued under the Texas Education Code, §7.102(b)(28) and §33.081, unless otherwise noted.

FISCAL IMPACT: N/A

ATTACHMENTS: Resolutions of Palo Pinto County Extracurricular Status of 4-H Organization/Adjunct Faculty Appointment

DEPARTMENT(S) SUBMITTING FORM: Superintendent

DEPARTMENT SIGNATURE/APPROVAL: 

Palo Pinto County Office

July 22, 2020

Dr. John Kuhn
Superintendent
Mineral Wells ISD
906 S.W. 5th Ave.
Mineral Wells, TX 76067

Dear Dr. Kuhn,

On behalf of the 4-H members of Palo Pinto County, we hereby respectfully request that the 4-H organization, by the attached resolutions, be sanctioned as an extracurricular activity. We also request that we be recognized as adjunct staff members and to count students participating in 4-H/Extension educational activities in attendance.

The enclosed resolutions should be presented for consideration at the next scheduled meeting of the Board of Trustees of the Mineral Wells Independent School District. We further request that questions regarding these resolutions be directed to us in a timely manner so that we may prepare and present an appropriate response so as not to delay action on this request.

Finally, we request that a signed copy of both resolutions, along with a copy of the minutes of the Board meeting, be forwarded to us for our files.

Thank you and members of the Board of Trustees for your consideration of this request and for your continued support of the 4-H program in Palo Pinto County.

Sincerely,



Jason Westbrook
County Extension Agent -
Agriculture & Natural Resources
Palo Pinto County



Lynette Babcock
County Extension Agent -
Family & Community Health
Palo Pinto County

Enclosures

Texas A&M Agrilife Extension Service - Palo Pinto County Office
221 S. 5th Avenue • P.O. Box 130 • Palo Pinto, Texas 76484
Telephone: 940.659.1228 • Fax: 940.659.2655 • Website: palopinto.agrilife.org • Email: palopint@ag.tamu.edu

**RESOLUTION
regarding
EXTRACURRICULAR STATUS OF 4-H ORGANIZATION**

Be it hereby resolved that upon this date, the duly elected Board of Trustees of the
Mineral Wells Independent School District

meeting in public with a quorum present and certified, did adopt this resolution that recognizes the Palo Pinto County Texas 4-H Organization as approved for recognition and eligible for extracurricular status consideration under 19 Texas Administrative Code, Chapter 76.1, pertaining to extracurricular activities.

Participation by 4-H members under provisions of this resolution is subject to all rules and regulations set forth under the 19 Texas Administrative Code as interpreted by this Board and designated officials of this school district whose rules shall be final.

Approved this _____ day of _____, 2020.

(For the Board of Trustees)

(Superintendent)

RESOLUTION
ADJUNCT FACULTY APPOINTMENT

PALO PINTO COUNTY 4-H
EXTRACURRICULAR STATUS OF 4-H ORGANIZATION

Adjunct faculty status is granted to all members of the current county Extension faculty, who meet the eligibility requirements for participation in the Teacher Retirement System of Texas and have a minimum of a bachelor's degree. The county Extension staff will annually provide a current list of adjunct faculty to the appropriate officials on or before request of completion of Declaration of Eligibility Forms. If the faculty changes, the list shall be edited by the county Extension staff and forwarded to the appropriate officials. This appointment is subject to the following conditions and provisions of such appointment, to wit:

1. Adjunct faculty member will receive no compensation, salary, or remuneration from Mineral Wells ISD.
2. Adjunct faculty member is and shall remain an employee, in good standing, of the Texas A&M AgriLife Extension Service.
3. Adjunct faculty member shall be under the direction of the District Extension Administrator.
4. Adjunct faculty member shall receive all group insurance benefits, workman's compensation insurance benefits, unemployment insurance, and any or all other plans for the benefit of Texas A&M AgriLife Extension Service employees. District shall have no responsibility for any of such benefits or plans.

Adjunct faculty members shall direct the activities and participation of students of the school district in sponsored and approved activities as designated from time to time by adjunct faculty member for which notice shall be given to School District administrative personnel. Adjunct faculty members' activities and participation with students of the School District are directed, supervised, and controlled by and through supervisory personnel of Texas A&M AgriLife Extension Service. Adjunct faculty member is not the employee of the School District, and School District does not nor shall not supervise, direct, or control the activities and/or participation of such Palo Pinto County Extension Agents who have been herein designated as an adjunct faculty member.

This appointment is made by the Mineral Wells Independent School District by and through the action of the Board of Trustees of said District for the benefit of allowing voluntary student participation in programs conducted by Texas A&M AgriLife Extension Service in recognition of the educational benefits arising from such participation and activities and/or directed by Texas A&M AgriLife Extension Service. This appointment is made in accordance with the provisions of Section 129.21 (k)(1) of the Texas Administrative Code authorizing the school to deem such participating students in attendance for Foundation School Program purposes.

This appointment of the Palo Pinto County Extension Agents (Extension employees) is not intended nor shall be construed as a waiver of any claim or defense of sovereign or governmental immunity from liability now possessed by the Mineral Wells Independent School District or any of its employees, agents, officers, and/or board members in the performance of governmental functions.

Approved this _____ day of _____, 2020.

(For the Board of Trustees)

(Superintendent)

ADJUNCT FACULTY APPOINTMENT

Palo Pinto County requests adjunct staff member status for the county Extension agents for the school year 2020-2021. The following faculty members are eligible for participation in the Teacher Retirement System of Texas and have a minimum of a bachelor's degree.

Name	Title	Degrees
Jason Westbrook	County Extension Agent <i>Agriculture & Natural Resources</i>	Master of Science, Teaching Agricultural Education Tarleton State University 1993 Bachelor of Science, General Agriculture Tarleton State University 1992
Lynette Babcock	County Extension Agent <i>Family & Community Health</i>	Master of Science, Agriculture Science Texas A&M University – Kingsville August 2010 Bachelor of Science, Human Development & Family Studies Texas Tech University December 1992



BOARD OF TRUSTEES Agenda Item

MEETING DATE: August 10, 2020

MEETING TYPE:

- Regular Meeting
- Special Meeting

AGENDA ITEM TYPE:

- Action Item
- Non Action Item

DISTRICT GOALS (Check all that apply):

- Academic Competitiveness
- Competitive Work Force
- Promote Community/School Partnerships
- Fiscal Responsibility
- Safe and Secure Schools

TITLE: 2020-2021 Teacher Appraisal Calendar and T-TESS Appraisers

RECOMMENDED ACTION: It is recommended that the 2020-2021 Teacher Appraisal Calendar and T-TESS Appraisers be approved as presented.

BOARD POLICY/STATE REGULATION/LAW REFERENCE (if applicable): Board Policy DNA(LEGAL); DNA(LOCAL)

OVERVIEW:

A district shall establish a calendar for teacher appraisals and provide that calendar to teachers within three weeks from the first day of instruction. The appraisal period for each teacher must include all of the days of the teacher's contract.

Observations during the appraisal period must be conducted during the required days of instruction for students during one school year.

The appraisal calendar shall:

1. Exclude observations in the two weeks after the day of completion of the T-TESS orientation in the school years when an orientation is required; and
2. Indicate a period for end-of-year conferences that ends no later than 15 working days before the last day of instruction for students.

19 TAC 150.1003(d)

A teacher may be given advance notice of the date or time of an appraisal, but advance notice is not required. *Education Code 21.352(d); 19 TAC 150.1003(c)*

The District shall appraise teachers using the Texas Teacher Evaluation and Support System (T-TESS) in accordance with law and administrative regulations.

The Board shall approve a list of certified appraisers who can appraise a teacher in place of the teacher's supervisor.

FISCAL IMPACT: N/A

ATTACHMENTS: Teacher Appraisal Calendar; List of T-TESS Appraisers

DEPARTMENT(S) SUBMITTING FORM: Assistant Superintendent HR/Student Services

DEPARTMENT SIGNATURE/APPROVAL:  

Mineral Wells ISD
Teacher Appraisal Calendar
2020 - 2021

T-TESS Teacher Orientation training on	August 6, 2020
Last Day to submit Goal Setting and Professional Development Plan (GSPD), and Complete GSPD Conference	September 17, 2020
Formal Observation Period begins <ul style="list-style-type: none">• Must be scheduled within a 1-week window• Post-Conference<ul style="list-style-type: none">○ within 10 working days after	September 29, 2020
Formal Observation Period ends	April 20, 2020
End of Year Conference, before <ul style="list-style-type: none">• Written Summative Annual Appraisal Report<ul style="list-style-type: none">○ within 10 working days of EOY conference	May 5, 2021

Mineral Wells Independent School District

2020-2021

T-TESS Appraisers

David Tarver

Carey Carter

Natalie Griffin

Parisa Lerma

Doug Funk

Nichole Gray

Deeann Hampton

Stefany Johnston

Eric Rivas

Jeff Williams

Shanna Coker

Joey Hobbs

Neil Mesler

Kelly Wilson

David Wells

Melissa Murphy

Jaycee Roach

Amy Salazar

April Richardson

Kendra Fowler

Dianna Leggett

Rhonda Mack

Jeff Smith



BOARD OF TRUSTEES Agenda Item

MEETING DATE: August 10, 2020

MEETING TYPE:

- Regular Meeting
- Special Meeting

AGENDA ITEM TYPE:

- Action Item
- Non Action Item

DISTRICT GOALS (Check all that apply):

- Academic Competitiveness
- Competitive Work Force
- Promote Community/School Partnerships
- Fiscal Responsibility
- Safe and Secure Schools

TITLE: Consider and Take Action on the 2020-2021 Compensation Plan

RECOMMENDED ACTION: It is recommended that the 2020-2021 Compensation Plan be approved as presented.

BOARD POLICY/STATE REGULATION/LAW REFERENCE (if applicable): Board Policy DEA(LEGAL), DEA(LOCAL)

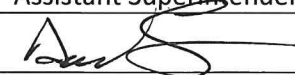
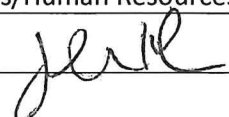
OVERVIEW:

The Mineral Wells Independent School District compensation plan describes wage and salary structures, stipends, benefits, and incentives and supports district goals for hiring and retaining qualified employees. The Board shall review and approve the compensation plan to be used by the District. Each job title within the compensation plan is classified based on the qualifications, duties, and market value of the position.

FISCAL IMPACT: Estimated \$240,000 (subject to change with end of year budget)

ATTACHMENTS: Compensation Plan

DEPARTMENT(S) SUBMITTING FORM: Assistant Superintendent Student Services/Human Resources

DEPARTMENT SIGNATURE/APPROVAL:  



**Mineral Wells
Independent School District**

2020 - 2021

Compensation Plan

MWISD Human Resources Department
906 S.W. 5th Ave.
Mineral Wells, Texas 76067
940-325-6404

An Equal Opportunity Employer

Available online at:
www.mwisd.net

Approved: TBD

Contents

Hiring salary range for Classroom Teachers, Full-time Librarians, & Full-time Nurses (RN) (Exempt).....	2
New hire guide for Classroom Teachers, Full-time Librarians, & Full-time Nurses (RN) (Exempt).....	3
Administrative / Professional Pay Plan (Exempt).....	4
Clerical / Paraprofessional Pay Plan.....	5
Clerical / Paraprofessional Placement Scale.....	6
Auxiliary Pay Plan.....	7
Blended Rates.....	8
Substitute Pay Plan.....	8
Supplemental Pay Plan (Stipends).....	9-10

Note: This hiring schedule is for the 2020-21 school year. The Board of Trustees adopts a new compensation plan each year, and future salaries cannot be assumed or predicted.

Mineral Wells ISD
2020-21 New Hire Guide for
Teachers, Librarians, and Nurses (RN)

	10 Month (182)	11 Month (202)	12 Month (221)
Experience	Salary	Salary	Salary
0	\$45,000	\$49,945	\$54,643
1	\$45,730	\$50,755	\$55,529
2	\$46,440	\$51,543	\$56,391
3	\$47,170	\$52,354	\$57,278
4	\$48,690	\$54,041	\$59,124
5	\$50,220	\$55,739	\$60,981
6	\$51,750	\$57,437	\$62,839
7	\$53,170	\$59,013	\$64,564
8	\$54,510	\$60,500	\$66,191
9	\$55,780	\$61,910	\$67,733
10	\$56,970	\$63,230	\$69,178
11	\$58,110	\$64,496	\$70,562
12	\$59,190	\$65,694	\$71,874
13	\$60,190	\$66,804	\$73,088
14	\$61,150	\$67,870	\$74,254
15	\$62,050	\$68,869	\$75,346
16	\$62,910	\$69,823	\$76,391
17	\$63,710	\$70,711	\$77,362
18	\$64,480	\$71,566	\$78,297
19	\$65,200	\$72,365	\$79,171
20	\$65,880	\$73,120	\$79,997
21	\$66,180	\$73,453	\$80,361
22	\$66,480	\$73,785	\$80,726
23	\$66,780	\$74,118	\$81,090
24	\$67,080	\$74,451	\$81,454
25	\$67,380	\$74,784	\$81,819
26+	* See Below	* See Below	* See Below

\$1,000 General Master's Degree Stipend

The salaries listed above are based on 10-month employment for the 2020-21 school year. Salary plans are determined on an annual basis and salary advancement is not guaranteed. Pay increases are based on the annual pay raise budget approved by the Board of Trustees which will be based off the original TASB model, excluding Districts of Innovation adjustments.

* \$300 Raise Every MWISD Year After Step 25

Mineral Wells ISD
2020-21 Salary Range for
Teachers, Librarians, and Nurses (RN)

Base Salary Range

10-Month Salary Range Minimum: \$45,000

10-Month Salary Range Maximum: \$67,380

\$1,000 General Master's Degree Stipend
\$300 Raise Every MWISD Year After Step 25

The salaries listed above are based on 10-month employment for the 2020-21 school year. Salary plans are determined on an annual basis and salary advancement is not guaranteed. Pay increases are based on the annual pay raise budget approved by the Board of Trustees which will be based off the original TASB model, excluding Districts of Innovation adjustments.

Salaries are determined individually with consideration for job-related experience and credentials.

2020-21 Administrative/Professional Pay Plan
 Mineral Wells ISD

Pay Grade	Job Title	Calendars	Minimum	Midpoint	Maximum	3.0% GPI	
1							
	Coordinator, Public Relations	226	Daily	\$188.60	\$230.00	\$271.40	\$6.90
	LSSP Trainee	194	187 Days	35,268	43,010	50,752	1,290
	Occupational Therapist Asst	187	194 Days	36,588	44,620	52,652	1,339
	Occupational Therapist Asst - D.O.I.	182	226 Days	42,624	51,980	61,336	1,559
	Speech Therapist Asst	187	Daily	\$193.78	\$236.32	\$278.86	\$6.90
	Speech Therapist Asst - D.O.I.	182	182 Days	35,268	43,010	50,752	1,290
2							
	Assistant Principal, ES	207	Daily	\$248.95	\$303.60	\$358.25	\$9.11
	Assistant Principal, JH	207	150 Days	37,343	45,540	53,738	1,366
	Coordinator, Autism	187	187 Days	46,554	56,773	66,993	1,703
	Coordinator, Autism - D.O.I.	182	194 Days	48,296	58,898	69,501	1,767
	Counselor, ES	202	202 Days	50,288	61,327	72,367	1,840
	Counselor, HS	207	207 Days	51,533	62,845	74,158	1,885
	Dean of Students, JH	207	226 Days	56,263	68,614	80,965	2,058
	Diagnostician	194	Daily	\$255.79	\$311.94	\$368.09	\$9.11
	Director, Food Service	226	182 Days	46,554	56,773	66,993	1,703
	LSSP	194					
	Network Administrator	226					
	Occupational Therapist	187					
	Occupational Therapist - D.O.I.	182					
	Physical Therapist	150					
	Speech Therapist	187					
	Speech Therapist - D.O.I.	182					
3							
	Assistant Principal, HS	207	Daily	\$288.79	\$352.18	\$415.57	\$10.57
	Coordinator, Curriculum and Behavior, ES	187	187 Days	54,004	65,858	77,712	1,976
	Coordinator, Curriculum and Behavior, ES - D.O.I.	182	207 Days	59,780	72,901	86,023	2,187
	Director, Maintenance	226	212 Days	61,223	74,662	88,101	2,240
	Director, Transportation	226	226 Days	65,267	79,593	93,919	2,388
	Principal, DAEP	207	Daily	\$296.72	\$361.86	\$426.99	\$10.57
	Principal, ES	212	182 Days	54,004	65,858	77,712	1,976
4							
	Director, Athletics	226	Daily	\$325.64	\$390.92	\$456.20	\$11.73
	Director, Special Education	226	226 Days	73,595	88,348	103,101	2,650
	Director, Technology	226					
	Principal, JH	226					
5							
	Executive Director, Curriculum	226	Daily	\$345.18	\$414.38	\$483.58	\$12.43
	Executive Director, Special Programs	226	226 Days	78,011	93,650	109,289	2,810
	Principal, HS	226					
6							
	Assistant Superintendent	226	Daily	\$400.41	\$480.68	\$560.95	\$14.42
	Chief Financial Officer	226	226 Days	90,493	108,634	126,775	3,259

- Superintendent of Schools - Salary set by Board of Trustees

2020-21 Clerical Paraprofessional Pay Plan

Mineral Wells ISD

*Annual amounts are based on 7.5 hours per day.

Pay Grade	Job Title	Calendars	Minimum	Midpoint	Maximum	3.0% GPI	
1							
	Bilingual Aide	187	Hourly \$9.15	\$12.20	\$15.25	\$0.37	
	Classroom Teacher Aide	187	187 Days	12,833	17,111	21,388	519
	Computer Lab Aide	187	Hourly \$9.40	\$12.54	\$15.67	\$0.37	
	ESL Aide	187	182 Days	12,833	17,111	21,388	519
	SPED Aide - General/Resource	187					
	All Pay Grade 1 - D.O.I.	182					
** Campus personnel that work as a bus driver or bus aide: See pg. 8 for salary information.							
2							
	Attendance Clerk, HS	187	Hourly \$9.50	\$12.66	\$15.83	\$0.38	
	Library Aide	187	187 Days	13,324	17,756	22,202	533
	Office Clerk	187	202 Days	14,393	19,180	23,982	576
	Secretary, General	202, 207	207 Days	14,749	19,655	24,576	590
	SPED Aide - Self Contained	187	Hourly \$9.76	\$13.01	\$16.26	\$0.38	
	All Pay Grade 2 (187's) - D.O.I.	182	182 Days	13,324	17,756	22,202	533
3							
	PEIMS Clerk, ES	202	Hourly \$11.75	\$14.69	\$17.63	\$0.44	
	PEIMS Clerk, JH	212	202 Days	17,801	22,255	26,709	667
	SPED PEIMS/Records Clerk	202	212 Days	18,683	23,357	28,032	700
4							
	Bookkeeper	202	Hourly \$13.28	\$16.60	\$19.92	\$0.50	
	PEIMS Clerk, HS	226	202 Days	20,119	25,149	30,179	758
	Receptionist	226	212 Days	21,115	26,394	31,673	795
	Secretary, ES Principal	212	226 Days	22,510	28,137	33,764	848
	Secretary, JH Principal	212					
5							
	Nurse (LVN)	187	Hourly \$14.70	\$17.93	\$21.16	\$0.54	
	Nurse (LVN) - D.O.I.	182	187 Days	20,617	25,147	29,677	757
	Secretary, Director	207, 212, 226	207 Days	22,822	27,836	32,851	838
	Secretary, HS Principal	226	212 Days	23,373	28,509	33,644	859
			226 Days	24,917	30,391	35,866	915
			Hourly \$15.10	\$18.42	\$21.74	\$0.54	
			182 Days	20,617	25,147	29,677	757
6							
	Accountant	226	Hourly \$17.79	\$21.70	\$25.61	\$0.65	
	Coordinator, Go Center	194	194 Days	25,884	31,574	37,263	946
	Payroll Clerk	226	226 Days	30,154	36,782	43,409	1,102
	Purchasing Clerk, District	226					
	Secretary, Asst Superintendent	226					
	Technology Support	226					
7							
	PEIMS Coordinator	226	Hourly \$21.35	\$26.04	\$30.73	\$0.78	
	Secretary, Superintendent	226	226 Days	36,188	44,138	52,087	1,322

2020-21 Clerical Paraprofessional Placement Scale Mineral Wells ISD

Placement scales are used to establish a minimum rate for new hires based on job-related experience approved by the district. Current employees may be paid above this placement scale. This scale is for placement of new hires only. Future wage increases are determined annually and are not guaranteed.

Range Position	2020-21 Yrs Exp	Pay Grades (194 Calendars and up)						
		1	2	3	4	5	6	7
Minimum	0	\$9.15	\$9.50	\$11.75	\$13.28	\$14.70	\$17.79	\$21.35
	1	\$9.20	\$9.55	\$11.81	\$13.35	\$14.77	\$17.88	\$21.46
	2	\$9.40	\$9.76	\$12.01	\$13.57	\$14.99	\$18.14	\$21.77
	3	\$9.60	\$9.97	\$12.21	\$13.79	\$15.21	\$18.40	\$22.08
	4	\$9.80	\$10.18	\$12.41	\$14.01	\$15.43	\$18.66	\$22.39
	5	\$10.00	\$10.39	\$12.61	\$14.23	\$15.65	\$18.92	\$22.70
	6	\$10.20	\$10.60	\$12.81	\$14.45	\$15.87	\$19.18	\$23.01
	7	\$10.40	\$10.81	\$13.01	\$14.67	\$16.09	\$19.44	\$23.32
	8	\$10.60	\$11.02	\$13.21	\$14.89	\$16.31	\$19.70	\$23.63
	9	\$10.80	\$11.23	\$13.41	\$15.11	\$16.53	\$19.96	\$23.94
	10	\$11.00	\$11.44	\$13.61	\$15.33	\$16.75	\$20.22	\$24.25
	11	\$11.20	\$11.65	\$13.81	\$15.55	\$16.97	\$20.48	\$24.56
	12	\$11.40	\$11.86	\$14.01	\$15.77	\$17.19	\$20.74	\$24.87
	13	\$11.60	\$12.07	\$14.21	\$15.99	\$17.41	\$21.00	\$25.18
	14	\$11.80	\$12.28	\$14.41	\$16.21	\$17.63	\$21.26	\$25.49
Midpoint	15	\$12.20	\$12.66	\$14.69	\$16.60	\$17.93	\$21.70	\$26.04
Maximum		\$15.25	\$15.83	\$17.63	\$19.92	\$21.16	\$25.61	\$30.73

Range Position	2020-21 Yrs Exp	Pay Grades (D.O.I. - 182 Calendars)						
		1	2	3	4	5	6	7
Minimum	0	\$9.40	\$9.76			\$15.10		
	1	\$9.45	\$9.81			\$15.18		
	2	\$9.66	\$10.03			\$15.32		
	3	\$9.86	\$10.24			\$15.63		
	4	\$10.07	\$10.46			\$15.85		
	5	\$10.27	\$10.68			\$16.08		
	6	\$10.48	\$10.89			\$16.31		
	7	\$10.69	\$11.11			\$16.53		
	8	\$10.89	\$11.32			\$16.76		
	9	\$11.10	\$11.54			\$16.98		
	10	\$11.30	\$11.75			\$17.21		
	11	\$11.51	\$11.97			\$17.44		
	12	\$11.71	\$12.19			\$17.66		
	13	\$11.92	\$12.40			\$17.89		
	14	\$12.12	\$12.62			\$18.11		
Midpoint	15	\$12.54	\$13.01			\$18.42		
Maximum		\$15.25	\$16.26			\$21.74		

2020-21 Auxiliary Pay Plan

Mineral Wells ISD

*Annual amounts are based on 6 hours per day.

Pay Grade	Job Title	Calendars	Minimum	Midpoint	Maximum	3.0% GPI	
1			Hourly	\$9.60	\$12.00	\$14.40	\$0.36
	Cafeteria Worker	183,184	183 Days	10,541	13,176	15,811	395
	All Pay Grade 1 - D.O.I.	178,179	184 Days	10,598	13,248	15,898	397
			Hourly	\$9.87	\$12.34	\$14.80	\$0.36
			178 Days	10,541	13,176	15,811	395
			179 Days	10,598	13,248	15,898	397
2			Hourly	\$11.90	\$14.88	\$17.86	\$0.45
	Groundskeeper	245	207 Days	14,780	18,481	22,182	559
	Security Officer	207	245 Days	17,493	21,874	26,254	662
3			Hourly	\$12.86	\$16.07	\$19.28	\$0.48
	Bus Driver/Bus Aide	180	180 Days	13,889	17,356	20,822	518
	Bus Driver/Bus Aide - D.O.I.	175	184 Days	14,197	17,741	21,285	530
	Bus Fueler/Driver	226	226 Days	17,438	21,791	26,144	651
	Maintenance Worker	245	245 Days	18,904	23,623	28,342	706
	Manager, Cafeteria - ES,MS,HS	184					
	Manager, Cafeteria - ES,MS,HS - D.O.I.	179	Hourly	\$13.23	\$16.53	\$19.83	\$0.48
			175 Days	13,889	17,356	20,822	518
			179 Days	14,197	17,741	21,285	530
			** Campus personnel that work as a bus driver or bus aide: See pg. 8 for salary information.				
4			Hourly	\$15.94	\$19.44	\$22.94	\$0.58
	HVAC Mechanic	245	245 Days	23,432	28,577	33,722	853
	Plumber	245					
5			Hourly	\$17.53	\$21.38	\$25.23	\$0.64
	Grounds Supervisor	245	226 Days	23,771	28,991	34,212	868
	Maintenance Supervisor	245	245 Days	25,769	31,429	37,088	941
	Vehicle Maintenance	226					

2020-21 Blended Rates

Mineral Wells ISD

*Annual amounts are based on 10 hours per day.

Pay Grade	Job Title	Calendars	Minimum	Midpoint	Maximum	3.0% GPI
1	Campus Assignment + Bus Driver/Bus Aide	187	Hourly \$10.79	\$14.00	\$17.22	\$0.42
	Campus Assignment + Bus Driver/Bus Aide - D.O.I	182	187 Days	20,177	26,180	32,201
			Hourly \$11.09	\$14.40	\$17.70	\$0.42
			182 Days	20,177	26,180	32,201

**2020-21
Substitute Pay Plan**

Mineral Wells ISD

	Days	Short Term	Long Term
Pay Grade A			
Para Position	NA	\$65.00	\$70.00
Pay Grade B			
Teacher Position- Non Degreed	NA	\$70.00	\$75.00
Pay Grade C			
Teacher Position-Degreed	NA	\$75.00	\$80.00
Pay Grade D			
Teacher Position- Long Term Certified	NA	NA	\$85.00
Note: Long Term – After 10 consecutive days in the same position for the same person.			

2020-21 Supplementary Pay Plan (Stipends)

Mineral Wells ISD

All supplemental pay listed is for extra duties, certifications, or responsibilities. In addition, some are paid for high needs positions.

Category	Supplemental Duties	Range of Supplemental Pay
A	Cafeteria (Cashier) Cafeteria (Food Service Certification) Department Head HS Off-Season Coordinator JH Boys Coordinator JH Girls Coordinator JH Boys Soccer JH Girls Soccer JH Tennis JH Cross Country Math Pest Control (CA) Pest Control (Tech) Special Education Lead Teacher (HS) SLPA Mentor (1) Sunset (1) T-TESS Duties (Teacher)	\$300 - \$1000
B	Benefits (Sup't) Cheerleading - Jr. High School Head Librarian Head Nurse HS Academic Coordinator HS Equipment Coordinator JH Boys Basketball Coach JH Boys Football Coach JH Boys Track Coach JH Girls Basketball Coach JH Girls Track Coach JH Girls Volleyball Coach NHS NEHS Reading Specialist SLPA (0-2 years exp) SLPA Mentor (2+) Speech Therapy Assistant Speech Therapy Supervisor Special Education Lead Diagnostician Special Education - Skills and Behavior Class (Para) Sports Medicine 1,2 (Trainers) Student Council Sponsor - High School	\$1001 - \$2500

	Summer Camp Director Sunset (2) Teacher Academic Leader Yearbook	
C	Athletic Facilities Coordinator - High School Band (Assistant) Bilingual Boys Soccer Asst. Coach Boys Soccer Head Coach Cafeteria (Manager) Cheerleading - High School Choir- High School Choir- Jr. High School Director's Secretary (Dual Role) Drill Team - High School ESL/Bilingual /Parent Engagement Coordinator Girls Soccer Asst. Coach Girls Soccer Head Coach HS Boys Baseball Asst. Coach HS Boys Basketball Asst. Coach HS Boys FB Asst. Coach HS Asst. Power Lifting Coach HS Head Power Lifting Coach HS Cross Country Assistant Coach HS Cross Country Head Coach HS Girls Basketball Asst. Coach HS Girls Softball Asst. Coach HS Girls Volleyball Asst. Coach HS Golf Head Coach HS Power Lifting Head Coach HS Tennis Head Coach HS Track Asst. Coach Maintenance Supervisor SLPA (3+ years exp.) Special Education Lead Teacher – HS Technical Specialist Testing Coordinator Theater Arts - High School	\$2501 - \$6000

D	Asst. Athletic Trainer Autism Coordinator Band (Head) CATE Coordinator CTE (AG) Girls Athletic Coordinator Head Athletic Trainer HS Boys FB Defensive Coordinator HS Boys FB Offensive Coordinator HS Boys FB Special Teams Coordinator HS Boys Baseball Head Coach HS Boys Basketball Head Coach HS Girls Basketball Head Coach HS Girls Softball Head Coach HS Girls Volleyball Head Coach HS Track Head Coach Multi-Classroom Leader	\$6001 - \$12000
----------	---	-------------------------



BOARD OF TRUSTEES Agenda Item

MEETING DATE: August 10, 2020

MEETING TYPE:

- Regular Meeting
- Special Meeting

DISTRICT GOALS (Check all that apply):

- Academic Competitiveness
- Competitive Work Force
- Promote Community/School Partnerships
- Fiscal Responsibility
- Safe and Secure Schools

AGENDA ITEM TYPE:

- Action Item
- Non Action Item

TITLE: Announce Tentative Tax Rate; Set Board Meeting for August 27, 2020 for Adoption of Final Budget, New Budget, and Tax Rate

RECOMMENDED ACTION: This item for information only.

BOARD POLICY/STATE REGULATION/LAW REFERENCE (if applicable): Board Policy CE(Local)

OVERVIEW:

Budget planning shall be an integral part of overall program planning so that the budget effectively reflects the District's programs and activities and provides the resources to implement them. In the budget planning process, general educational goals, specific program goals, and alternatives for achieving program goals shall be considered, as well as input from the District- and campus-level planning and decision-making committees. Budget planning and evaluation are continuous processes and shall be a part of each month's activities.

Tentative Tax Rate: 1.4133 (General Fund 1.0427 and Debt Service .3706)


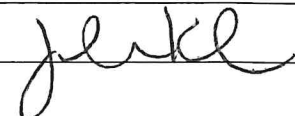
Proposed Budget Schedule:

- August 17, Monday 2nd Budget workshop 6:00
- August 27, Thursday Approve final budget amendment, adopt 2020-2021 budget and set tax rates - 6:00

FISCAL IMPACT: Not known at this time.

ATTACHMENTS: None

DEPARTMENT(S) SUBMITTING FORM: Business and Finance

DEPARTMENT SIGNATURE/APPROVAL:  



BOARD OF TRUSTEES Agenda Item

MEETING DATE: August 10, 2020

MEETING TYPE:

- Regular Meeting
- Special Meeting

DISTRICT GOALS (Check all that apply):

- Academic Competitiveness
- Competitive Work Force
- Promote Community/School Partnerships
- Fiscal Responsibility
- Safe and Secure Schools

AGENDA ITEM TYPE:

- Action Item
- Non Action Item

TITLE: Consider Approval of the School Resource Officer Program Agreement and the First and Second Amendments to the Agreement between the City and MWISD for the 2020-2021 School Year

RECOMMENDED ACTION: It is recommended that the School Resource Officer Program Agreement and the First and Second Amendments to the Agreement between the City and MWISD for the 2020-2021 School Year be approved as presented.

BOARD POLICY/STATE REGULATION/LAW REFERENCE (if applicable): CK(LOCAL); CKE(LEGAL); CKE(LOCAL)

OVERVIEW:

The City and the School District have been participating in a School Resource Officer Program through the Community Policing Program since 1995. The Program was initiated with a C.O.P.S. Universal Hiring Grant. This year's program provides two full-time police officers and three part-time school resource officers to the School District. In accordance with this agreement and any amendments, salary and benefits are funded by MWISD for one full-time officer and two part-time officers. Salary and benefits are funded by the City of Mineral Wells for one full-time officer and one part-time officer.

FISCAL IMPACT: \$141,070

ATTACHMENTS: SRO Program Agreement, First and Second Amendments to SRO Program

DEPARTMENT(S) SUBMITTING FORM: Superintendent

DEPARTMENT SIGNATURE/APPROVAL: _____

STATE OF TEXAS §
 §
COUNTY OF PALO PINTO §

SCHOOL RESOURCE OFFICER PROGRAM

MADE this ___ day of _____, 2020 by and between the City of Mineral Wells, Texas, a municipal corporation, (hereinafter referred to as “City”) and the Mineral Wells Independent School District (hereinafter referred to as “District”).

WHEREAS, the governing bodies of City and District have recognized the continuing need for a School Resource Officer Program in the City of Mineral Wells, Texas;

WHEREAS, City and District have agreed to jointly participate in the School Resource Officer Program for the Mineral Wells Independent School District (MWISD) for the fiscal year from September 1, 2020 through August 31, 2021.

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES, IT IS MUTALLY AGREED BETWEEN City and district as follows:

1. City will provide one full-time Police Officer to be designated as the School Resource Officer. When performing service hereunder, such Police Officer shall at all times be an employee of the City.
2. District will provide office space for the School Resource Officer at the Mineral Wells High School. Costs of travel, training and supplies, related to the School Resource Officer Program, shall be paid by District. City will provide a vehicle for the officer and pay for any related expenses, as well as any uniform costs and longevity pay due the officer.
3. The School Resource Officer shall be under the general supervision / coordination of job assignments of the Mineral Wells I.S.D. Superintendent or designee.
4. The School Resource Officer shall complete initial offense reports/supplements or calls for service involving District and conduct follow-up investigations as required. As directed, the Officer shall provide school security, enforce traffic laws and ordinances, conduct evidence searches and seizures, patrol school parking lots, check buildings for physical security and perform other related tasks as required.
5. The School Resource Officer shall be assigned and focus their full attention to the District; however, the Officer may be assigned other duties by the Mineral Wells Police Department during those periods when school is not in session.

6. The budgeted expenses for the MWHS Resource Officer Program and the services to be provided hereunder are \$83,870 as itemized in the MWHS-SRO Budget attached hereto. City shall pay all of the personal service expenses as they are incurred and District shall reimburse the City for them on a quarterly basis. Each quarterly reimbursement shall be in the amount of \$20,968 that shall be due and payable within 30 days after the end of each quarter.
7. The last month of each quarter, for purposes of this Agreement, are November 2020, and February, May, and August 2021. In the event the actual expenses for the School Resource Officer Program are different than the budgeted amount, then it is agreed that the last quarter payment due from the District shall be adjusted to reflect the cost of the personal service expenses of the program.
8. City agrees to provide one additional full-time Police Officer to be as a designated School Resource Officer at City's sole expense. When performing service hereunder, said Police Officer shall at all times be an employee of the City.

EXECUTED the date and year first above written and effective from September 1, 2020 through August 31, 2021.

ATTEST:

CITY OF MINERAL WELLS, TEXAS

Peggy Clifton, City Clerk

Tammy Underwood, Mayor

**MINERAL WELLS INDEPENDENT
SCHOOL DISTRICT**

John Kuhn, Superintendent

SCHOOL RESOURCE OFFICER				
MINERAL WELLS HIGH SCHOOL				
2020-2021 BUDGET				
5100	Salaries			\$ 52,411
5101	Overtime - 48 Hours			1,815
5103	Social Security			4,281
5104	Group Insurance			9,145
5105	Employee Retirement			5,362
5106	Worker's Compensation			1,886
5107	Uniform Allowance			-
5109	Physicals			-
5111	Longevity			2,520
5113	Certification			3,600
TOTAL PERSONAL SERVICES				\$81,019.80
5408	Vehicle Maintenance			\$ -
5414	Radio Maintenance			-
TOTAL PURCHASED PROPERTY SERVICES				\$ -
5506	Professional Travel and Training			\$ 2,850
TOTAL MAINTENANCE				\$ 2,850.00
5642	Gas & Oil			\$ -
5626	Operating Supplies			-
TOTAL SUPPLIES				\$ -
TOTAL EXPENDITURES				\$83,869.80
Professional Travel & Training and school related operating supplies are provided by M.W.I.S.D.				

STATE OF TEXAS § **FIRST AMENDMENT TO THE SCHOOL RESOURCE**
 § **OFFICER PROGRAM BETWEEN THE CITY OF**
COUNTY OF PALO PINTO § **MINERAL WELLS AND THE MINERAL WELLS**
 § **INDEPENDENT SCHOOL DISTRICT**

This **FIRST AMENDMENT** (“Amendment”) is renewed and made this _____ day of _____, 2020 by and between the City of Mineral Wells, Texas, a municipal corporation, (hereinafter referred to as “City”) and the Mineral Wells Independent School District (hereinafter referred to as “District”):

WHEREAS, the City and District have previously entered into a certain INTERLOCAL AGREEMENT FOR THE SCHOOL RESOURCE OFFICER PROGRAM (“Agreement”); and

WHEREAS, the City and District have received approval from their respective governing bodies and mutually desire to modify the Agreement to reflect the revised terms and conditions set forth herein;

NOW, THEREFORE, IN CONSIDERATION OF THESE PREMISES, IT IS MUTALLY AGREED BETWEEN City and District to the following Amendment to said Agreement covering the period from September 1, 2020 through August 31, 2021:

The original agreement is hereby amended to add the following language to the end of the Agreement:

9. City further agrees to provide one part-time Police Officer to be as a designated part-time School Resource Officer at the District’s expense. When performing service hereunder, said part-time Police Officer shall at all times be an employee of the City. The budgeted expenses for this part-time Police Officer and the services to be provided hereunder are \$28,600 as itemized in the MWISD-PTSRO Budget attached hereto. City shall pay all of the personal service expenses as they are incurred and District shall reimburse the City for them on a quarterly basis. Each quarterly reimbursement shall be in the amount of \$7,150 that shall be due and payable within 30 days after the end of each quarter. This part-time Police Officer is specifically limited to not more than 20 hours of work per week and an absolute maximum of 990 work hours per year.”

ALL OTHER PROVISIONS OF THE AGREEMENT SHALL REMAIN IN EFFECT AND IN FULL FORCE.

IN WITNESS THEREOF, the City and District have caused this Amendment to be signed by the duly authorized officers or representatives of each on the date and year set forth hereinabove and effective through August 31, 2021.

ATTEST:

Peggy Clifton, City Clerk

CITY OF MINERAL WELLS, TEXAS

Christopher M. Perricone, Mayor

**MINERAL WELLS INDEPENDENT
SCHOOL DISTRICT**

John Kuhn, Superintendent

SCHOOL RESOURCE OFFICER (Part-time)				
MINERAL WELLS HIGH SCHOOL				
2019-2020 BUDGET				
5100	Salaries - 20 hours/wk @ 990 hours/yr			\$ 25,750
5101	Overtime			-
5103	Social Security			-
5104	Group Insurance			-
5105	Employee Retirement			-
5106	Worker's Compensation			-
5107	Uniform Allowance			-
5109	Physicals			-
5111	Longevity			-
5113	Certification			-
TOTAL PERSONAL SERVICES				\$25,750.00
5408	Vehicle Maintenance			\$ -
5414	Radio Maintenance			-
TOTAL PURCHASED PROPERTY SERVICES				\$ -
5506	Professional Travel and Training			\$ 2,850
TOTAL MAINTENANCE				\$ 2,850.00
5642	Gas & Oil			\$ -
5626	Operating Supplies			-
TOTAL SUPPLIES				\$ -
TOTAL EXPENDITURES				\$28,600.00
Professional Travel & Training and school related operating supplies are provided by M.W.I.S.D.				

STATE OF TEXAS § **SECOND AMENDMENT TO THE SCHOOL RESOURCE**
 § **OFFICER PROGRAM BETWEEN THE CITY OF**
COUNTY OF PALO PINTO § **MINERAL WELLS AND THE MINERAL WELLS**
 § **INDEPENDENT SCHOOL DISTRICT**

This **SECOND AMENDMENT** (“2nd Amendment”) is renewed and made this _____ day of _____, 2020 by and between the City of Mineral Wells, Texas, a municipal corporation, (hereinafter referred to as “City”) and the Mineral Wells Independent School District (hereinafter referred to as “District”):

WHEREAS, the City and District have previously entered into a certain INTERLOCAL AGREEMENT FOR THE SCHOOL RESOURCE OFFICER PROGRAM (“Agreement”) and FIRST AMENDMENT; and

WHEREAS, the City and District have received approval from their respective governing bodies and mutually desire to modify the Agreement to reflect the revised terms and conditions set forth herein;

NOW, THEREFORE, IN CONSIDERATION OF THESE PREMISES, IT IS MUTALLY AGREED BETWEEN City and District to the following 2nd Amendment to said Agreement covering the period from September 1, 2020 through August 31, 2021:

The original agreement is hereby amended to add the following language to the end of the Agreement:

10. City further agrees to provide one additional part-time Police Officer to be as a designated part-time School Resource Officer at the District’s expense. When performing service hereunder, said part-time Police Officer shall at all times be an employee of the City. The budgeted expenses for this additional part-time Police Officer and the services to be provided hereunder are \$28,600 as itemized in the MWISD-PTSRO Budget attached hereto. City shall pay all of the personal service expenses as they are incurred and District shall reimburse the City for them on a quarterly basis. Each quarterly reimbursement shall be in the amount of \$7,150 that shall be due and payable within 30 days after the end of each quarter. This part-time Police Officer is specifically limited to not more than 20 hours of work per week and an absolute maximum of 990 work hours per year.

11. City further agrees to provide one additional part-time Police Officer to be as a designated School Resource Officer at City's sole expense. When performing service hereunder, said Police Officer shall at all times be an employee of the City.

ALL OTHER PROVISIONS OF THE AGREEMENT SHALL REMAIN IN EFFECT AND IN FULL FORCE.

IN WITNESS THEREOF, the City and District have caused this Amendment to be signed by the duly authorized officers or representatives of each on the date and year set forth hereinabove and effective through August 31, 2021.

ATTEST:

CITY OF MINERAL WELLS, TEXAS

Peggy Clifton, City Clerk

Tammy Underwood, Mayor

**MINERAL WELLS INDEPENDENT
SCHOOL DISTRICT**

John Kuhn, Superintendent

SCHOOL RESOURCE OFFICER (Part-time)				
MINERAL WELLS HIGH SCHOOL				
2019-2020 BUDGET				
5100	Salaries - 20 hours/wk @ 990 hours/yr			\$ 25,750
5101	Overtime			-
5103	Social Security			-
5104	Group Insurance			-
5105	Employee Retirement			-
5106	Worker's Compensation			-
5107	Uniform Allowance			-
5109	Physicals			-
5111	Longevity			-
5113	Certification			-
TOTAL PERSONAL SERVICES				\$25,750.00
5408	Vehicle Maintenance			\$ -
5414	Radio Maintenance			-
TOTAL PURCHASED PROPERTY SERVICES				\$ -
5506	Professional Travel and Training			\$ 2,850
TOTAL MAINTENANCE				\$ 2,850.00
5642	Gas & Oil			\$ -
5626	Operating Supplies			-
TOTAL SUPPLIES				\$ -
TOTAL EXPENDITURES				\$28,600.00
Professional Travel & Training and school related operating supplies are provided by M.W.I.S.D.				



BOARD OF TRUSTEES Agenda Item

MEETING DATE: August 10, 2020

MEETING TYPE:

- Regular Meeting
- Special Meeting

AGENDA ITEM TYPE:

- Action Item
- Non Action Item

DISTRICT GOALS (Check all that apply):

- Academic Competitiveness
- Competitive Work Force
- Promote Community/School Partnerships
- Fiscal Responsibility
- Safe and Secure Schools

TITLE: Consider Approval of Memorandum of Understanding for Facility Use Program between City of Mineral Wells and Mineral Wells ISD

RECOMMENDED ACTION: It is recommended that the Memorandum of Understanding for Facility Use Program between City of Mineral Wells and Mineral Wells ISD be approved as presented.

BOARD POLICY/STATE REGULATION/LAW REFERENCE (if applicable): GRB(LLEGAL)

OVERVIEW:

In order to provide required regular training for school guardians who have been approved by the MWISD Board of Trustees, MWISD will enter in an Agreement with the City of Mineral Wells for use of city facilities by authorized District employees.

FISCAL IMPACT: Appx. \$500-\$1,000 per year, on average

ATTACHMENTS: MOU

DEPARTMENT(S) SUBMITTING FORM: Superintendent

DEPARTMENT SIGNATURE/APPROVAL: 

Memorandum of Understanding for Facility Use Program
Between
The City of Mineral Wells
And
The Mineral Wells Independent School District

The purpose of this document is to establish a Facility Use Program and to set forth guidelines to ensure that law enforcement, school officials, and the communities they serve, have a shared understanding of the goals of the Mineral Wells ISD Guardian Program;

The parties agree that an effective Guardian Program is grounded on the premise that the District employees selected to be a part of that program are properly trained in the use of firearms and crisis management;

To ensure that District employees chosen to be a part of the Guardian Program receive the necessary support and training to ensure a safe school environment, while respecting the rights of students and improving the overall school climate, the City has agreed, through its Police Department, to provide the use of the shooting range facility; and,

The parties agree that this training fosters the relationship and assists the parties in the management of a crisis situation.

The signatories agree to the following:

Role of the Mineral Wells Police Department
Within the Context of the Mineral Wells ISD Guardian Program

1. The mission of the Facility Use Program is to improve school safety and the educational climate at the school.
2. The Police Department will provide the use of the shooting range facility to District employees who are eligible for authorization to possess a firearm on District property. These employees shall be provided time at the shooting range facility for firing practice.
3. The Police Department will furnish a shooting range for the completion of the required one-hundred (100) rounds of firearm training every other month.

Role of Mineral Wells ISD
Within the Context of the Mineral Wells ISD Guardian Program

1. The District will have the sole responsibility for the selection of District officials participating in the Guardian Program in accordance with District policies and procedures.
2. The District will ensure the officials it selects for participating in the Guardian Program complete any other training deemed necessary by the District and in compliance with State law.

3. The District will be responsible for determining when a District employee has successfully completed the training.
4. District will ensure the officials it selects for participating in the Guardian Program complete the required one-hundred (100) rounds of firearm training every other month.

Structure and Funding for the Facility Use Program

1. The City, through its Police Department, agrees to allow the District, as related to its Guardian Program, the use of the Mineral Wells Police Department Weapons Range.
2. District officials designated to participate in the Guardian Program agree to abide by and follow all rules and procedures established by the Mineral Wells Police Department, as determined by the Range Master, at the weapons range. Failure to abide by rules and procedures established by the City may result in removal of any employee or representative of the District from the weapons range.
3. The District agrees to scheduling use of the City's weapons range during mutually agreeable times and dates.
4. The District agrees that its use of the City's weapons range shall be restricted to and solely for the purpose of training as related to the District's Guardian Program, in compliance with State law.
5. In consideration for the use of the City's weapon range, the District agrees to provide proportionate assistance with the upkeep of the weapons range, replenishment of City supplies used by District officials during Guardian Program training at the weapons range, and any other assistance deemed in the mutual best interest of the Parties, as needed.

Liability

1. No liability will arise or be assumed between the Parties as a result of this Memorandum.
2. The Parties agree that neither Party shall waive any of the immunities provided to it as a governmental entity.

Confidentiality

1. The District and the City, through its Police Department, (together, the "Parties") agree that during the term of this Agreement being entered into herein, unless the other party has consented, or unless required by law, or a court or agency of the government, the Parties will not reveal or disclose any Confidential Information of the other party to any third party, except to utilize such Confidential Information in a manner consistent with this Agreement in connection with the provision of services, and then only to those persons who are under obligations of confidentiality similar to those set forth herein.
2. The term "Confidential Information" means (1) personally identifiable information of the

employees or officials selected to participate in the Guardian Program or (ii) material, nonpublic information about the Parties.

3. To the extent that either party discloses Confidential Information of the other party to its agents, affiliates, representatives, and employees in a manner consistent with the first sentence of the foregoing paragraph, the Parties agree that such disclosing party will be responsible for a breach of this section by its agents, affiliates, representatives, and employees.
4. Following the termination of this Agreement, all such Confidential Information in either party's possession will be promptly returned to the other party at the other party's request. Notwithstanding this requirement, the Parties shall be entitled to retain copies of Confidential Information to the extent that they are required to do so by law, statute or regulation.

Duration

1. This memorandum of understanding shall become effective immediately upon execution by signature and remain effective until August 31, 2021, whereupon it must be reviewed annually by all signatories or their successors before being renewed.
2. A signatory may terminate this memorandum of understanding by serving written notice to all other signatories at least thirty (30) days in advance of such termination.

ACCEPTED BY MINERAL WELLS ISD:

John Kuhn, Superintendent

Date

ACCEPTED BY THE CITY OF MINERAL WELLS:

Randy Criswell, City Manager

Date



BOARD OF TRUSTEES Agenda Item

MEETING DATE: August 10, 2020

MEETING TYPE:

- Regular Meeting
- Special Meeting

DISTRICT GOALS (Check all that apply):

- Academic Competitiveness
- Competitive Work Force
- Promote Community/School Partnerships
- Fiscal Responsibility
- Safe and Secure Schools

AGENDA ITEM TYPE:

- Action Item
- Non Action Item

TITLE: Consider Approval of Interlocal Agreement for Emergency Medical Services

RECOMMENDED ACTION: It is recommended that the Interlocal Agreement for Emergency Medical Services be approved as presented.

BOARD POLICY/STATE REGULATION/LAW REFERENCE (if applicable):

Board Policy FM(LEGAL); UIL Constitution & Rules (C&CR), Contest - Subchapter C, Section 1208


OVERVIEW:

MWISD and the City of Mineral Wells propose to enter into an agreement wherein, for fair compensation by MWISD, the City of Mineral Wells provides two Emergency Medical Technicians and one ambulance at home football games and certain other events, pursuant to provisions stipulated in the attached agreement.

FISCAL IMPACT: \$150 per event (\$50/hour/event with 3-hour minimum)

ATTACHMENTS: Interlocal Agreement for Emergency Medical Services

DEPARTMENT(S) SUBMITTING FORM: Superintendent

DEPARTMENT SIGNATURE/APPROVAL: 

STATE OF TEXAS
COUNTY OF PALO PINTO

§
§
§
§
§

**INTERLOCAL AGREEMENT
FOR EMERGENCY MEDICAL SERVICES**

Pursuant to V.T.C.A., Government Code §§791.001 et seq. (the "Act") the City of Mineral Wells, Texas, ("CITY"), and the Mineral Wells Independent School District ("MWISD"), each being a unit of "Local Government" as defined by the Act, make and enter into this Agreement on this ___ day of _____, 20___, for the purposes and consideration as set out below.

WITNESSETH:

WHEREAS, MWISD desires the Fire Department of CITY and CITY EMTs to assist MWISD in maintaining a safe environment for MWISD sponsored sporting events and activities; and

WHEREAS, CITY has EMTs in its employ capable of providing MWISD emergency medical services; and

WHEREAS, the MWISD Board of Trustees has found, and hereby declares, it is in need of emergency medical services to protect the safety and welfare of its student athletes at MWISD sponsored sporting events and activities; and

WHEREAS, the MWISD Board of Trustees desires to utilize the emergency medical services and personnel of CITY for those functions and purposes; and

WHEREAS, the CITY desires to provide MWISD the required emergency medical services;

NOW, THEREFORE, in consideration of the premises and of the terms, provisions, and mutual provisions herein contained, CITY and MWISD hereby agree as follows:

**I.
Purpose**

- 1.01 The primary purpose of this Agreement is for MWISD to secure emergency medical services to protect the safety and welfare of MWISD students at MWISD sponsored sporting events and activities.

**II.
Services and Obligations of City**

The CITY, through CITY EMTs, shall provide MWISD the following Emergency Medical Services and related activities:

- 2.1 Beginning September 5, 2020, two (2) Emergency Medical Technicians (EMTs) and an ambulance will be provided by CITY for emergency medical services at MWISD football games for 2020 and other extra school-related events as requested by the ISD during the school year. [*See Attachment A: Mineral Wells ISD Stadium Ambulance Service Schedule for regular season games*].
- 2.2 For extra school-related events, CITY EMTs and an ambulance will be provided subject to availability of CITY EMTs and scheduling.

**III.
Qualifications**

Any EMT assigned by CITY Fire Department shall have the following qualifications:

- 3.1 Must continuously satisfy all minimum standards for EMTs established from time to time by the Texas Department of State Health Services and additional standards, if any, of CITY Fire Department.
- 3.2 Must have passed a criminal background check in accordance with Section 22.083 of the Texas Education Code.
- 3.3 Initial selection and assignment of the EMTs will be by CITY's Fire Department.

**IV.
Employees of the City**

- 4.1 All EMTs furnished by CITY will be employees of CITY and will at all times be subject to the supervision and control of the CITY's Fire Chief or his designee and shall be responsible to the Fire Chief or his designee.
- 4.2 All EMTs and ambulance furnished by CITY have the protection of CITY as their primary responsibility. Therefore, at any time when staffing requirements demand more personnel for protection of CITY, all or a portion of the EMTs and/or the

ambulance may be removed from games for a temporary period until those EMTs and/or ambulance are no longer required for the reasonable protection of CITY.

- 4.3 The supervisory personnel of the EMTs who are responsible for their direct supervision shall be available at all reasonable times to report to and confer with designated officials of MWISD.

V.

Services and Obligations of MWISD

MWISD shall fulfill the following obligations in return for the CITY's performance of the foregoing services:

- 5.1 The CITY shall invoice MWISD and MWISD shall pay the City a fee of \$50 per hour for the use of a CITY Fire Department ambulance and the contracted services of two (2) EMTs, to be charged a minimum of three (3) hours per event, exclusive of the total time the ambulance is on standby at the event. Both governing bodies of the respective parties find this fair compensation for services performed. Within 30 days of receipt of invoice from City, MWISD shall deliver payment to:

City of Mineral Wells
Attn: Finance / Fire Department
P.O. Box 460
Mineral Wells, TX 76068

- 5.2 Payments for the above described governmental services must be made from current revenues available to the school district.
- 5.3 In the event the CITY ambulance and EMTs are removed from service at an MWISD location or function due to the provision set forth in section 4.2 and a replacement apparatus with EMT compliment is unavailable on scene, the MWISD will not be required to compensate the CITY for the affected EMTs or ambulance.

VI.

Term

- 6.1 The term of this Agreement shall commence on September 5, 2020 and shall continue for the 2020 football season including any extended play and playoff games.
- 6.2 Either party may terminate the Agreement by giving 30 days written notice and the Agreement shall terminate on the date set out in the notice. Termination of this Agreement shall not excuse any of the payments due for services provided during the term in which the notice of termination was given. For example, if the Agreement terminates on September 5th, the payment for services provided on September 5th still must be paid.

VII.
Notices and Administration

7.1 All notices, communications and reports required or permitted under this Agreement shall be personally delivered to the respective parties, by depositing same in the United States mail, postage prepaid, at the addresses shown below, unless and until either party is subsequently notified otherwise in writing:

If intended for CITY, to:

City of Mineral Wells
Attention: FIRE CHIEF
P.O. Box 460
Mineral Wells, TX 76068

If intended for MWISD, to:

SUPERINTENDENT OF SCHOOLS
Mineral Wells Independent School District
906 SW 5th Ave.
Mineral Wells, TX 76067

VIII.
Miscellaneous Provisions

- 8.1 **VENUE:** The obligations of the parties are performable in Mineral Wells, Texas, and if legal action is necessary to enforce same, exclusive venue shall be in PALO PINTO County, Texas.
- 8.2 **APPLICABLE LAW:** This Agreement is made subject to the provisions of the Charter and Ordinances of CITY, as amended, enacted written Policies of MWISD's Board of Trustees, as amended, and all applicable State and Federal laws.
- 8.3 **GOVERNING LAW:** This Agreement shall be governed by and construed in accordance with the laws and court decisions of the State of Texas.
- 8.14 **LEGAL CONSTRUCTION:** In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision of it and this Agreement shall be considered as if such invalid, illegal, or unenforceable provision had never been contained in this Agreement.
- 8.5 **CAPTIONS:** The captions to the various clauses of this Agreement are for informational purposes only and shall not alter the substance of the terms and conditions of this Agreement.
- 8.6 **COUNTERPARTS:** This Agreement may be executed in any number of counterparts, each of which shall be deemed an original and constitute one and the same instrument.
- 8.7 **ENTIRE AGREEMENT:** This Agreement embodies the complete agreement of the parties hereto, superseding all oral or written previous and contemporary agreements

between the parties and relating to matters in this Agreement, and, except as otherwise provided herein, cannot be modified without written agreement of the parties to be attached to and made a part of this Agreement.

- 8.9 PAYMENT: All payments to the Mineral Wells Fire/EMS shall be invoiced through and made to the City of Mineral Wells.

EXECUTED the date and year first written above and effective from September 5, 2020.

CITY OF MINERAL WELLS, TEXAS

ATTEST:

Tammy Underwood, Mayor










Peggy Clifton, City Clerk

**MINERAL WELLS INDEPENDENT
SCHOOL DISTRICT**

John Kuhn, Superintendent



2020 MINERAL WELLS RAMS FOOTBALL SCHEDULE

Date	Opponent	Time	Location	Notes
AUGUST 20 (THURSDAY)	BRECKENRIDGE Scrimmage	Red/Black 5:30 PM V 7:00 PM		
AUGUST 27	 BOYD	Red – 5pm, Black – 10 min after	BOYD	
AUGUST 28		Varsity - 7:30pm	MINERAL WELLS	LAMAR-HOUSTON
SEPTEMBER 3	 GODLEY	Red – 5pm, Black – 10 min after	GODLEY	
SEPTEMBER 4		Varsity - 7:30pm	MINERAL WELLS	TRAVIS-jH NIGHT
SEPTEMBER 10	 VENUS	Red – 5pm, Black – 10 min after	VENUS	
SEPTEMBER 11		Varsity - 7:30pm	MINERAL WELLS	HOMECOMING JR RAM
SEPTEMBER 17	 SANGER	Red – 5pm, Black – 10 min after	MINERAL WELLS	
SEPTEMBER 18		Varsity - 7:30pm	SANGER	
SEPTEMBER 24	 GAINESVILLE	Red – 5pm, Black – 10 min after	MINERAL WELLS	
SEPTEMBER 25		Varsity - 7:00pm	GAINESVILLE	
OCTOBER 1	 GLEN ROSE	Red – 5pm, Black – 10 min after		
OCTOBER 2		Varsity - 7:00pm	MINERAL WELLS	Hero Night MWYSA NIGHT
OCTOBER 8	 IOWA PARK	Red – 5pm, Black – 10 min after	IOWA PARK	
OCTOBER 9		Varsity - 7:00pm	MINERAL WELLS	Crazy Water Festival Pink Out
OCTOBER 15	 VERNON	Red – 5pm, Black – 10 min after	MINERAL WELLS	
OCTOBER 16		Varsity - 7:00pm	VERNON	
OCTOBER 29	 GRAHAM	Red – 5pm, Black – 10 min after	GRAHAM	
OCTOBER 30		Varsity - 7:00pm	MINERAL WELLS	Senior Night
NOVEMBER 5	 BRIDGEPORT	Red – 5pm, Black – 10 min after	MINERAL WELLS	
NOVEMBER 6		Varsity - 7:00pm	BRIDGEPORT	



2020 Mineral Wells Rams Junior High Football Schedule

Date	Opponent	7th Grade	8th Grade	Game Time	Order
Sept. 15	Willkie	Away	Home	5:00 PM	B, A
Sept. 22	Highland	Home	Away	5:00 PM	B, A
Sept. 29	Springtown	Away	Home	5:00 PM	B, A
Oct. 6	Castleberry	Home	Away	5:00 PM	B, A
Oct. 13	Azle Forte	Away	Home	5:00 PM	B,A
Oct. 20	Azle JH	Home	Away	5:00 PM	B, A
Oct. 27	Lake Worth	Away	Home	5:00 PM	B, A
Nov. 3	Argyle	Home	Away	6:00 PM	B, A
Nov. 10	Decatur	Away	Home	5:00 PM	B, A

Games will be played at the Jackie Harvey Track Complex located at MWHS

*in case of inclement weather, games will be moved to Ram stadium at 6:00



BOARD OF TRUSTEES Agenda Item

MEETING DATE: August 10, 2020

MEETING TYPE:

- Regular Meeting
- Special Meeting

AGENDA ITEM TYPE:

- Action Item
- Non Action Item

DISTRICT GOALS (Check all that apply):

- Academic Competitiveness
- Competitive Work Force
- Promote Community/School Partnerships
- Fiscal Responsibility
- Safe and Secure Schools

TITLE: Consider Amendments to 2020-2021 Student Code of Conduct

RECOMMENDED ACTION: It is recommended that the amendments to the 2020-2021 Student Code of Conduct be approved as presented.

BOARD POLICY/STATE REGULATION/LAW REFERENCE (if applicable): Chapter 37 of the Texas Education Code

OVERVIEW:

The *Student Code of Conduct* is the District's response to requirements of Chapter 37: Discipline; Law and Order of the Texas Education Code. The law requires the District to define misconduct that may or must result in a range of specific disciplinary consequences. This Code provides information and direction to students and parents regarding standards of behavior as well as consequences of misconduct.

See attached Changes to Code of Conduct.

FISCAL IMPACT: N/A

ATTACHMENTS: Amendments to Student Code of Conduct

DEPARTMENT(S) SUBMITTING FORM: Assistant Superintendent HR/Student Services

DEPARTMENT SIGNATURE/APPROVAL:  

Addition to the SCOC – Aug. 2020

Safety Transgressions

Students shall not:

- Possess published or electronic material that is designed to promote or encourage illegal behavior or that could threaten school safety.
- Engage in verbal (oral or written) exchanges that threaten the safety of another student, a school employee, or school property.
- Make false accusations or perpetrate hoaxes regarding school safety.
- Engage in any conduct that school officials might reasonably believe will substantially disrupt the school program or incite violence.
- Throw objects that can cause bodily injury or property damage.
- Discharge a fire extinguisher without valid cause.
- Intentionally cough, sneeze, or spit on another student.

Mineral Wells ISD Student Code of Conduct

2020–21 School Year



If you have difficulty accessing the information in this document because of disability, please contact dtarver@mwisd.net or (940) 325-6404.

TABLE OF CONTENTS

Mineral Wells ISD Student Code of Conduct	i
Student Code of Conduct.....	1
Accessibility.....	1
Purpose	1
School District Authority and Jurisdiction.....	2
Campus Behavior Coordinator.....	2
Threat Assessment and Safe and Supportive School Team.....	3
Searches	3
Reporting Crimes	3
Security Personnel	3
“Parent” Defined.....	3
Participating in Graduation Activities.....	3
Unauthorized Persons.....	4
Standards for Student Conduct	5
General Conduct Violations	6
Disregard for Authority.....	6
Mistreatment of Others.....	6
Property Offenses	7
Possession of Prohibited Items.....	7
Possession of Telecommunications or Other Electronic Devices.....	8
Illegal, Prescription, and Over-the-Counter Drugs	8
Misuse of Technology Resources and the Internet	8
Safety Transgressions	9
Miscellaneous Offenses	9
Discipline Management Techniques.....	11
Students with Disabilities.....	11
Techniques	11
Prohibited Aversive Techniques	12
Notification	13
Appeals.....	13
Removal from the School Bus.....	14

Removal from the Regular Educational Setting.....	15
Routine Referral.....	15
Formal Removal.....	15
Returning a Student to the Classroom.....	15
Out-of-School Suspension.....	17
Misconduct.....	17
Process.....	17
Coursework During Suspension.....	18
Disciplinary Alternative Education Program (DAEP) Placement.....	19
Discretionary Placement: Misconduct That May Result in DAEP Placement.....	19
Mandatory Placement: Misconduct That Requires DAEP Placement.....	20
Sexual Assault and Campus Assignments.....	21
Process.....	21
Length of Placement.....	22
Appeals.....	23
Restrictions During Placement.....	23
Placement Review.....	24
Additional Misconduct.....	24
Notice of Criminal Proceedings.....	24
Withdrawal During Process.....	25
Newly Enrolled Students.....	25
Emergency Placement Procedure.....	25
Transition Services.....	25
Placement and/or Expulsion for Certain Offenses.....	26
Registered Sex Offenders.....	26
Certain Felonies.....	26
Expulsion.....	29
Discretionary Expulsion: Misconduct That May Result in Expulsion.....	29
Mandatory Expulsion: Misconduct That Requires Expulsion.....	31
Under Age Ten.....	32
Process.....	32
Length of Expulsion.....	34
Withdrawal During Process.....	34

Additional Misconduct	34
Restrictions During Expulsion	34
Newly Enrolled Students.....	35
Emergency Expulsion Procedures.....	35
DAEP Placement of Expelled Students	35
Transition Services	35
Glossary.....	36

Student Code of Conduct

Accessibility

If you have difficulty accessing the information in this document because of disability, please contact David Tarver, Assistant Superintendent, at dtarver@mwisd.net or (940)325-6404.

Purpose

The Student Code of Conduct (“Code”) is the district’s response to the requirements of Chapter 37 of the Texas Education Code.

The Code provides methods and options for managing students in the classroom and on school grounds, disciplining students, and preventing and intervening in student discipline problems.

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

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

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

Because the Student Code of Conduct is adopted by the district’s board of trustees, it has the force of policy; therefore, in case of conflict between the Code and the Student Handbook, the Code shall prevail.

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

School District Authority and Jurisdiction

School rules and the authority of the district to administer discipline apply whenever the interest of the district is involved, on or off school grounds, in conjunction with or independent of classes and school-sponsored activities.

The district has disciplinary authority over a student:

1. During the regular school day and while the student is going to and from school or a school-sponsored or school-related activity on district transportation;
2. During lunch periods in which a student is allowed to leave campus;
3. While the student is in attendance at any school-related activity, regardless of time or location;
4. For any school-related misconduct, regardless of time or location;
5. When retaliation against a school employee, board member, or volunteer occurs or is threatened, regardless of time or location;
6. When a student engages in cyberbullying, as provided by Education Code 37.0832;
7. When criminal mischief is committed on or off school property or at a school-related event;
8. For certain offenses committed within 300 feet of school property as measured from any point on the school's real property boundary line;
9. For certain offenses committed while on school property or while attending a school-sponsored or school-related activity of another district in Texas;
10. When the student commits a felony, as provided by Education Code 37.006 or 37.0081; and
11. When the student is required to register as a sex offender.

With new circumstances that have emerged, this authority extends to:

- While the student is attending virtual instruction during temporary school closures, regardless of time or location; and
- While the student is participating in any school-related virtual meeting during temporary school closures, regardless of time or location.

Campus Behavior Coordinator

In accordance with the District's innovation plan, the District shall be exempt from the statutory requirement for designation of a campus behavior coordinator. The District's approach to discipline is becoming more collaborative, with multiple people providing emotional and social support to students, rather than just one person. Exemption from this requirement allows the option of increasing collaboration in regard to student discipline.

There are references to a campus behavior coordinator throughout this document. The reference to the campus behavior coordinator will apply to the person(s) assigned to discipline by the campus principal. If you have a concern regarding discipline, you can contact the principal of that campus. Contact information may be found at <https://www.mwisd.net/> and in the Student Handbook.

Threat Assessment and Safe and Supportive School Team

The campus behavior coordinator or other appropriate administrator will work closely with the campus threat assessment safe and supportive school team to implement the district's threat assessment policy and procedures, as required by law, and shall take appropriate disciplinary action in accordance with the Code of Conduct.

Searches

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

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

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

Reporting Crimes

The principal and other school administrators as appropriate shall report crimes as required by law and shall call local law enforcement when an administrator suspects that a crime has been committed on campus.

Security Personnel

To ensure sufficient security and protection of students, staff, and property, the board employs school resource officers (SROs) and security personnel. In accordance with law, the board has coordinated with the campus behavior coordinator and other district employees to ensure appropriate law enforcement duties are assigned to security staff. The law enforcement duties of district peace officers are listed in policy CKE(LOCAL). The law enforcement duties of school resource officers are: provide services consistent with the terms of the agreement (with the local law enforcement agency), the comprehensive safety programs, and Board policy. The law enforcement duties of district security personnel are: follow the guidance and direction of the safety protocol and procedures of their respective campus.

"Parent" Defined

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

Participating in Graduation Activities

The district has the right to limit a student's participation in graduation activities for violating the district's Code.

Participation might include a speaking role, as established by district policy and procedures.

Students eligible to give remarks at graduation shall be notified by the campus principal. Notwithstanding any other eligibility requirements, in order to be considered as an eligible student to give remarks, a student shall not have engaged in any misconduct in violation of the district's Code resulting in an out-of-school suspension, removal to a DAEP, or expulsion during his or her last four semesters.

The valedictorian and salutatorian may also have speaking roles at graduation. No student shall be eligible to have such a speaking role if he or she engaged in any misconduct in violation of the district's Code resulting in an out-of-school suspension, removal to a DAEP, or expulsion during his or her last four semesters.

Unauthorized Persons

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

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

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

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

Standards for Student Conduct

Each student is expected to:

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

General Conduct Violations

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

Disregard for Authority

Students shall not:

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

Mistreatment of Others

Students shall not:

- Use profanity or vulgar language or make obscene gestures.
- Fight or scuffle. (For assault, see **DAEP—Placement and/or Expulsion for Certain Offenses**.)
- Threaten a district student, employee, or volunteer, including off school property, if the conduct causes a substantial disruption to the educational environment.
- Engage in bullying, cyberbullying, harassment, or making hit lists. (See **glossary** for all four terms.)
- Release or threaten to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent.
- Engage in conduct that constitutes sexual or gender-based harassment or sexual abuse, whether by word, gesture, or any other conduct, directed toward another person, including a district student, employee, board member, or volunteer.
- Engage in conduct that constitutes dating violence. (See **glossary**.)
- Engage in inappropriate or indecent exposure of private body parts.
- Participate in hazing. (See **glossary**.)
- Cause an individual to act through the use of or threat of force (coercion).
- Commit extortion or blackmail (obtaining money or an object of value from an unwilling person).
- Engage in inappropriate verbal, physical, or sexual conduct directed toward another person, including a district student, employee, or volunteer.

- Record the voice or image of another without the prior consent of the individual being recorded or in any way that disrupts the educational environment or invades the privacy of others.

Property Offenses

Students shall not:

- Damage or vandalize property owned by others. (For felony criminal mischief, see **DAEP—Placement and/or Expulsion for Certain Offenses.**)
- Deface or damage school property—including textbooks, technology and electronic resources, lockers, furniture, and other equipment—with graffiti or by other means.
- Steal from students, staff, or the school.
- Commit or assist in a robbery or theft, even if it does not constitute a felony according to the Penal Code. (For felony robbery, aggravated robbery, and theft, see **DAEP—Placement and/or Expulsion for Certain Offenses.**)

Possession of Prohibited Items

Students shall not possess or use:

- Fireworks of any kind, smoke or stink bombs, or any other pyrotechnic device;
- A razor, box cutter, chain, or any other object used in a way that threatens or inflicts bodily injury to another person;
- A “look-alike” weapon that is intended to be used as a weapon or could reasonably be perceived as a weapon;
- An air gun or BB gun;
- Ammunition;
- A hand instrument designed to cut or stab another by being thrown;
- Knuckles;
- *A location-restricted knife;
- *A club;
- *A firearm;
- A stun gun;
- A pocketknife or any other small knife;
- Mace or pepper spray;
- Pornographic material;
- Tobacco products; cigarettes; e-cigarettes; and any component, part, or accessory for an e-cigarette device;
- Matches or a lighter;
- A laser pointer for other than an approved use; or
- Any articles not generally considered to be weapons, including school supplies, when the principal or designee determines that a danger exists.

*For weapons and firearms, see **DAEP—Placement and/or Expulsion for Certain Offenses**. In many circumstances, possession of these items is punishable by mandatory expulsion under federal or state law.

Possession of Telecommunications or Other Electronic Devices

Students shall not:

- Use a telecommunications device, including a cellular telephone, or other electronic device in violation of district and campus rules.

Illegal, Prescription, and Over-the-Counter Drugs

Students shall not:

- Possess, use, give, or sell alcohol or an illegal drug. (Also see **DAEP Placement and Expulsion** for mandatory and permissive consequences under state law.)
- Possess or sell seeds or pieces of marijuana in less than a usable amount.
- Possess, use, give, or sell paraphernalia related to any prohibited substance. (See **glossary** for “paraphernalia.”)
- Possess, use, abuse, or sell look-alike drugs or attempt to pass items off as drugs or contraband.
- Abuse the student’s own prescription drug, give a prescription drug to another student, or possess or be under the influence of another person’s prescription drug on school property or at a school-related event. (See **glossary** for “abuse.”)
- Abuse over-the-counter drugs. (See **glossary** for “abuse.”)
- Be under the influence of prescription or over-the-counter drugs that cause impairment of the physical or mental faculties. (See **glossary** for “under the influence.”)
- Have or take prescription drugs or over-the-counter drugs at school other than as provided by district policy.

Misuse of Technology Resources and the Internet

Students shall not:

- Violate policies, rules, or agreements signed by the student or the student’s parent regarding the use of technology resources.
- Attempt to access or circumvent passwords or other security-related information of the district, students, or employees or upload or create computer viruses, including off school property if the conduct causes a substantial disruption to the educational environment.
- Attempt to alter, destroy, or disable district technology resources including, but not limited to, computers and related equipment, district data, the data of others, or other networks connected to the district’s system, including off school property if the conduct causes a substantial disruption to the educational environment.
- Use the internet or other electronic communications to threaten or harass district students, employees, board members, or volunteers, including off school property if the

conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.

- Send, post, deliver, or possess electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal, including cyberbullying and "sexting," either on or off school property, if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.
- Use the internet or other electronic communication to engage in or encourage illegal behavior or threaten school safety, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.

Safety Transgressions

Students shall not:

- Possess published or electronic material that is designed to promote or encourage illegal behavior or that could threaten school safety.
- Engage in verbal (oral or written) exchanges that threaten the safety of another student, a school employee, or school property.
- Make false accusations or perpetrate hoaxes regarding school safety.
- Engage in any conduct that school officials might reasonably believe will substantially disrupt the school program or incite violence.
- Throw objects that can cause bodily injury or property damage.
- Discharge a fire extinguisher without valid cause.
- Intentionally cough, sneeze, or spit on another student.

Miscellaneous Offenses

Students shall not:

- Violate dress and grooming standards as communicated in the Student Handbook.
- Cheat or copy the work of another.
- Gamble.
- Falsify records, passes, or other school-related documents.
- Engage in actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Repeatedly violate other communicated campus or classroom standards of conduct.

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

With new circumstances that have emerged, this authority extends to:

- While using remote learning platforms, using virtual backgrounds that feature profanity, lewd or vulgar language, obscene gestures, or other inappropriate references as determined by school officials.
- While using remote learning platforms, failing to wear appropriate dress as specified in the 2020-2021 Mineral Wells Student Handbook.
- While using remote learning platforms, demonstrating criminally punishable behavior.
- While using remote learning platforms, failing to be present during online instruction, or attempting to deceive the District regarding the student's online instruction.
- While using remote learning platforms, permitting non-students to view and/or engage in virtual instruction.
- Intentionally destroying or damaging District property loaned to the student for the purpose of accessing virtual instruction.
- While using remote learning platforms, displaying any misbehavior that gives school officials reasonable cause to believe that the conduct will substantially disrupt the school program.

Discipline Management Techniques

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

Students with Disabilities

The discipline of students with disabilities is subject to applicable state and federal law in addition to the Student Code of Conduct. To the extent any conflict exists, the district shall comply with federal law. For more information regarding discipline of students with disabilities, see policy FOF(LEGAL).

In accordance with the Education Code, a student who receives special education services may not be disciplined for conduct meeting the definition of bullying, cyberbullying, harassment, or making hit lists (see **glossary**) until an ARD committee meeting has been held to review the conduct.

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

Techniques

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

- Verbal correction, oral or written.
- Cooling-off time or a brief "time-out" period, in accordance with law.
- Seating changes within the classroom or vehicles owned or operated by the district.
- Temporary confiscation of items that disrupt the educational process.
- Rewards or demerits.
- Behavioral contracts.
- Counseling by teachers, school counselors, or administrative personnel.
- Parent-teacher conferences.
- Behavior coaching.
- Anger management classes.
- Mediation (victim-offender).
- Classroom circles.
- Family group conferencing.
- Grade reductions for cheating, plagiarism, and as otherwise permitted by policy.

- Detention, including outside regular school hours.
- Sending the student to the office or other assigned area, or to in-school suspension.
- Assignment of school duties, such as cleaning or picking up litter.
- Withdrawal of privileges, such as participation in extracurricular activities, eligibility for seeking and holding honorary offices, or membership in school-sponsored clubs and organizations.
- Penalties identified in individual student organizations' extracurricular standards of behavior.
- Restriction or revocation of district transportation privileges.
- School-assessed and school-administered probation.
- Out-of-school suspension, as specified in **Out-of-School Suspension**.
- Placement in a DAEP, as specified in **DAEP**.
- Placement and/or expulsion in an alternative educational setting, as specified in **Placement and/or Expulsion for Certain Offenses**.
- Expulsion, as specified in **Expulsion**.
- Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the district.
- Other strategies and consequences as determined by school officials.

Prohibited Aversive Techniques

Aversive techniques are prohibited for use with students and are defined as techniques or interventions intended to reduce the reoccurrence of a behavior by intentionally inflicting significant physical or emotional discomfort or pain. Aversive techniques include:

- Using techniques designed or likely to cause physical pain as permitted by district policy. [See policy FO(LOCAL).]
- Using techniques designed or likely to cause physical pain by electric shock or any procedure involving pressure points or joint locks.
- Directed release of noxious, toxic, or unpleasant spray, mist, or substance near a student's face.
- Denying adequate sleep, air, food, water, shelter, bedding, physical comfort, supervision, or access to a restroom facility.
- Ridiculing or demeaning a student in a manner that adversely affects or endangers the learning or mental health of the student or constitutes verbal abuse.
- Employing a device, material, or object that immobilizes all four of a student's extremities, including prone or supine floor restraint.
- Impairing the student's breathing, including applying pressure to the student's torso or neck or placing something in, on, or over the student's mouth or nose or covering the student's face.
- Restricting the student's circulation.
- Securing the student to a stationary object while the student is standing or sitting.

- Inhibiting, reducing, or hindering the student's ability to communicate.
- Using chemical restraints.
- Using time-out in a manner that prevents the student from being able to be involved in and progress appropriately in the required curriculum or any applicable individualized education program (IEP) goals, including isolating the student by the use of physical barriers.
- Depriving the student of one or more of the student's senses, unless the technique does not cause the student discomfort or complies with the student's IEP or behavior intervention plan (BIP).

Notification

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

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

Appeals

Questions from parents regarding disciplinary measures should be addressed to the teacher, campus administration, or campus behavior coordinator, as appropriate. Appeals or complaints regarding the use of specific discipline management techniques should be addressed in accordance with policy FNG(LOCAL). A copy of the policy may be obtained from the principal's office, the campus behavior coordinator's office, or the central administration office or through Policy On Line at the following address: www.mwisd.net.

The district shall not delay a disciplinary consequence while a student or parent pursues a grievance.

Removal from the School Bus

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

Since the district's primary responsibility in transporting students in district vehicles is to do so as safely as possible, the operator of the vehicle must focus on driving and not have his or her attention distracted by student misbehavior. Therefore, when appropriate disciplinary management techniques fail to improve student behavior or when specific misconduct warrants immediate removal, the principal may restrict or revoke a student's transportation privileges, in accordance with law.

Removal from the Regular Educational Setting

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

Routine Referral

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

Formal Removal

A teacher may also initiate a formal removal from class if:

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

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

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

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

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

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

Returning a Student to the Classroom

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

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

Temporary School Closures: Although students do not receive instruction in physical classrooms during temporary school closures (e.g., due to a widespread illness or epidemic), exhibiting prohibited conduct while in use of remote learning platforms may still result in disciplinary consequences, up to and including placement in DAEP and/or expulsion. If a student demonstrates prohibited conduct warranting placement in DAEP and/or expulsion, the District will ensure that procedures specified in the Student Code of Conduct will be complied with before and during such disciplinary action. A student who is in the process of serving a DAEP placement will not receive credit for days that the District is closed during temporary closures.

Out-of-School Suspension

Misconduct

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

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

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

- Conduct that contains the elements of a weapons offense, as provided in Penal Code Section 46.02 or 46.05;
- Conduct that contains the elements of assault, sexual assault, aggravated assault, or aggravated sexual assault, as provided by the Penal Code; or
- Selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of marijuana, an alcoholic beverage, or a controlled substance or dangerous drug as defined by federal or state law.

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

Process

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

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

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

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

1. Self-defense (see glossary),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or

6. A student's status as homeless.

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

Coursework During Suspension

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

A student removed from the regular classroom to in-school suspension or another setting, other than a DAEP, will have an opportunity to complete before the beginning of the next school year each course the student was enrolled in at the time of removal from the regular classroom. The district may provide the opportunity by any method available, including a correspondence course, another distance learning option, or summer school. The district will not charge the student for any method of completion provided by the district.

Disciplinary Alternative Education Program (DAEP) Placement

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

For purposes of DAEP, elementary classification shall be kindergarten–grade 6 and secondary classification shall be grades 7–12.

Summer programs provided by the district shall serve students assigned to a DAEP separately from those students who are not assigned to the program.

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

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

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student's status as homeless.

Discretionary Placement: Misconduct That May Result in DAEP Placement

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

Misconduct Identified in State Law

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

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

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

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

Mandatory Placement: Misconduct That Requires DAEP Placement

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

- Engages in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school. (See **glossary**.)
- Commits the following offenses on school property or within 300 feet of school property as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
 - Engages in conduct punishable as a felony.
 - Commits an assault (see **glossary**) under Penal Code 22.01(a)(1).
 - Sells, gives, or delivers to another person, or possesses, uses, or is under the influence of marijuana, a controlled substance, or a dangerous drug in an amount not constituting a felony offense. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision. (School-related felony drug offenses are addressed in **Expulsion**.) (See **glossary** for "under the influence.")
 - Sells, gives, or delivers to another person an alcoholic beverage; commits a serious act or offense while under the influence of alcohol; or possesses, uses, or is under the influence of alcohol, if the conduct is not punishable as a felony offense. (School-related felony alcohol offenses are addressed in **Expulsion**.)
 - Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
 - Behaves in a manner that contains the elements of the offense of public lewdness or indecent exposure. (See **glossary**.)
 - Engages in conduct that contains the elements of an offense of harassment against an employee under Penal Code 42.07(a)(1), (2), (3), or (7).
- Engages in expellable conduct and is between six and nine years of age.
- Commits a federal firearms violation and is younger than six years of age.
- Engages in conduct that contains the elements of the offense of retaliation against any school employee or volunteer on or off school property. (Committing retaliation in combination with another expellable offense is addressed in **Expulsion**.)

- Engages in conduct punishable as aggravated robbery or a felony listed under Title 5 (see **glossary**) of the Penal Code when the conduct occurs off school property and not at a school-sponsored or school-related event and:
 1. The student receives deferred prosecution (see glossary),
 2. A court or jury finds that the student has engaged in delinquent conduct (see glossary), or
 3. The superintendent or designee has a reasonable belief (see glossary) that the student engaged in the conduct.

Sexual Assault and Campus Assignments

If a student has been convicted of continuous sexual abuse of a young child or children or convicted of or placed on deferred adjudication for sexual assault or aggravated sexual assault against another student on the same campus, and if the victim's parent or another person with the authority to act on behalf of the victim requests that the board transfer the offending student to another campus, the offending student shall be transferred to another campus in the district. If there is no other campus in the district serving the grade level of the offending student, the offending student shall be transferred to a DAEP.

Process

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

Conference

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

At the conference, the campus behavior coordinator or appropriate administrator shall inform the student, orally or in writing, of the reasons for the removal and shall give the student an explanation of the basis for the removal and an opportunity to respond to the reasons for the removal.

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

Consideration of Mitigating Factors

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

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct, or
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student's status as homeless.

Placement Order

After the conference, if the student is placed in the DAEP, the campus behavior coordinator shall write a placement order. A copy of the DAEP placement order shall be sent to the student and the student's parent.

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

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

Coursework Notice

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

Length of Placement

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

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

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

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

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

Exceeds One Year

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

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

Exceeds School Year

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

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

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

Exceeds 60 Days

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

Appeals

Questions from parents regarding disciplinary measures should be addressed to the campus administration.

Student or parent appeals regarding a student's placement in a DAEP should be addressed in accordance with policy FNG(LOCAL). A copy of this policy may be obtained from the principal's office, the campus behavior coordinator's office, the central administration office, or through Policy On Line at the following address: www.mwisd.net.

Appeals shall begin at Level One with the principal.

The district shall not delay disciplinary consequences pending the outcome of an appeal. The decision to place a student in a DAEP cannot be appealed beyond the board.

Restrictions During Placement

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

A student placed in a DAEP shall not be provided transportation unless he or she is a student with a disability who is entitled to transportation in accordance with the student's individualized education program (IEP) or Section 504 plan.

For seniors who are eligible to graduate and are assigned to a DAEP at the time of graduation, the placement in the program shall continue through graduation, and the student shall not be allowed to participate in the graduation ceremony and related graduation activities.

Placement Review

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

Additional Misconduct

If during the term of placement in a DAEP the student engages in additional misconduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted, and the campus behavior coordinator may enter an additional disciplinary order as a result of those proceedings.

Notice of Criminal Proceedings

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

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

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

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

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

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

Withdrawal During Process

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

Newly Enrolled Students

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

A newly enrolled student with a DAEP placement from a district in another state shall be placed as any other newly enrolled student if the behavior committed is a reason for DAEP placement in the receiving district.

If the student was placed in a DAEP by a school district in another state for a period that exceeds one year, this district, by state law, shall reduce the period of the placement so that the total placement does not exceed one year. After a review, however, the placement may be extended beyond a year if the district determines that the student is a threat to the safety of other students or employees or the extended placement is in the best interest of the student.

Emergency Placement Procedure

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

Transition Services

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

Placement and/or Expulsion for Certain Offenses

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

Registered Sex Offenders

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

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

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

1. Threatens the safety of other students or teachers,
2. Will be detrimental to the educational process, or
3. Is not in the best interests of the district's students.

Review Committee

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

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

Newly Enrolled Student

If a student enrolls in the district during a mandatory placement as a registered sex offender, the district may count any time already spent by the student in a placement or may require an additional semester in an alternative placement without conducting a review of the placement.

Appeal

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

Certain Felonies

Regardless of whether placement or expulsion is required or permitted by one of the reasons in the DAEP Placement or Expulsion sections, in accordance with Education Code 37.0081, a

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

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

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

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

Hearing and Required Findings

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

1. Threatens the safety of other students or teachers,
2. Will be detrimental to the educational process, or
3. Is not in the best interest of the district's students.

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

Length of Placement

The student is subject to the placement until:

1. The student graduates from high school,
2. The charges are dismissed or reduced to a misdemeanor offense, or
3. The student completes the term of the placement or is assigned to another program.

Placement Review

A student placed in a DAEP or JJAEP under these circumstances is entitled to a review of his or her status, including academic status, by the campus behavior coordinator or board's designee at intervals not to exceed 120 days. In the case of a high school student, the student's progress

toward graduation and the student's graduation plan shall also be reviewed. At the review, the student or the student's parent shall have the opportunity to present arguments for the student's return to the regular classroom or campus.

Newly Enrolled Students

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

Expulsion

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

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student's status as homeless.

Discretionary Expulsion: Misconduct That May Result in Expulsion

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

Any Location

A student **may** be expelled for:

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

Engaging in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school.

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

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

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

Within 300 Feet of School

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

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

Property of Another District

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

While in DAEP

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

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

Mandatory Expulsion: Misconduct That Requires Expulsion

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

Under Federal Law

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

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

Under the Penal Code

- Unlawfully carrying on or about the student's person the following, in the manner prohibited by Penal Code 46.02:
 - A handgun, defined by state law as any firearm designed, made, or adapted to be used with one hand. (See **glossary**.)

Note: A student may not be expelled solely on the basis of the student's use, exhibition, or possession of a firearm that occurs at an approved target range facility that is not located on a school campus, while participating in or preparing for a school-sponsored, shooting sports competition or a shooting sports educational activity that is sponsored or supported by the Parks and Wildlife Department, or a shooting sports sanctioning organization working with the department. [See policy FNCG(LEGAL).]

- A location-restricted knife, as defined by state law. (See **glossary**.)
- Possessing, manufacturing, transporting, repairing, or selling a prohibited weapon, as defined in state law. (See **glossary**.)

- Behaving in a manner that contains elements of the following offenses under the Penal Code:
 - Aggravated assault, sexual assault, or aggravated sexual assault.
 - Arson. (See **glossary**.)
 - Murder, capital murder, or criminal attempt to commit murder or capital murder.
 - Indecency with a child.
 - Aggravated kidnapping.
 - Aggravated robbery.
 - Manslaughter.
 - Criminally negligent homicide.
 - Continuous sexual abuse of a young child or children.
 - Behavior punishable as a felony that involves selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana, a controlled substance, a dangerous drug, or alcohol; or committing a serious act or offense while under the influence of alcohol.
- Engaging in retaliation against a school employee or volunteer combined with one of the above-listed mandatory expulsion offenses.

Under Age Ten

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

Process

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

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

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

Hearing

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

1. Representation by the student's parent or another adult who can provide guidance to the student and who is not an employee of the district,
2. An opportunity to testify and to present evidence and witnesses in the student's defense, and

3. An opportunity to question the witnesses called by the district at the hearing.
4. After providing notice to the student and parent of the hearing, the district may hold the hearing regardless of whether the student or the student's parent attends.

The board of trustees delegates, to the superintendent or his/her designee, authority to conduct hearings and expel students.

Board Review of Expulsion

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

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

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

Expulsion Order

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

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student's status as homeless.

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

Not later than the second business day after the hearing, the superintendent or designee shall deliver to the juvenile court a copy of the expulsion order and the information required by Section 52.04 of the Family Code.

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

Length of Expulsion

The length of an expulsion shall be based on the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, and statutory requirements.

The duration of a student's expulsion shall be determined on a case-by-case basis. The maximum period of expulsion is one calendar year, except as provided below.

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

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

State and federal law require a student to be expelled from the regular classroom for a period of at least one calendar year for bringing a firearm, as defined by federal law, to school.

However, the superintendent may modify the length of the expulsion on a case-by-case basis.

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

Withdrawal During Process

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

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

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

Additional Misconduct

If during the expulsion, the student engages in additional conduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted, and the campus behavior coordinator or the board may issue an additional disciplinary order as a result of those proceedings.

Restrictions During Expulsion

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

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

Newly Enrolled Students

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

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

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

If a student is expelled by a district in another state for a period that exceeds one year and the district continues the expulsion or places the student in a DAEP, the district shall reduce the period of the expulsion or DAEP placement so that the entire period does not exceed one year, unless after a review it is determined that:

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

Emergency Expulsion Procedures

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

DAEP Placement of Expelled Students

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

Transition Services

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

Glossary

Abuse is improper or excessive use.

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

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

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

Arson is defined in part by Penal Code 28.02 as:

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

Assault is defined in part by Penal Code §22.01(a)(1) as intentionally, knowingly, or recklessly causing bodily injury to another; §22.01(a)(2) as intentionally or knowingly threatening another with imminent bodily injury; and §22.01(a)(3) as intentionally or knowingly causing physical contact with another that can reasonably be regarded as offensive or provocative.

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

deletes school district property or information; or commits a breach of any other computer, computer network, or computer system.

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

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

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

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

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

Club is defined by Penal Code 46.01 as an instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death. A blackjack, nightstick, mace, and tomahawk are in the same category.

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

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

Cyberbullying is defined by Section 37.0832 of the Education Code as bullying that is done through the use of any electronic communication device, including through the use of a cellular

or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an internet website, or any other internet-based communication tool.

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

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

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

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

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

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

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

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

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

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

1. Cause action by an official or volunteer agency organized to deal with emergencies;

2. Place a person in fear of imminent serious bodily injury; or
3. Prevent or interrupt the occupation of a building, room, or place of assembly.

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

1. Any weapon (including a starter gun) that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive;
 2. The frame or receiver of any such weapon;
 3. Any firearm muffler or firearm weapon; or
 4. Any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade.
- Such term does not include an antique firearm.

Firearm silencer is defined by Penal Code 46.01 as any device designed, made, or adapted to muffle the report of a firearm.

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

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

Harassment includes:

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

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

maintaining membership in a student organization if the act meets the elements in Education Code 37.151, including:

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

Hit list is defined in Section 37.001(b)(3) of the Education Code as a list of people targeted to be harmed, using a firearm, a knife, or any other object to be used with intent to cause bodily harm.

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

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

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

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

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

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

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

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

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

Possession means to have an item on one's person or in one's personal property, including, but not limited to, clothing, purse, or backpack; a private vehicle used for transportation to or from school or school-related activities, including, but not limited, to an automobile, truck, motorcycle, or bicycle; telecommunications or electronic devices; or any school property used by the student, including, but not limited to, a locker or desk.

Prohibited weapon under Penal Code 46.05(a) means:

1. The following items unless registered with the U.S. Bureau of Alcohol, Tobacco, Firearms, and Explosives or otherwise not subject to that registration requirement or unless the item is classified as a curio or relic by the U.S. Department of Justice:
 - a) An explosive weapon;
 - b) A machine gun;
 - c) A short-barrel firearm;
2. Armor-piercing ammunition;
3. A chemical dispensing device;
4. A zip gun;
5. A tire deflation device;
6. An improvised explosive device; or
7. A firearm silencer, unless classified as a curio or relic by the U.S. Department of Justice or the actor otherwise possesses, manufactures, transports, repairs, or sells the firearm silencer in compliance with federal law.

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

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

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

Self-defense is the use of force against another to the degree a person reasonably believes the force is immediately necessary to protect himself or herself.

Serious misbehavior means:

1. Deliberate violent behavior that poses a direct threat to the health or safety of others;
2. Extortion, meaning the gaining of money or other property by force or threat;

3. Conduct that constitutes coercion, as defined by Section 1.07, Penal Code; or
4. Conduct that constitutes the offense of:
 - a) Public lewdness under Penal Code 21.07;
 - b) Indecent exposure under Penal Code 21.08;
 - c) Criminal mischief under Penal Code 28.03;
 - d) Hazing under Education Code 37.152; or
 - e) Harassment under Penal Code 42.07(a)(1) of a student or district employee.

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

- Behavior that is grounds for permissible expulsion or mandatory DAEP placement.
- Behavior identified by the district as grounds for discretionary DAEP placement.
- Actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Refusal to attempt or complete schoolwork as assigned.
- Insubordination.
- Profanity, vulgar language, or obscene gestures.
- Leaving school grounds without permission.
- Falsification of records, passes, or other school-related documents.
- Refusal to accept discipline assigned by the teacher or principal.

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

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

1. Cause a reaction of any type by an official or volunteer agency organized to deal with emergencies;
2. Place any person in fear of imminent serious bodily injury;
3. Prevent or interrupt the occupation or use of a building; room, place of assembly, or place to which the public has access; place of employment or occupation; aircraft, automobile, or other form of conveyance; or other public place;
4. Cause impairment or interruption of public communications; public transportation; public water, gas, or power supply; or other public service;
5. Place the public or a substantial group of the public in fear of serious bodily injury; or
6. Influence the conduct or activities of a branch or agency of the federal government, the state, or a political subdivision of the state (including the district).

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

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

- Murder, manslaughter, or homicide under Sections 19.02, – .05;

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

[See FOC(EXHIBIT).]

Under the influence means lacking the normal use of mental or physical faculties. Impairment of a person’s physical or mental faculties may be evidenced by a pattern of abnormal or erratic behavior, the presence of physical symptoms of drug or alcohol use, or by admission. A student “under the influence” need not be legally intoxicated to trigger disciplinary action.

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

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



BOARD OF TRUSTEES Agenda Item

MEETING DATE: August 10, 2020

MEETING TYPE:

- Regular Meeting
- Special Meeting

DISTRICT GOALS (Check all that apply):

- Academic Competitiveness
- Competitive Work Force
- Promote Community/School Partnerships
- Fiscal Responsibility
- Safe and Secure Schools

AGENDA ITEM TYPE:

- Action Item
- Non Action Item

TITLE: Consider 2020-2021 Innovative Courses

RECOMMENDED ACTION: It is recommended that the 2020-2021 Innovative Courses specified in the Texas Education Data Standards be approved as presented.

BOARD POLICY/STATE REGULATION/LAW REFERENCE (if applicable): TAC 74.27

OVERVIEW:

David Tarver, Assistant Superintendent of Student Services/ Human Resources will present a composite list of TEA's innovative courses of which Mineral Wells ISD can currently offer.

Innovative Courses allow districts to offer state-approved innovative courses to enable students to master knowledge, skills, and competencies not included in the essential knowledge and skills of the required curriculum.

With the approval of the local board of trustees, school districts and charter schools may offer any state-approved innovative course for state elective credit only. A district does not need to apply to the agency to offer an approved innovative course.

Mineral Wells ISD seeks approval to offer innovative courses, approved by the state, upon identification of a need/interest in such field.

FISCAL IMPACT: N/A

ATTACHMENTS: 2020-2021 Texas Education Data Standards

DEPARTMENT(S) SUBMITTING FORM: Assistant Superintendent HR/Student Services

DEPARTMENT SIGNATURE/APPROVAL:  



List of Approved Innovative Courses 2020–2021

The following is a list of approved innovative courses for the 2020–2021 school year. School districts and charters schools wishing to offer innovative courses must have the approval of their board of trustees. Innovative courses may only be used to meet state elective credit and are not approved to meet any other requirement for graduation.

Complete course descriptions and requirements, including curriculum standards, educator certification requirements, and recommended course resources and activities can be found on the [Innovative Courses](#) webpage. For questions related to innovative courses, please email innovative.courses@tea.texas.gov.

Course	Content Area	PEIMS Code	Abbreviation
Career and Technical Education			
General Employability Skills	Career Development	N1270153	GEMPLS
Student to Industry Connection	Career Development	N1270153	ST2INDCN
Advanced Floral Design	Agriculture, Food, and Natural Resources (AFNR)	N1300270	ADVFLDES
Agricultural Leadership, Research, and Communications	AFNR	N1300266	AGLRC
Viticulture	AFNR	N1300265	VITICUL
Computer Aided Drafting for Architecture	Architecture and Construction	N1300429	CAD4ARCH
Pipefitting Technology I	Architecture and Construction	N1300425	PIPETEC1
Pipefitting Technology II	Architecture and Construction	N1300426	PIPETEC2
Pipefitting Technology I Lab	Architecture and Construction	N1300427	PIPETECL1
Pipefitting Technology II Lab	Architecture and Construction	N1300428	PIPETECL2
Sheet Metal Technology	Architecture and Construction	N1300430	SHTMTL
Topographical Drafting	Architecture and Construction	N1300421	TOPDR
Video Game Programming	Arts, A/V Technology, and Communications	N1300994	VIDEOPR
Advanced Video Game Programming	Arts, A/V Technology, and Communications	N1300995	ADVVIDEOGP
Child Development Associate (CDA) Foundations	Education and Training	N1300500	CDAFOUND
Communication and Technology in Education	Education and Training	N1300510	CMTCHED

Course	Content Area	PEIMS Code	Abbreviation
Dimensions of Diplomacy	Government and Public Administration	N1301820	DIDIPL
Introduction to Dental Science	Health Science	N1302101	DNTSCI
Introduction to Imaging Technology	Health Science	N1302102	IMGTECH
Introduction to Pharmacy Science	Health Science	N1302103	PHARSCI
Introduction to Speech Pathology and Audiology	Health Science	N1302100	INTSPA
Kinesiology I	Health Science	N1302104	KINES1
Principles of Allied Health	Health Science	N1302105	ALLHLTH
Principles of Diagnostic Healthcare	Health Science	N1302106	DIGHLTH
Principles of Exercise Science and Wellness	Health Science	N1302107	EXSCIWL
Principles of Health Informatics	Health Science	N1302108	HLTHINF
Principles of Nursing Science	Health Science	N1302109	NURSSCI
Principles of Therapeutic HealthCare	Health Science	N1302110	THERHLTH
Speech and Language Development	Health Science	N1302098	SLDEV
Speech Communication Disorders	Health Science	N1302099	SCDIS
Foundations of Restaurant Management	Hospitality and Tourism	N1302268	RESTMGMT
Introduction to Event and Meeting Planning	Hospitality and Tourism	N1302269	EVNTPLN
Tourism Marketing Concepts and Applications	Hospitality and Tourism	N1302270	TOURMRKT
Applied Nutrition and Dietetics	Human Services	N1302541	APPNUTR
Barbering I	Human Services	N1302534	BARBER1
Barbering II	Human Services	N1302535	BARBER2
Esthetics	Human Services	N1302533	ESTHE
Microbiology and Safety for Cosmetology Careers	Human Services	N1302540	MICRCOS
Nail Care, Enhancements and Spa Services	Human Services	N1302531	NCESS
Parenting Education I	Human Services	N1302536	PAED1
Parenting Education II	Human Services	N1302540	PAED2
Principles of Community Services	Human Services	N1302542	COMMSERV
Advanced Cloud Computing	Information Technology	N1302813	ADCLDCMP

Course	Content Area	PEIMS Code	Abbreviation
Advanced User Experience (UX) Design	Information Technology	N1302814	ADVUXD
Assistive Technology	Information Technology	N1260002	ATECH
Cyber Citizenship	Information Technology	N1260001	CYBERC
Foundations of User Experience (UX)	Information Technology	N1302809	FOUNDUX
Internetworking Technologies I	Information Technology	N1302803	INTNET1
Internetworking Technologies II	Information Technology	N1302804	INTNET2
Introduction to C# Programming Applications	Information Technology	N1302812	INTCPA
Geographic Information Systems (GIS)	Information Technology	N1302805	GIS
Raster-Based Geographic Information Systems	Information Technology	N1302806	RBGIS
Spatial Technology and Remote Sensing	Information Technology	N1302807	SPATECRS
Advanced Legal Systems and Professions	Law, Public Safety, Corrections, and Security	N1303016	ADVLSP
Disaster Response	Law, Public Safety, Corrections, and Security	N1303011	DISRESP
Emergency Medical Technician—Basic	Law, Public Safety, Corrections, and Security	N1303015	EMTB
Forensic Psychology	Law, Public Safety, Corrections, and Security	N1303012	FORENSPSY
Foundations of Court Reporting	Law, Public Safety, Corrections, and Security	N1303017	FDCRTREP
Legal Research and Writing	Law, Public Safety, Corrections, and Security	N1303014	LEGRW
Occupational Safety and Environmental Technology I	Manufacturing	N1303680	OSET1
Occupational Safety and Environmental Technology II	Manufacturing	N1303681	OSET2
Occupational Safety and Environmental Technology III	Manufacturing	N1303682	OSET3
Basic Fluid Power	Manufacturing	N1303683	BASICFP

Course	Content Area	PEIMS Code	Abbreviation
Blueprint Reading for Manufacturing Applications	Manufacturing	N1303684	BRFMA
Fiber Optic Technician	Manufacturing	N1303686	FOTECH
Introduction to Film Interpretation of Weldments	Manufacturing	N1303687	INTFMWLD
Introduction to Industrial Maintenance	Manufacturing	N1303688	INTINMAT
Programmable Logic Controller I	Manufacturing	N1303689	PROLGCNT1
Entrepreneurship II	Marketing	N1303423	ENTPRNR2
Fundamentals of Real Estate	Marketing	N1301120	FUNDRE
Marketing	Marketing	N1303424	MRKTING
Retail Management	Marketing	N1303420	REMGMT
Sports and Entertainment Marketing II	Marketing	N1303422	SPORTEM2
Digital Image Processing	Science, Technology, Engineering, and Mathematics (STEM)	N1303766	DGIP
Introduction to Computer Aided Design and Drafting	STEM	N1303769	INTRCADD
Intermediate Computer Aided Design and Drafting	STEM	N1303770	INTMCADD
Texas Prefreshman Engineering Program I–IV	STEM	N1303752 N1303753 N1303754 N1303755	TXPRENG1 TXPRENG2 TXPRENG3 TXPRENG4
Quality Assurance for Biosciences	STEM	N1303771	QABIOS
Engineering Applications of Computer Science Principles	STEM	N1303772	EACSP
Introduction to Shipboard Engineering	Transportation, Distribution, and Logistics (TDL)	N1304666	INTSE
Advanced Shipboard Engineering	TDL	N1304667	ADVSE
Principles of Maritime Science	TDL	N1304661	PRMSCI
Maritime Science I	TDL	N1304662	MSCI1
Maritime Science II	TDL	N1304663	MSCI2
Introduction to Aerospace and Aviation	TDL	N1304672	INTAEAVI
Introduction to Unmanned Aerial Vehicles (UAV) Flight	TDL	N1304670	PRINUAV
Aviation Ground School	TDL	N1304675	AVIAGS
Concepts of Distribution and Logistics Technology	TDL	N1303800	DISTLOG

Course	Content Area	PEIMS Code	Abbreviation
Logistics Engineering	TDL	N1303801	LOGENG
Introduction to Instrumentation and Electrical	Energy	N1303900	INSTELEC
Foundation (bilingual/English as a second language (ESL), reading, mathematics, science, and social studies)			
Linear Algebra	mathematics	N1110021	LINALG
Modern Geometry	mathematics	N1110019	MODGEO
Multivariable Calculus	mathematics	N1110018	MULTCAL
Number Theory	mathematics	N1110025	NUMTHY
Strategic Learning for High School Math	mathematics	N1110030	STLNHSM
Electricity and Magnetism	science	N1120043	ELECMAG
Introduction to Renewable Energy	science	N1120042	RENEWEN
Modern Physics	science	N1120041	MODPHY
Organic Chemistry	science	N1120027	ORGCHEM
Planet Earth	science	N1120040	PLNEAR
Science and Technology	science	N1120039	SCITECH
Civic Discourse	social studies	N1130028	CIVDISC
School to College	social studies	N1130029	SCH2COL
Teen and Police Service	social studies	N1130025	TEENPOL
Enrichment (fine arts, health, physical education, technology applications)			
Acting for the Camera	fine arts	N1170193	ACT4CAM
Acting Methods	fine arts	N1170123	ACTMET1
Acting Styles: Classical/Commedia	fine arts	N1170124	ACTMET2
Acting Styles: Realism/Post-war	fine arts	N1170125	ACTMET3
Acting Styles: Improvisation/Monologue	fine arts	N1170126	ACTMET4
Dramaturgy	fine arts	N1170194	DRMTGY
Forensic Art	fine arts	N1170190	FORART
Integration of Abilities: Exercises for Creative Growth	fine arts	N1170186	INTAB
Movement for the Actor	fine arts	N1170118	SCOMTNOV

Course	Content Area	PEIMS Code	Abbreviation
Physical Theatre I	fine arts	N1170180	PHYTHE1
Physical Theatre II	fine arts	N1170181	PHYTHE2
Theatre Management	fine arts	N1170192	THMGMT
Comprehensive Wellness I	health/physical education	N1150043	COMPWEL1
Comprehensive Wellness II	health/physical education	N1150046	COMPWEL2
PE3: PE for the Mind, Body, and Spirit	health/physical education	N1160010	PE3MBS
Team Sport Officiating	health/physical education	N1160012	TEAMOFF
Exercise Physiology	health/physical education	N1160014	EXPHY
Other Electives			
Braille	Other	N1100505	BRAILLE
IDRA Valued Youth Tutoring Partnership	Other	N1290036	CCVYP
College Transition	Other	N1290050	CLGTRN
Community Transportation	Other	N1304660	COMTRNS
G/T Interdisciplinary Study Mentorship I–IV	Other	N1290309 N1290313 N1290317 N1290318	GTISM GTISM2 GTISM3 GTISM4
Innovative Thinking	Other	N1290450	INNVTH
Logic I-II	Other	N1290100 N1290101	LOGIC1 LOGIC2
Navigating Life with Hearing Loss	Other	N1290330	NAVLOSS
Making Connections I-IV	Other	N1290332 N1290333 N1290334 N1290335	MAKECON1 MAKECON2 MAKECON3 MAKECON4
Methodology for Academic and Personal Success (MAPS)	Other	N1130021	MAPS
Orientation and Mobility for Students with Visual Impairments	Other	N1160510	ORIENMO
Path College Career I-IV	Other	N1290051 N1290052 N1290053 N1290054	PATHCC1 PATHCC2 PATHCC3 PATHCC4

Course	Content Area	PEIMS Code	Abbreviation
Peer Assistance for Students with Disabilities I–II	Other	N1290203 N1290204	PASWD1 PASWD2
Courses Offered by Organizations Other Than School Districts			
Advanced Placement (AP) Seminar	Other	N1130026	APSMNR
Advanced Placement (AP) Research	Other	N1100014	APRES
Advancement Via Individual Determination (AVID) I–IV	Other	N1290001 N1290002	AVID1 AVID2
Aerospace Engineering	STEM	N1303745	AERO
Biomedical Innovation	Health Science	N1302095	BIOINN
Civil Engineering and Architecture	Architecture and Construction	N1303747	CEA
Computer Integrated Manufacturing	Manufacturing	N1303748	CIM
Engineering Design and Development	STEM	N1303749	EDD
Engineering Essentials	STEM	N1303760	ENGESS
Environmental Sustainability	STEM	N1303746	ENVSUS
Functional Fitness	health/physical education	N1160011	FUNFIT
Gateway	STEM	N1303756 N1303757 N1303758 N1303759	GTT1 GTT2 GTT3 GTT4
Human Body Systems	Health Science	N1302093	HUMBODSY
International Baccalaureate (IB) Business and Management Standard Level(SL)/High Level (HL)	Other	IBMNTSL IBMNTHL	N1290325 N1290326
IB Theory of Knowledge	Other	N1290322	IBTOK
Introduction to Engineering Design	STEM	N1303742	IED
Leadworthy the Course	Other	N1290012	LDWRTY
Medical Interventions	Health Science	N1302094	MEDINT
PeaceKeepers® I–II	Other	N1290024 N1290025	PEACE1 PEACE2
Peer Assistance and Leadership (PAL®) I–II	Other	N1290005 N1290006	PAAL1 PAAL2
Peers Accepting, Learning, and Sharing I–II	Other	N1290040 N1290041	PRALS-1 PRALS-2
Principles of Biomedical Science	Health Science	N1302092	PRBIOSCI

Course	Content Area	PEIMS Code	Abbreviation
Sports Medicine I	health/physical education	N1150040	SPORTMD1
Sports Medicine II	health/physical education	N1150041	SPORTMD2
Sports Medicine III	health/physical education	N1150044	SPORTMD3
Student Leadership	Other	N1290010	STULEAD



BOARD OF TRUSTEES Agenda Item

MEETING DATE: August 10, 2020

MEETING TYPE:

- Regular Meeting
- Special Meeting

AGENDA ITEM TYPE:

- Action Item
- Non Action Item

DISTRICT GOALS (Check all that apply):

- Academic Competitiveness
- Competitive Work Force
- Promote Community/School Partnerships
- Fiscal Responsibility
- Safe and Secure Schools

TITLE: Consider Approval of Resolution of the Mineral Wells ISD Board of Trustees regarding Delegation to Superintendent for Waivers

RECOMMENDED ACTION: It is recommended that the Superintendent be authorized to approve waivers as presented.

BOARD POLICY/STATE REGULATION/LAW REFERENCE (if applicable): TEC 7.056

OVERVIEW:

A large number of waivers are necessary during the COVID-19 pandemic.

FISCAL IMPACT: N/A

ATTACHMENTS: Resolution

DEPARTMENT(S) SUBMITTING FORM: Curriculum & Instruction

DEPARTMENT SIGNATURE/APPROVAL: *Carey Carter* *JLKL*

**RESOLUTION OF MINERAL WELLS ISD BOARD OF TRUSTEES
REGARDING DELEGATION TO SUPERINTENDENT FOR WAIVERS**

WHEREAS, the U.S. Government has declared a national emergency and the State of Texas has declared a statewide disaster regarding the ongoing COVID-19 pandemic;

WHEREAS, on March 19, 2020, the Texas Governor issued Executive Order No. GA-08 relating to COVID-19 preparedness and mitigation and through this action and in accordance with Guidelines from the President ordered the temporary closure of all Texas school districts;

WHEREAS, Texas Education Code 11.151 gives the Board of Trustees the exclusive power and duty to govern and oversee the management of the public schools of the District;

WHEREAS, Texas Education Code 7.056 permits a district to apply to the commissioner of education for a waiver of a requirement, restriction, or prohibition imposed by the Education Code or rule of the State Board of Education or commissioner;

WHEREAS, TEA has indicated that it will accept a waiver request made pursuant to Texas Education Code 7.056 by a superintendent, if the Board of Trustees has delegated general operational authority or waiver-specific authority to the Superintendent;

WHEREAS, TEA recommends that if the Board delegates authority to the Superintendent to request waivers from the commissioner, that the Board ratify the waiver request at a future Board meeting to ensure compliance with Texas Education Code Chapter 11 and section 7.056;

WHEREAS, the Board finds there is a need for the District to maintain efficient, effective, and consistent District operations during the period of the disaster declaration under these circumstances, which may include the need to request available waivers under state and federal law;

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees of Mineral Wells Independent School District makes the following delegation to the Superintendent:

- The authority to pursue any necessary and available waivers from TEA without further action of the Board; and
- In the event other waivers are needed, the Superintendent is authorized to submit other waivers in accordance with guidance from national, state, or local authorities or agencies.

The Board shall ratify any waiver requests made by the Superintendent under this authority at a future Board meeting.

The authority granted by this resolution shall apply until the District resumes full operations at the direction of the Superintendent or the Board takes further action.

Adopted this _____ day of _____, 20_____, by the Board of Trustees.

Presiding Officer

Secretary



BOARD OF TRUSTEES Agenda Item

MEETING DATE: August 10, 2020

MEETING TYPE:

- Regular Meeting
- Special Meeting

AGENDA ITEM TYPE:

- Action Item
- Non Action Item

DISTRICT GOALS (Check all that apply):

- Academic Competitiveness
- Competitive Work Force
- Promote Community/School Partnerships
- Fiscal Responsibility
- Safe and Secure Schools

TITLE: Consider Asynchronous Remote Instruction Academy Guide

RECOMMENDED ACTION: It is recommended that the Asynchronous Remote Instruction Academy Guide be approved as presented.

BOARD POLICY/STATE REGULATION/LAW REFERENCE (if applicable): TEC 28.002

OVERVIEW:

Due to Covid-19, Mineral Wells ISD developed a Remote Instruction Academy Guide for the 2020-2021 school year. The plan addresses student, parent, and teacher expectations; attendance; resources; grading and interventions.

The guide must be approved by the Local School Board and submitted to TEA by Oct 1st for approval.

FISCAL IMPACT: N/A

ATTACHMENTS: Asynchronous Remote Instruction Academy Guide

DEPARTMENT(S) SUBMITTING FORM: Curriculum & Instruction

DEPARTMENT SIGNATURE/APPROVAL: Carrey Carter [Signature]

Please check the grade level(s) for which these open response descriptions/attachments apply.

Note: You will be able to submit a response for each grade or grade band, but you may also submit just one response for each question if you prefer, describing any differences by grade level(s) within your responses.

- | | | |
|------------------------------|----------------------------|-----------------------------|
| <input type="checkbox"/> PK3 | <input type="checkbox"/> 3 | <input type="checkbox"/> 8 |
| <input type="checkbox"/> PK4 | <input type="checkbox"/> 4 | <input type="checkbox"/> 9 |
| <input type="checkbox"/> K | <input type="checkbox"/> 5 | <input type="checkbox"/> 10 |
| <input type="checkbox"/> 1 | <input type="checkbox"/> 6 | <input type="checkbox"/> 11 |
| <input type="checkbox"/> 2 | <input type="checkbox"/> 7 | <input type="checkbox"/> 12 |

Attestations

Instructional Schedule

- **Teacher interaction** with students is predictable, sufficient to support schedule.
- **Teacher availability** for students (e.g. office hours schedule) is planned in advance, predictable, sufficient for student progress, clearly defined, and published in the student syllabus.
- **Students can access instructional support** from teachers when needed, direct instruction is delivered by teachers, and students know how and when they can interact with their teachers.
- Students are provided **clear means to engage with academic material on a daily basis**.

- **Student IEPs** are followed regardless of learning environment such that students with disabilities receive a Free, and Appropriate Public Education (FAPE).
- Student academic work ensures **engagement that is equivalent to direct content work that a student would be engaged in over a normal school year**. As guidance, this direct work with academic content matches or exceeds the following average daily minimums across all subjects:
 - · Half day PreK – 90 instructional minutes
 - · Full day PreK – 180 instructional minutes
 - · K through 5th grade – 180 instructional minutes
 - · 6th through 12th grade – 240 instructional minutes

Materials Design

- District has adopted a **full, TEKS-aligned curriculum can be executed in an asynchronous remote learning environment**. This includes:
 - Assessments that ensure continued information on student progress remotely
 - Instructional materials that support a coherent, logical course sequence that reinforces concepts at appropriate times to ensure continuity of learning remotely
 - Instructional materials consistently reinforce concepts at appropriate times to ensure retention of knowledge in asynchronous environments
- Instructional materials include specifically designed resources and/or accommodations and modifications to support students with disabilities and English Learners in an asynchronous environment.
- There is a plan to ensure district adopted instructional materials are used during instruction and in the hands of students.

Student Progress

- Expected student progress in remote asynchronous learning is **planned in advance, defined by day, and ties to the overall course coverage in the course syllabus**.
- **Daily, trackable student engagement exists** to ensure curricular progress in asynchronous learning. Curricular progress can be measured through any of the following means:
 - Data from the Learning Management System (LMS) showing progress made that day
 - Curricular progress evidenced from teacher/student interactions made that day
 - Completion and submission of assignments planned for that day
- Districts have **systems to measure academic progress** of all students to **inform instructional practice** in an asynchronous environment.
 - Progress monitoring includes all students and can be done in any proposed at-home scenario (digital or print)
- Student **feedback is provided from instructor at least weekly** in asynchronous learning environments including next steps or necessary academic remediation to improve performance.
- **School grading policies** for remote student work are consistent with those used before COVID for on campus assignments

Implementation

- Campuses plan for and implement **professional development calendars** with specific supports for asynchronous instruction. These include the following for educators:
 - Provide introductory and ongoing content-focused, job-embedded training linked to chosen asynchronous curricular resources
 - Cover all grade levels and content areas that are participating in asynchronous learning
 - Develop content knowledge to help educators internalize the asynchronous curriculum and analyze and respond to data with the use of the instructional materials
 - Explicitly cover asynchronous remote instructional delivery and use of the asynchronous learning platform and/or learning management system
- Districts provide **explicit communication and support for families** in order to support asynchronous work at home.

Open Responses

Key Requirement Instructional Schedule: Describe (or attach a description of) the structure of your asynchronous schedule highlighting any differences by grade level and/or content area.

The following are examples of possible schedules for remote learners that align to asynchronous instruction. Students do not have to follow the schedules listed below. Parents will determine the best time of day for students to receive asynchronous learning that allows for the following amount of time on-task:

- PreK – 180 instructional minutes
- K through 5th grade – 180 instructional minutes
- 6th through 12th grade – 240 instructional minutes

PreK Sample Schedule

7:45-8:00 Question of the Day/Vocabulary/Conversational skills

8:00-8:30 Calendar/Morning Meeting/Letter Focus

8:30-9:30 Language Arts/Writing/ Letter Focus

9:30-10:15 Phonics/Fine Motor Skills/Number Focus

10:15-10:30 Brain Break/Movement

10:30-11:30 Free Play/Centers

11:30-12:00 Lunch

12:00-12:30 Recess

12:30-1:00 Read Aloud

1:00-1:45 Rest time

1:45-2:30 Math

2:30-3:00 Intervention/Enrichment

3:00-3:10 Review

MWJH Example Schedule

		1st	2nd	3rd	4th	5th & lunch		6th	Flex	7th	8th
	8:00 – 8:10	8:10-8:55	9:00-9:45	9:50-10:35	10:40-11:25	11:25-12:45		12:50-1:35	1:40 - 2:20	2:25 - 3:10	3:15 - 4:00
7th	Morning Meeting	Math	TxHis	Reading	Writing	lunch	Science	PE		Elective TBD	
8th	Morning Meeting	Spch/Hlth	Science	ELA	Math	elective TBD	lunch	PE		US His	Elective TBD

MWHS Example Schedule

						Example A	Example B
	8:10					Morning Meeting	Morning Meeting
1st	8:20		9:05		45 minutes	Athletics	Fine Arts
2nd	9:10		9:55		45 minutes	Elective	ELA
3rd	10:00		10:45		45 minutes	Elective	Science
4th	10:50		11:35		45 minutes	Elective	SS
5th A	11:35-12:05	A Lunch	12:10-12:40	Tutorials	1 hour	Lunch	Tutorials
5th B	11:40-12:10	Tutorials	12:10-12:40	B Lunch	1 hour	Tutorials	Lunch
6th	12:45		1:30		45 minutes	Math	Math
7th	1:35		2:20		45 minutes	ELA	Elective
8th	2:25		3:10		45 minutes	Science	Elective
9th	3:15		4:00		45 minutes	SS	Elective

Summarize how your instructional schedules meet the criteria:

Component	Explanation
<p>What are the expectations for daily student interaction with academic content?</p>	<p>Students are expected to engage in the scheduled content asynchronously for a total of 300+ minutes per day. Student schedule is determined by an estimated time duration per subject. During the day, students will have access to all activities and complete self-paced assignments independently and in the order in which they prefer. Students will use self-paced online courses with intermittent teacher instruction, preassigned work with formative assessments on paper or in our online learning system, and watching pre-recorded videos of instruction with guided support. Teachers can track student login and assignment completions via the online LMS and will tailor pacing and content for students based on their individual progress and/or areas where students may require additional practice or support.</p> <p>The daily schedule includes the minimum following time requirements:</p> <p><u>Elementary</u></p> <ul style="list-style-type: none"> - 90+ minutes of ELA (with extended times in lower grades for additional time for independent reading and writing) - 90 minutes of Math - 30 minutes of Science and/or Social Studies - 60 minutes of Fine Arts / Elective / PE <p><u>Secondary</u></p> <ul style="list-style-type: none"> - 45 minutes of ELA - 45 minutes of Math - 45 minutes of Science - 45 minutes of Social Studies - 135 minutes of Fine Arts / Electives / PE <p>Additional synchronous opportunities of small group instruction and office hours are provided daily:</p> <ul style="list-style-type: none"> - Small group instruction time is determined on as-needed basis by teachers based on student progress in LMS - Office hours attendance is optional and based on student and parent choice unless student is failing then attendance will be required at least twice weekly

<p>How will you ensure all student groups and grade levels will have the opportunity to engage in approx. a full day of academic content every day?</p>	<p>So that instructional expectations are consistent in both asynchronous and face-to-face synchronous models, students in asynchronous models will receive the same lesson and activities as the face-to-face students except for bilingual students. Teachers will video their lessons and upload to the LMS. The lessons and activities will be the same as the ones presented to the face-to-face students. To make sure this model is achieved, asynchronous students will be one day behind students in the face-to-face classroom. Bilingual students will receive their instruction through Home Learning 3.0 packets or uploaded into the LMS with campus-based support.</p> <p>In the above schedule, students will complete 300 minutes of asynchronous learning. Instruction and activities will be completed primarily asynchronously, though students will receive direct synchronous instruction and support through interventions, small group instruction, and office hours.</p>
<p>What are the expectations for teacher/student interactions?</p>	<p>Teachers are expected to interact with students daily through the LMS. Office hours will be provided daily. Attendance at office hours is not mandatory. Teachers will determine intervention activities needed and provide those. Students will be notified of expected intervention times and whether attendance will be required.</p>
<p>How will teacher/student interactions be differentiated for students with additional learning needs?</p>	<p>Instructional supports will be determined by progress in the courses, ARD, 504, LPAC, etc. Dyslexic students will receive lessons daily with optional office hours provided. Bilingual students will be provided with office hours by a bilingual teacher daily for intervention or additional teaching as needed.</p> <p>General special education guidelines:</p> <ul style="list-style-type: none"> ● IEP Services including accommodations/modifications will be followed and implemented based on the student's plan. ● Admission, Review, and Dismissal (ARD) and 504 committee meetings will be held within the timeline. ● MWISD Case Manager Roles and Responsibilities are the same for online students as those in face-to-face. These duties must be performed for before, during and after an ARD Committee meeting. ● Instructional Support Logs will be kept for all students receiving special education services during any virtual learning, logs will be submitted every Friday. ● All professional and paraprofessional staff that work with remote learners will be trained in appropriately administering and delivering instructional support to students with disabilities.

Key Requirement Material Design: Describe how your instructional materials support your asynchronous environment, including how all students can access instructional materials.

Subject/ Course	Grade Level(s)	Instructional Materials	Progress Monitoring and Assessment	Is it TEKS aligned?	What resources are included to support students with disabilities?	What resources are included to support ELs?
Math Instructional Materials	PK	Frog Street Teacher-Created Materials District-Aligned Materials	CLI Engage	Yes	Teacher-created lessons	
	K-6	Go Math	Exact Path CLI KEA (Kinder)	Yes	Exact Path Study Island Teacher-created lessons Math 180 Unique	
	7-8	Go Math Edmentum	Exact Path	Yes	Exact Path Study Island Teacher-created lessons Math 180 Unique	

	9 - 12	Pearson Khan Academy Edmentum	Pearson Sirius	Yes	Itutoring Unique	Sirius itutoring
ELA Instructional Materials	PK	Frog Street	CLI Engage	Yes	Exact Path Study Island Teacher-created lessons System 44 – 6 th Grade	Esperanza Teacher Created Materials
	K-2	HMH Reading Saxon Phonics Home Learning 3.0	KEA/ TPRI Exact Path Istation Spanish Study Island	Yes		HMH Spanish Istation Spanish
	3	Mentoring Minds Storyworks Home Learning 3.0	Exact Path Istation Spanish Study Island	Yes		HMH Spanish Istation Spanish
	4-6	Sirius Storyworks Empowering Writers (4 th grade) Home Learning 3.0	Exact Path Istation Spanish Study Island	Yes		HMH Spanish – 5 th Grade Istation Spanish

	7-8	HMH Study.com Edmentum	NWEA MAP Exact Path Study Island	Yes	Read 180 System 44	Rosetta Stone
	9-12	Savvas Sirius Edmentum	Savvas	Yes	Read 180	Study.com Rosetta Stone
Science Instructional Materials	K-6	Science Fusion	Education Galaxy	Yes	Adapted Lessons	Adapted Lessons
	7-8	Science Fusion Edmentum	Teacher-Created	Yes	Adapted Lessons	Adapted Lessons
	9-12	HMH Science Gizmos Edmentum	Teacher-Created Study Island	Yes	Adapted Lessons	Adapted Lessons
Social Studies Instructional Materials	K-6	Pearson	Teacher-Created	Yes	Adapted Lessons	Adapted Lessons
	7-8	McGraw-Hill Edmentum	Teacher-Created	Yes	Adapted Lessons	Adapted Lessons

	9-12	HMH Edmentum	Teacher-Created	Yes	Adapted Lessons	Adapted Lessons
--	------	-----------------	-----------------	-----	-----------------	-----------------

Provide additional explanations of how your instructional materials meet the criteria if needed: Instructional materials, all of which are TEKS aligned, will be available through Google Classroom and on-line login to web-based supports available through our adopted and supplementary instructional materials. The use of videos/screencasts/broadcasts (both live and recorded) will be part of our remote learning protocols. Students and parents will receive detailed instructions on how to access and navigate these resources.

Component	Explanation
<p>How will materials be designed or will be adapted for asynchronous instruction, ensuring coherence and retention on knowledge</p>	<p>Students in the asynchronous environment will receive lessons that will be the same or similar to the face-to-face environment. To provide the best instruction possible, lessons will be recorded from the classroom and then uploaded into the LMS for students to view the next school day. Activities will be based on the in-class assignments. Home Learning 3.0 will be provided for those students that do not have a designated full-day home learning teacher. Those students will have office hours with a certified teacher with the required certifications but that may not be their normal teacher of record on their home campus.</p>
<p>What additional supports (in addition to resources listed above) will be provided for students with disabilities and ELs?</p>	<p>Inclusion services and case manager monitoring and intervention will be provided to dyslexic, 504, special education, and bilingual students through videos, adapted resources, office hours, and instructional interventions as determined through progress in the curriculum.</p> <p>Special education teachers will review the progress of each student on their caseload weekly (i.e., grade books, data collection, etc.) and determine what, if any, additional supports may be needed for each student to continue to progress in the general education curriculum and on their IEP goals/objectives. Special education teachers are required to complete differentiated lesson plans to meet the needs of the IEP-entitled students they support whether instruction is virtual or face-to-face. Teachers must track progress on special education IEP goals via data collection related to submitted assignments and track accommodations as required.</p> <p>General and Special Educators will collaborate regarding the needs of a student served through special education in the event that the student is struggling with a particular concept. Special educators (inclusion support) may need to contact the family to set up 1:1 support sessions that will enable the student to continue to progress in the general education curriculum as well as in their IEP goals/objectives.</p> <p>Bilingual and ESL teachers are required to complete differentiated lesson plans to meet the needs of the EL students they support whether instruction is virtual or face-to-face.</p> <p>General education teachers are required to differentiate lessons for dyslexic and 504 students based on their individualized plan.</p>

Key Requirement Student Progress: Describe (or attach a description of) how you're tracking student engagement and progress in your asynchronous environment.

Component	Explanation
<p>What is the expectation for daily student engagement?</p>	<p>All students will be expected to engage in checklist activities (i.e. log-in, access videos, and other resources). Students may engage in synchronous learning with teachers and their class on a schedule defined by the teacher.</p> <p>Students are expected to log on daily to Google Classroom or Canvas (in some secondary classrooms) to reference videos of teachers teaching the lessons, activities and assignments for the day. Students will make progress on their checklist and assignments/projects daily, though they will have flexibility over which order to complete them. Students who do not demonstrate engagement on a given day are marked absent.</p> <p>A student will be considered absent if the student does not have documented engagement with the LMS and/or daily contact with the teacher, and/or documentation of completion/turn-in of daily assignments. For junior high and high school, the student must be engaged in the classroom work for each class period each class day to receive credit for attendance.</p> <p>The remote instructor can require a student to come to campus to complete a required assignment or project for an elective course, if the course requires assignments that cannot be reasonably completed remotely. Failure to appear on campus to complete on-campus assignments could also result in absences that could subject the student to the 90/10 minimum attendance for class credit requirement.</p> <p>Students are expected to demonstrate engagement for the teacher to track at a predesignated time every day; however, if assignments are turned in during afterhours of the same day, teachers can amend attendance the following day by 10:00am.</p>
<p>What is the system for tracking daily student engagement?</p>	<p>Tracking engagement will, at a minimum, follow guidance from TEA ADA funding. We will utilize the following to determine engagement:</p> <ol style="list-style-type: none"> 1. Daily Progress in the Management System - Google Classroom or Canvas in some secondary classes 2. Daily Progress via student-teacher interaction 3. Completion / Turn-in of assignments <p>By 10:00 a.m. each day, the teacher of record will check all students for remote Daily Engagement Measures (DEM) from 12:00 a.m. - 11:59 p.m. the prior school day. Teacher updates prior day attendance using the appropriate "present" code for those students who met at least one DEM the prior day. The attendance will be entered into Skyward.</p> <p>A teacher or campus representative will input the student's daily attendance into the Student Information System (SIS)/Skyward for the asynchronous method, based on the student's daily engagement with the LMS or other instructional avenue and/or the daily contact with the teacher, by marking the student remote asynchronous present or absent on that day.</p>

<p>How are the expectations for daily student engagement consistent with progress that would occur in an on-campus environment?</p>	<p>Lessons on-campus are designed to align with asynchronous plan requirements. Daily student engagement is defined, trackable, and includes expectations for daily student engagement through logging in to the LMS and completing the same activities as students in an on-campus environment. Graded work will be the same for both on-campus and online. Students will log in to see teacher videos of the lessons one day after on-campus learners. There are dedicated times for activities and check-ins daily, allowing more interactions with teachers to provide evidence of engagement and progress.</p> <p>Students who fall below a 90% attendance for the time that the course is offered will not receive credit for the course, regardless of level of “engagement”, consistent with on-campus expectations.</p>
<p>What is the system for tracking student academic progress?</p>	<p>RIA teachers will use digital formative assessment tools to check for student understanding frequently during instruction. In addition to the progress tracking and feedback structures listed below, the district will also conduct diagnostic and benchmark assessments throughout the year to monitor student progress towards mastery of the TEKS. We will use teacher-created assessments, benchmarks, BOY, MOY, and EOY screeners, etc. Grades 7-12 assessments may be proctored through our Lightspeed monitoring system.</p> <p>Elementary, junior high and high school have Remote Instruction Academy coordinators. In addition to teachers tracking student progress, it will also be the expectation that the RIA Coordinators track student progress and create a plan with the remote teachers and parents for intervention as needed.</p> <p>The district utilizes a 3-week progress report and approximate 6-week report card protocol for keeping students and parents informed of student progress. This will be in place for all students (remote and face-to-face). Parents also have access to gradebooks to check student progress.</p>
<p>What is the system for providing regular (at least weekly) feedback to all students on progress?</p>	<p>Teachers are expected to provide daily feedback for asynchronous work with a 24-hour turnaround time period. Daily feedback from teachers to students is conducted through a variety of methods, via LMS, activities, or small group instruction and teacher tutorial time. The daily feedback mechanism allows students to have a clear understanding of their academic progress on a consistent and frequent basis.</p> <p>Parents have full access to student work, interactions with teachers, assignment submissions and feedback through the parent portal of LMS. Parents can designate weekly progress reports to be delivered to their email. The LMS will also establish a communication channel between parents, students, and teachers. These expectations for student engagement and progress monitoring will be shared with parents at the start of the school year via our Parent Orientation sessions. Parent Orientation will be provided both through Zoom sessions as well as face-to-face.</p>

Key Requirement Implementation: Parents will be required to participate in Parent Orientation that will provide them training on how to access their student’s information, grades, and lessons. Videos and information will be produced regarding remote learning and linked to our website for additional help.

PROFESSIONAL DEVELOPMENT

August 10, 2020	All district educators will be provided with an overview and training on the tools needed to help deliver online course material and to facilitate interactions with students. Remote Instruction Academy handbook review will also take place.
August 11, 2020	LMS – Google Classroom and Apps Training for Pk-3 rd grade teachers and anyone else new to Google classrooms
August 13, 2020	Remote Instruction Academy teachers – Best Practices in Online Teaching and Learning Remote Instruction Academy Special Education Teachers – Best Practices in Online Learning and Providing Services for Special Education Students
September 18, 2020 October 29, 2020 December 4, 2020 January 6, 2021 February 12, 2021 March 31, 2021	On-going PD in areas of concerns

Summarize how your professional development for educators will support asynchronous instruction:

Component	Explanation
<p>How will both initial and ongoing, job-embedded educator development opportunities occur?</p>	<p>All staff will attend professional development focused on best practices (asynchronous and synchronous) and utilization of remote learning resources throughout the year including:</p> <ul style="list-style-type: none"> ● Campus-based PD on LMS, remote learning and technology applications ● Weekly technology videos/informative messages will be sent out on Friday’s to staff throughout the months of August-October addressing high need topic areas ● On-going PD in areas of concerns for teachers, coordinators, and administrators

<p>How will professional development experiences develop educator content knowledge to support internalizing the asynchronous curriculum and analyzing and responding to data?</p>	<p>The District Instructional Technology Support Teacher will provide as-needed professional development to teachers. Through monitoring of remote instruction and surveys from teachers, professional development will be provided to teachers and administrators based upon student progress and data. Professional development will be teacher and campus-specific.</p>
---	--

Describe your communication and support plan for families engaging with asynchronous learning:

Component	Explanation
<p>How will you communicate the expectations for asynchronous instruction to families?</p>	<p>We will provide a Parent Orientation in both English and Spanish to all of our remote learner parents. The dates for Parent Orientation are August 13th, 14th, and 17th.</p> <p>We utilized our website to post our plan and expectations for parents. Our superintendent created videos and posted to social media sites to provide parents another opportunity to hear expectations and find resources.</p> <p>We also have a Remote Instruction Academy hotline for parents to call or text if they have concerns or difficulties.</p>
<p>What are the expectations for family engagement/support of students?</p>	<p>Students at all levels should plan on devoting a minimum of 30 hours per week to online learning. Additionally, all students are expected to follow a prescribed daily schedule involving interaction with teachers and other RIA students, a combination of on- and offline work, intervention and extension activities, and full engagement and participation in all activities.</p> <p><u>Elementary Students</u></p> <ul style="list-style-type: none"> ● Attendance in all class sessions according to the provided daily schedule ● Completion and submission of assigned on- and offline work ● Engaging as a participant in all RIA class activities and lessons <p><u>Parents</u></p> <ul style="list-style-type: none"> ● Determine a person to be designated as the “Home Learning Coach” who will: <ul style="list-style-type: none"> ○ Attend either face-to-face or virtual orientation - REQUIRED. ○ Be available throughout the school day for student technical and academic support ○ Support the student in time management, organization, and the completion of online and offline work

	<ul style="list-style-type: none"> • Ensure a distraction-free space for students to complete their work • Students and parents will communicate with the teacher when needing additional assistance, tutoring, etc. <p>Junior High Students Junior high students should gradually begin to take responsibility for their education in online learning. They are responsible for attending all live class sessions according to their daily schedule, completing and submitting daily assignments, and organizing their on- and offline work and responsibilities.</p> <p>Parents Parents or the Home Learning Coach of RIA junior high students should plan to devote significant time to their students' online schooling at the beginning of the school year. Organization, structure, time management and active engagement are key to a successful online learning experience.</p> <p>High School High school students will take responsibility for their online learning. High schoolers should engage in goal setting, independent work, and effective daily and weekly time management. Students in these grades are expected to interact with RIA instructors and students in a respectful manner, engage fully with the content and instruction, adhere to RIA's Academic Integrity policy, and communicate with the instructor when they need additional help.</p>
<p>What additional supports, training, and/or resources will be provided for families who may need additional support?</p>	<p>The Remote Instruction Academy Coordinators will provide in-home learning and support as needed for the families to be successful. Coordinators will provide office hours for parents and students to make contact during school hours for additional instructional support as needed. Finally, a support hotline is available from 7:20 - 4:30 each day.</p>



BOARD OF TRUSTEES Agenda Item

MEETING DATE: August 10, 2020

MEETING TYPE:

- Regular Meeting
- Special Meeting

AGENDA ITEM TYPE:

- Action Item
- Non Action Item

DISTRICT GOALS (Check all that apply):

- Academic Competitiveness
- Competitive Work Force
- Promote Community/School Partnerships
- Fiscal Responsibility
- Safe and Secure Schools

TITLE: FIRST READING: Local District Update 115, affecting local policies (see attached list)

RECOMMENDED ACTION: The Board will have the opportunity to review Localized Policy Manual Update 115 during the month of August. It will be placed on the September board meeting for consideration/action.

BOARD POLICY/STATE REGULATION/LAW REFERENCE (if applicable): Board Policy BF(LOCAL)

OVERVIEW:

Update 115 focuses on updating and reorganizing several policies in the FFE series of the policy manual addressing student welfare. FFEA continues to focus on counseling, and a new code, FFEB, focuses on mental health provisions.

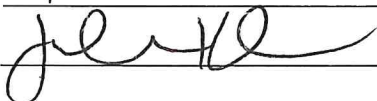
In addition to these changes, Update 115 includes several other policies affected by legislation from the 86th Legislative Session that were not included in Update 114 and incorporates numerous changes from revised Administrative Code rules.

See attached (LOCAL) Policy Action List.

FISCAL IMPACT: N/A

ATTACHMENTS: LDU 115

DEPARTMENT(S) SUBMITTING FORM: Superintendent

DEPARTMENT SIGNATURE/APPROVAL: 

(LOCAL) Policy Action List

MINERAL WELLS ISD(182903) - Update / LDU 115

BF(LOCAL): BOARD POLICIES

DED(LOCAL): COMPENSATION AND BENEFITS - VACATIONS AND HOLIDAYS

DIA(LOCAL): EMPLOYEE WELFARE - FREEDOM FROM DISCRIMINATION, HARASSMENT,
AND RETALIATION

DMD(LOCAL): PROFESSIONAL DEVELOPMENT - PROFESSIONAL MEETINGS AND
VISITATIONS

EI(LOCAL): ACADEMIC ACHIEVEMENT

FB(LOCAL): EQUAL EDUCATIONAL OPPORTUNITY

FD(LOCAL): ADMISSIONS

FEB(LOCAL): ATTENDANCE - ATTENDANCE ACCOUNTING

FFG(LOCAL): STUDENT WELFARE - CHILD ABUSE AND NEGLECT

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

FMF(LOCAL): STUDENT ACTIVITIES - CONTESTS AND COMPETITION

FNG(LOCAL): STUDENT RIGHTS AND RESPONSIBILITIES - STUDENT AND PARENT
COMPLAINTS/GRIEVANCES

GF(LOCAL): PUBLIC COMPLAINTS

Vantage Points

A Board Member's Guide to Update 115

Please note: *Vantage Points* is an executive summary, prepared specifically for board members, of the local policies included in the update. The topic-by-topic outline and brief descriptions focus on key issues to help local officials understand changes found in the policies.

The description of local policy changes in *Vantage Points* is highly summarized. Please pay careful attention to the more detailed, district-specific Explanatory Notes and the policies in your localized update packet.

For questions, contact Policy Service at policy.service@tasb.org, call us at 800-580-7529, or visit our website at policy.tasb.org.

This information is provided for educational purposes only to facilitate a general understanding of the law or other regulatory matter. This information is neither an exhaustive treatment on the subject nor is this intended to substitute for the advice of an attorney or other professional adviser. Consult with your attorney or professional adviser to apply these principles to specific fact situations.

© 2020 Texas Association of School Boards, Inc. All rights reserved.



Update 115 focuses on updating and reorganizing several policies in the FFE series of the policy manual addressing student welfare. FFEA continues to focus on counseling, and a new code, FFEB, focuses on mental health provisions.

Several policies have been revised to incorporate the new Title IX regulations, effective August 14, 2020, which define sexual harassment under Title IX and establish detailed procedures for how districts must respond to notice or allegations of sexual harassment.

In addition to these changes, Update 115 includes several other policies affected by legislation from the 86th Legislative Session that were not included in Update 114 and incorporates numerous changes from revised Administrative Code rules.

We strongly encourage you to review the Explanatory Notes contained in your district's update packet for information specific to your local policies and background on changes to the legal policies. Please remember that (LEGAL) policies provide the legal framework for key areas of district operations; they are not adopted by the board.

Section B—Local Governance

Board Policy

A revision to **BF(LOCAL)** addressing board policy adoption clarifies that a district's legally referenced policies are not adopted by the board. The (LEGAL) policies provide information on current law and context for the district's (LOCAL) policies.

Section D—Personnel

Compensation and Benefits

For districts that provide paid vacation and holiday benefits, recommended revisions to **DED(LOCAL)** address the board's authorization of these programs, including which employees are eligible for the benefits. Administrative procedures are recommended to address the details of these programs to promote consistent, effective implementation and prevent conflict between policy and administrative procedures.

Discrimination, Harassment, and Retaliation

Revisions to **DIA(LOCAL)** incorporate the recent United States Supreme Court decision *Bostock v. Clayton County, Georgia*, which held that an adverse employment action against an employee on the basis of homosexuality or transgender status violates Title VII's prohibition on sex discrimination in employment. As a result, the policy clarifies that discrimination on the basis of sex includes discrimination on the basis of biological sex, gender identity, sexual orientation, gender stereotypes, or any other prohibited basis related to sex.

Other revisions address the new Title IX regulations and:

- Include sexual harassment as defined by Title IX in the definition of prohibited conduct and clarify employee reporting requirements;

- Indicate that the district will follow the district’s existing investigation process to address allegations of prohibited conduct that would not meet the Title IX definition of sexual harassment;
- Add specific provisions outlining the legally required district response when the district receives notice or an allegation of conduct that could meet the definition of sexual harassment under Title IX;
- Add a requirement for the superintendent to develop a Title IX formal complaint process that will apply following a formal complaint and that must comply with the elements in the new regulations; and
- Designate the preponderance of the evidence standard to determine responsibility in formal complaints of sexual harassment under Title IX. **If the board wishes to instead use the clear and convincing evidence standard, which is a higher standard of evidence, please contact the district’s policy consultant.** The district must use the same standard of evidence for investigation of all formal Title IX sexual harassment complaints, including complaints by employees.

**Section E—
Instruction**

**Academic
Achievement**

Revised Administrative Code rules prompted revisions to **EI(LOCAL)** on academic achievement. Provisions on partial credit reflect new terminology from the rules regarding awarding of credit proportionately when a student receives a passing grade in “half” of a course, rather than per “semester.”

To provide flexibility, Policy Service recommends deletion of the statement in most districts’ policies that a student shall be required to retake only the portion of the course with a failing grade. There are various methods for a student to earn credit for the failed part of a course, and board policy is not required to specify which particular method may be used.

For those districts that did not have existing provisions on awarding course credit proportionately to a student who successfully completes only half a course, provisions have been recommended for the district’s consideration. **This is optional text; contact the district’s policy consultant if the district does not wish to include it.**

Some districts’ local policies included provisions on late enrollment or withdrawal of mobile students. To avoid conflict with new Administrative Code rules addressing transition assistance for highly mobile students who are homeless or in substitute care, which are addressed in **FD(LOCAL)**, below, Policy Service recommends deleting these provisions from **EI(LOCAL)**. Any specific practices in this area will need to align with the new rules and could be included in administrative procedures.

Section F— Students

Admissions

As mentioned above, recommended changes to **FD(LOCAL)** on admissions are based on new Administrative Code rules addressing transition assistance for highly mobile students who are homeless or in substitute care. The rules require districts to adopt local policy to assist with awarding credit to these students for a course that was earned prior to the student enrolling in or transferring to the district.

Attendance Accounting

Recommended revisions to **FEB(LOCAL)** on attendance accounting are to address amended Administrative Code rules. The rules remove the reference to taking attendance during the second or fifth instructional hour and specify that attendance shall be determined at the official attendance-taking time during the campus's instructional day. The recommended policy text assigns to the superintendent the responsibility of designating the district's official attendance-taking time. Note that there is no requirement to include the official attendance-taking time in policy; it may be designated in district procedures.

Child Abuse and Neglect

FFG(LOCAL) on child abuse and neglect has been significantly revised to comply with amended Administrative Code rules.

Recommended text is included to provide the required policy addressing sexual abuse, trafficking, and other maltreatment of children that must be included in the district improvement plan and the student handbook.

The rules also revise the elements of the required child abuse and neglect reporting policy. To ensure all the policy elements are addressed in board-adopted local policy, we have revised and moved provisions from **FFG(EXHIBIT)** into the local policy and recommend deletion of the exhibit.

Discrimination, Harassment, and Retaliation

Revisions to **FFH(LOCAL)** address the new Title IX regulations and are similar to those made at **DIA(LOCAL)**, above. The **FFH(LOCAL)** revisions:

- Include sexual harassment as defined by Title IX in the definition of prohibited conduct and clarify employee reporting requirements;
- Indicate that the district will follow the district's existing investigation process to address allegations of prohibited conduct that would not meet the Title IX definition of sexual harassment;
- Add specific provisions outlining the legally required district response when the district receives notice or an allegation of conduct that could meet the definition of sexual harassment under Title IX;
- Add a requirement for the superintendent to develop a Title IX formal complaint process that will apply following a formal complaint and that must comply with the elements in the new regulations; and

- Designate the preponderance of the evidence standard to determine responsibility in formal complaints of sexual harassment under Title IX. **If the board wishes to instead use the clear and convincing evidence standard, which is a higher standard of evidence, please contact the district’s policy consultant.** The district must use the same standard of evidence for investigation of all formal Title IX sexual harassment complaints, including complaints by employees.

Provisions in **FB(LOCAL)** on the district’s Title IX coordinator for students have been updated to include required language from the new Title IX regulations. Corresponding wording changes were also made to the ADA/Section 504 coordinator text.

Student and Parent Complaints

FNG(LOCAL) on grievances by students and parents includes a recommended revision to specify that a person filing a complaint regarding refusal of entry to or ejection from property based on Education Code 37.105 shall be permitted to address the board within 90 “calendar” days unless the complaint is resolved at the administrative level. This is an exception to how other timelines are calculated in the policy, which are based on “business” days in accordance with how days are defined. In addition, we have reordered the list of protected characteristics at Other Complaint Processes, item 1, to align with revisions at FFH(LOCAL) above.

Section G—Community and Governmental Relations

Public Complaints

As with FNG(LOCAL), above, **GF(LOCAL)** on complaints by members of the public includes a recommended revision to specify that a person filing a complaint regarding refusal of entry to or ejection from property based on Education Code 37.105 shall be permitted to address the board within 90 “calendar” days unless the complaint is resolved at the administrative level. This is an exception to how other timelines are calculated in the policy, which are based on “business” days in accordance with how days are defined.

Miscellaneous Deletions

Several local policies focusing on administrative details are recommended for deletion for those districts that had them. Board-adopted policy is not required on these topics.

- BDF(LOCAL)—citizen advisory committees
- DMD(LOCAL)—professional meetings
- FMF(LOCAL)—student contests and competitions

A message from TASB Governmental Relations

TASB Advocates for Public Schools

It's a given that state and federal legislation influences school district policy and practice. But did you know that school board members can influence legislation?

- As a private citizen who serves the public, [your voice has weight with legislators](#).¹
- By [engaging with TASB](#)² you can influence the TASB Advocacy Agenda by participating in our grassroots meetings, attending Delegate Assembly, serving on the TASB Legislative Advisory Council, and more.

If you have questions about TASB's advocacy efforts and programs, contact [TASB Governmental Relations](#)³ at 800-580-4885 or Dax.Gonzalez@tasb.org.

¹ Working with Legislators: <https://www.tasb.org/trustees/champion-your-district/working-with-legislators.aspx>

² Engage with TASB: <https://www.tasb.org/trustees/champion-your-district/engage-with-tasb.aspx>

³ TASB Governmental Relations: <https://gr.tasb.org>

Explanatory Notes

TASB Localized Policy Manual Update 115

Mineral Wells ISD

ATTN(NOTE)

GENERAL INFORMATION ABOUT THIS UPDATE

Update 115 includes new Title IX regulations, effective August 14, 2020, which define sexual harassment under Title IX and establish detailed procedures for how districts must respond to notice or allegations of sexual harassment. The final Title IX regulations and related materials are available on the U.S. Department of Education [Office for Civil Rights](#) website.

Multiple changes at Update 115 are based on legislation from the Regular Session of the 86th Texas Legislature that impose changes effective with the 2020–21 school year. Unless otherwise noted, references to legislative bills throughout these explanatory notes refer to Senate Bills (SB) or House Bills (HB) from the 86th Legislature.

An overview video of the local policy changes is available under Policy Manual Update Resources in the myTASB [Policy Service Resource Library](#). **(LEGAL) policies provide the legal framework for key areas of district operations; they are not adopted by the board.**

AF(LEGAL)

INNOVATION DISTRICTS

Revisions to the Administrative Code, effective January 2020:

- Specify that an innovation district may not be exempted from Education Code Chapters 48 (Foundation School Program) and 49 (Options for Local Revenue Levels in Excess of Entitlement); and
- Authorize the commissioner to terminate district of innovation status for a district's failure to comply with the duty to discharge or refuse to hire certain employees or applicants as required by state law.

AIA(LEGAL)

ACCOUNTABILITY: ACCREDITATION AND PERFORMANCE INDICATORS

Administrative rule changes, effective August 2019, specify that districts with a local accountability system must use the local accountability system rating standards established by the commissioner. These standards will be updated annually and published in the *Local Accountability System Manual*.

Definitions for the various accreditation statuses have also been added.

AIB(LEGAL)

ACCOUNTABILITY: PERFORMANCE REPORTING

TEA has renamed the Performance-Based Monitoring Analysis System (PBMAS) to the Results Driven Accountability (RDA) system, effective December 3, 2019. This was to align with the Office of Special Education Programs (OSEP) framework.

AIC(LEGAL)

ACCOUNTABILITY: INTERVENTIONS AND SANCTIONS

Beginning with the 2020–21 school year, HB 4205 creates a new option for campuses that are required to submit campus turnaround plans—an accelerated campus excellence (ACE) turnaround plan. The commissioner is required to approve an ACE turnaround plan if the commissioner determines that the plan meets the statutory requirements.

Other changes are from revised Administrative Code rules, effective March 31, 2020. The rules clarify interventions and sanctions provisions, including campus intervention team membership and participation and campus turnaround plan submission, approval, and implementation processes.

Additional detail has been included about the required notice the campus intervention team must provide regarding the public meeting for soliciting input on development of a targeted improvement plan.

Explanatory Notes

TASB Localized Policy Manual Update 115

Mineral Wells ISD

BBA(LEGAL)

BOARD MEMBERS: ELIGIBILITY/QUALIFICATIONS

This legally referenced policy on eligibility and qualifications for board members has been revised to clarify that a person cannot *run* for the board if the person has a final felony conviction from which the person has not been pardoned or had the disabilities removed (see Eligibility). The provision at Ineligibility indicating that a person cannot *serve* as a member of the board if the person has been convicted of a felony remains unchanged.

BBBB(LEGAL)

ELECTIONS: POST-ELECTION PROCEDURES

HB 2640 deleted the requirement for the presiding officer of the board to prepare a report of precinct results for the secretary of state.

BBD(LEGAL)

BOARD MEMBERS: TRAINING AND ORIENTATION

Extensive changes to this legally referenced policy on board member training and orientation are from revised Administrative Code rules, effective March 24, 2020. See the TASB Board Development Services website for helpful overviews of the [training requirements](#).

BDF(LEGAL)

BOARD INTERNAL ORGANIZATION: CITIZEN ADVISORY COMMITTEES

HB 18 revised the list of persons that a board may appoint to the school health advisory council (SHAC). The bill also added requirements for a district to publish in the student handbook and on the district's website certain information on student physical and mental health resources, policies, and procedures and whether each campus has a full-time nurse or school counselor. The 2020–21 [TASB Model Student Handbook](#) has been updated to meet this requirement.

BF(LOCAL)

BOARD POLICIES

A revision to this local policy clarifies that a district's legally referenced policies are not adopted by the board.

The *Legal Issues in Update 115* memo describes common legal concerns and best practices specific to [this policy topic](#).

BQ(LEGAL)

PLANNING AND DECISION-MAKING PROCESS

HB 18 revised the list of strategies for improvement of student performance that must be included in the district improvement plan (DIP) to include positive behavior interventions and support and implementation of a comprehensive school counseling program. In addition, the DIP must include:

- Strategies for providing elementary school students information about higher education; and
- The district's procedures on mental health promotion and intervention, substance abuse prevention and intervention, and suicide prevention.

Details about dating violence have been moved to FFH addressing harassment; details about sexual abuse, sex trafficking, and other maltreatment of children have been moved to FFG addressing child abuse and neglect.

BQA(LEGAL)

PLANNING AND DECISION-MAKING PROCESS: DISTRICT-LEVEL

Provisions on the district-level decision-making committee's responsibilities have been revised to better match statute.

Explanatory Notes

TASB Localized Policy Manual Update 115

Mineral Wells ISD

BQB(LEGAL) PLANNING AND DECISION-MAKING PROCESS: CAMPUS-LEVEL

Provisions on the campus-level decision-making committee's responsibilities have been revised to better match statute.

CBB(LEGAL) STATE AND FEDERAL REVENUE SOURCES: FEDERAL

The Note on page 5 has been adjusted to include a link to a USDA memo addressing micro-purchase and simplified acquisition thresholds for federal child nutrition programs.

CCA(LEGAL) LOCAL REVENUE SOURCES: BOND ISSUES

TASB Policy Service engaged an outside law firm with expertise in the area of bonds to review the federal securities law provisions in this legally referenced policy, which resulted in revisions throughout that section of the policy.

In addition, we have included two existing statutory provisions on:

- Attorney general review and approval of a public security and the record of proceedings, and
- Authority of the issuer of public securities to contract for certain services.

CCG(LEGAL) LOCAL REVENUE SOURCES: AD VALOREM TAXES

At Tax Rate Adoption, we have added information on the maximum compressed rate from HB 3 and new Administrative Code rules effective April 10, 2020.

HB 492 repeals existing law regarding reappraisal of property damaged in a disaster area. However, an amendment to the Texas constitution approved by voters in November 2019 authorizes a temporary exemption for property damaged in a disaster. These new provisions have been added to CCGA(LEGAL) addressing ad valorem tax exemptions.

A board must conduct an efficiency audit before holding an election seeking voter approval to adopt an M&O tax rate. In conducting the audit, the auditor selected by the board must follow the Legislative Budget Board (LBB) guidelines, to which we have included a link.

CCGA(LEGAL) AD VALOREM TAXES: EXEMPTIONS AND PAYMENTS

HB 492 provides for a temporary exemption for property damaged in a disaster, as authorized in an amendment to the Texas Constitution approved by voters in November 2019.

CCGB(LEGAL) AD VALOREM TAXES: ECONOMIC DEVELOPMENT

Revisions to this legally referenced policy reflect amended Administrative Code rules, effective February 6, 2020, and include:

- The exclusion of any employee names or other personal identifying information from the definition of *substantive documents* submitted to the comptroller in connection with economic development applications,
- Clarification of the procedures for an applicant to obtain continued eligibility for a limitation on appraised value, and
- Extended timelines for the comptroller to review a written agreement for a limitation on appraised value.

Explanatory Notes

TASB Localized Policy Manual Update 115

Mineral Wells ISD

CCH(LEGAL)

LOCAL REVENUE SOURCES: APPRAISAL DISTRICT

Effective September 1, 2020, SB 2 requires an appraisal district board in a county with a population of a million or more to increase the size of the appraisal review board (ARB) to an appropriate number of members. The ARB must establish special panels to conduct protest hearings.

CFA(LEGAL)

ACCOUNTING: FINANCIAL REPORTS AND STATEMENTS

Revisions to the provisions on the Annual Local Debt Report are from amended Administrative Code rules, effective April 5, 2020.

Other revisions are to add some existing legal provisions, delete nonessential provisions, and better match legal sources.

CFC(LEGAL)

ACCOUNTING: AUDITS

This legally referenced policy on audits has been revised to add some existing legal provisions, delete nonessential provisions, and better match legal sources.

CKA(LEGAL)

SAFETY PROGRAM/RISK MANAGEMENT: INSPECTIONS

This legally referenced policy on asbestos has been revised to add some existing legal provisions, delete nonessential provisions, and better match legal sources.

CKE(LEGAL)

SAFETY PROGRAM/RISK MANAGEMENT: SECURITY PERSONNEL

Revisions regarding training are from amended Administrative Code rules, effective February 5, 2020, and require district police officers and school resource officers to receive a school-based law enforcement proficiency certificate within 180 days of commission or placement in the district.

CKEA(LEGAL)

SECURITY PERSONNEL: COMMISSIONED PEACE OFFICERS

The addition of provisions regarding reporting on appointment and separation of licensed peace officers was prompted by amended Administrative Code rules, effective February 5, 2020.

CMD(LEGAL)

EQUIPMENT AND SUPPLIES MANAGEMENT: INSTRUCTIONAL MATERIALS CARE AND ACCOUNTING

Revisions to the provisions prohibiting certain expenditures of funds from the instructional materials allotment are from amended Administrative Code rules, effective February 6, 2020.

CO(LEGAL)

FOOD AND NUTRITION MANAGEMENT

A Note has been added pointing to the Texas Department of Agriculture's Records Retention List, which can assist districts with retaining documentation to demonstrate program compliance.

CQ(LEGAL)

TECHNOLOGY RESOURCES

This legally referenced policy has been revised to add some existing legal provisions, delete nonessential provisions, and better match legal sources. Citations to various laws pertaining to unlawful interception, use, or disclosure of communications have also been added to this policy for reference.

CQA(LEGAL)

TECHNOLOGY RESOURCES: DISTRICT, CAMPUS, AND CLASSROOM WEBSITES

Online posting provisions have been updated to:

Explanatory Notes

TASB Localized Policy Manual Update 115

Mineral Wells ISD

- Clarify that notification by the campus intervention team regarding public input on development of a targeted improvement plan must be published on the district and campus websites,
- Add the requirement to post a completed campus turnaround plan 30 days before the final plan is submitted to the board,
- Add details about posting of the Annual Local Debt Report,
- Add the requirement to post information on designated agents under the Digital Millennium Copyright Act for districts seeking to limit liability, and
- Add the requirement to post the district's family engagement plan.
- Add contact information for the district's Title IX coordinator and the district's policy of nondiscrimination; and
- Add materials used to train the Title IX coordinator and other individuals who are relevant to resolving complaints under Title IX.

CQB(LEGAL)

TECHNOLOGY RESOURCES: CYBERSECURITY

We have removed provisions on the Electronic Communication Privacy Act that address the criminal consequences of the Act. A high-level reference to this information has been added to CQ(LEGAL).

CRE(LEGAL)

INSURANCE AND ANNUITIES MANAGEMENT: WORKERS' COMPENSATION

We have removed case law addressing enforcement of a reasonable absence-control rule because the case is also included in DEC(LEGAL).

CS(LEGAL)

FACILITY STANDARDS

Provisions on termination of LP-gas service have been revised as a result of amended Administrative Code rules, effective January 6, 2020.

CY(LEGAL)

INTELLECTUAL PROPERTY

This legally referenced policy on intellectual property has been revised to add some existing legal provisions, delete nonessential provisions, and better match legal sources.

D(LEGAL)

PERSONNEL

The D Section table of contents has been revised to rename DBAA Pre-Employment Reviews.

DAA(LEGAL)

EMPLOYMENT OBJECTIVES: EQUAL EMPLOYMENT OPPORTUNITY

This legally referenced policy has been revised at Bankruptcy Discrimination to better match statute.

The provisions addressing compliance coordinators for federal nondiscrimination laws have been updated in response to the new Title IX regulations.

DBAA(LEGAL)

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS: PRE-EMPLOYMENT REVIEWS

This legally referenced policy has been retitled and reorganized to include various pre-employment reviews. As a result, provisions on the required pre-employment affidavit and the Do Not Hire Registry have been moved to this policy from DC(LEGAL).

Explanatory Notes

TASB Localized Policy Manual Update 115

Mineral Wells ISD

Provisions have been added on the U.S. Department of Transportation's (DOT) national commercial driver license drug and alcohol clearinghouse. A district may not employ a driver subject to DOT drug and alcohol testing who will perform a safety-sensitive function without first conducting a pre-employment inquiry through the clearinghouse.

DC(LEGAL) EMPLOYMENT PRACTICES

As mentioned above, provisions on the required pre-employment affidavit and the Do Not Hire Registry have been moved to DBAA(LEGAL), which now addresses pre-employment reviews.

DED(LOCAL) COMPENSATION AND BENEFITS: VACATIONS AND HOLIDAYS

Recommended revisions to this local policy on paid vacation days address the board's authorization of the program, including which employees are eligible for the benefits, and refer to administrative procedures for details to promote consistent application and prevent conflict between policy and administrative procedures. Please confirm that the eligibility information, which was pulled from the district's existing policy, is accurate.

If your district offers paid holiday benefits to certain district employees, please contact the district's policy consultant for recommended policy language. TASB HR Services has a [framework](#) to help districts develop administrative procedures on vacation and holiday programs.

The *Legal Issues in Update 115* memo describes common legal concerns and best practices specific to [this policy topic](#).

DF(LEGAL) TERMINATION OF EMPLOYMENT

Failure to terminate an employee on the Do Not Hire Registry has been added as a reason for which the State Board for Educator Certification may impose sanctions on an educator. This change is from amended Administrative Code rules, effective March 5, 2020.

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

Changes to this legally referenced policy on reports to TEA regarding non-certified employee misconduct are from revised Administrative Code rules, effective December 31, 2019. The rules clarify the information that must be in a report and include several relevant definitions.

DHE(LEGAL) EMPLOYEE STANDARDS OF CONDUCT: SEARCHES AND ALCOHOL/DRUG TESTING

Information on postaccident alcohol or controlled substances testing has been incorporated from DHE(EXHIBIT), which is being deleted.

Additional detail has been included regarding required Department of Transportation drug and alcohol testing of commercial vehicle operators.

DHE(EXHIBIT) EMPLOYEE STANDARDS OF CONDUCT: SEARCHES AND ALCOHOL/DRUG TESTING

This exhibit on postaccident alcohol or controlled substances testing is being deleted, as the content has been incorporated into DHE(LEGAL).

Explanatory Notes

TASB Localized Policy Manual Update 115

Mineral Wells ISD

DIA(LLEGAL)

EMPLOYEE WELFARE: FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

The Note pointing to other relevant policies has been updated to reflect Title IX changes. We have added the recent U.S. Supreme Court case, *Bostock v. Clayton County, Georgia*, which held that firing an employee on the basis of homosexuality or transgender status violates Title VII's prohibition against sex discrimination in employment. Margin notes have also been updated.

DIA(LOCAL)

EMPLOYEE WELFARE: FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

Recommended revisions to this policy incorporate the recent United States Supreme Court decision *Bostock v. Clayton County, Georgia*, which held that an adverse employment action against an employee on the basis of homosexuality or transgender status violates Title VII's prohibition on sex discrimination in employment. As a result, the policy clarifies that discrimination on the basis of sex includes discrimination on the basis of biological sex, gender identity, sexual orientation, gender stereotypes, or any other prohibited basis related to sex.

Based on the new Title IX regulations, recommended revisions include the following.

- The definition of Prohibited Conduct has been revised to include conduct that meets the Title IX definition of sexual harassment, but the policy retains the broader definitions of prohibited conduct in districts' current policies to ensure that all prohibited conduct is addressed.
- Text at Sex-Based Harassment and Investigation of Reports Other than Title IX directs readers to new provisions on responding to allegations of prohibited conduct that if proved would meet the definition of sexual harassment under Title IX, as the law requires a specific response process for these allegations. Allegations of prohibited conduct not based on sex or that would not meet the definition of sexual harassment under Title IX will follow the district's existing investigation process.
- The Title IX regulations provide that a district has actual knowledge of sexual harassment if notice or allegations are made to any employee; therefore, a new provision at Notice of Report requires *any* employee who receives a report of prohibited conduct based on sex to notify the Title IX coordinator.
- Text at Response to Sexual Harassment—Title IX addresses legally required actions when the district receives notice or allegations of conduct that would meet the definition of sexual harassment under Title IX.
- New provisions direct the superintendent to develop a Title IX formal complaint process that will apply following a formal complaint and that must comply with the elements in the new regulations, as included in FFH(LLEGAL).
- To determine responsibility in a Title IX formal complaint of sexual harassment, the policy designates that the district will use a *preponderance of the evidence* standard. **If the board wishes to instead use the *clear and convincing evidence* standard, which is a higher standard of evidence, please contact the district's policy consultant.** The district must use the same standard of evidence for investigation of all formal Title IX sexual harassment complaints, including complaints by students.
- Provisions on retaliation and records retention have been updated.

Policy Service also recommends updates to the examples for harassment to include cyberharassment and electronic communications and clarification of the provisions on distribution of the policy and any accompanying procedures.

TASB's Title IX model procedures are available in [TASB School Law eSource](#).

Explanatory Notes

TASB Localized Policy Manual Update 115

Mineral Wells ISD

The *Legal Issues in Update 115* memo describes common legal concerns and best practices specific to [this policy topic](#).

DIA(EXHIBIT) EMPLOYEE WELFARE: FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

The new Title IX regulations require districts to notify employees, students, parents, and others of the Title IX coordinator's contact information, which now must include an email address. For consistency, Policy Service recommends adding an email address for the ADA/Section 504 coordinator, if applicable to your district.

If you have not already completed the survey from Policy Service regarding coordinator contact information, including providing email addresses for each coordinator, please do so in order for your policy consultant to update this exhibit.

The *Legal Issues in Update 115* memo describes common legal concerns and best practices specific to [this policy topic](#).

DMA(LLEGAL) PROFESSIONAL DEVELOPMENT: REQUIRED STAFF DEVELOPMENT

HB 18 revises both optional and required training for district staff development. Required training, which must be provided annually, focuses on various aspects of student mental health, as listed in the policy. Suicide prevention training must address the specific components indicated.

Details about required mental health support programs have been updated in accordance with HB 18 and moved to FFEB addressing student mental health.

Provisions addressing required training on child abuse, trafficking, and maltreatment have been updated based on revised Administrative Code rules, effective November 6, 2019.

DMD(LOCAL) PROFESSIONAL DEVELOPMENT: PROFESSIONAL MEETINGS AND VISITATIONS

Policy Service recommends that the administrative details regarding professional meetings be removed from the local policy manual, as board-adopted policy is not required.

The *Legal Issues in Update 115* memo describes common legal concerns and best practices specific to [this policy topic](#).

DP(LLEGAL) PERSONNEL POSITIONS

This legally referenced policy on personnel has been revised to include provisions on various physical and mental health professionals, including:

- School nurses,
- Certified school counselors,
- Nonphysician mental health professionals, and
- Licensed specialists in school psychology (LSSPs).

EEL(LLEGAL) INSTRUCTIONAL ARRANGEMENTS: CONTRACTS WITH OUTSIDE AGENCIES

In accordance with new federal provisions, districts that have Junior Reserve Officers' Training Corps programs must permit homeschooled students to participate in the program.

Explanatory Notes

TASB Localized Policy Manual Update 115

Mineral Wells ISD

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

Provisions on coordinated health programs have been updated based on HB 18.

HB 18 amends the SHAC's duties to include making recommendations about various aspects of student mental health.

EHB(LLEGAL) CURRICULUM DESIGN: SPECIAL PROGRAMS

New provisions on dyslexia compliance monitoring are from revised Administrative Code rules, effective December 25, 2019.

SB 2075 requires that a district notify the parent of a student who has or is at risk for dyslexia or a related disorder that the Texas State Library and Archives Commission provides audiobooks free of charge to students with eligible disabilities.

EHBA(LLEGAL) SPECIAL PROGRAMS: SPECIAL EDUCATION

Provisions on off-campus programs to provide special education and related services during school hours in a non-district facility are from new Administrative Code rules, effective November 10, 2019. The rules address placement in the programs, notification to and review by TEA, contract requirements, and changes of student residence.

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

New Administrative Code rules, effective March 30, 2020, address transition assistance for highly mobile students who are homeless or in substitute care. For such students who transfer into the district, the rules require the receiving district to:

- Accept a referral done by a previous district for a special education evaluation and complete any written report of a full individual and initial evaluation by the timelines in law, and
- Ensure that the district meets student transfer requirements relating to the ARD committee for a student who is already eligible for services.

EHBE(LLEGAL) SPECIAL PROGRAMS: BILINGUAL EDUCATION/ESL

This legally referenced policy on bilingual education has been revised throughout as a result of amended Administrative Code rules, effective April 10, 2020. The rules address requirements for administering the home language survey, parental notice and consent, and assessment options for students in a two-way dual language immersion program.

Other revisions are to better match statute.

EHBG(LLEGAL) SPECIAL PROGRAMS: PREKINDERGARTEN

Amended Administrative Code rules, effective February 13, 2020, prompted revisions throughout the high-quality prekindergarten program provisions.

EHBJ(LLEGAL) SPECIAL PROGRAMS: INNOVATIVE AND MAGNET PROGRAMS

Changes to the application process for requesting approval from the State Board of Education or the commissioner to offer an innovative course are from amended Administrative Code rules, effective December 25, 2019.

Explanatory Notes

TASB Localized Policy Manual Update 115

Mineral Wells ISD

EHDD(LEGAL)

ALTERNATIVE METHODS FOR EARNING CREDIT: COLLEGE COURSE WORK/DUAL CREDIT

Provisions on dual credit agreements have been updated based on amended Administrative Code rules, effective November 24, 2019. We have also added some existing statutory provisions on dual credit programs to address faculty supervision and student transcripts.

EI(LEGAL)

ACADEMIC ACHIEVEMENT

Provisions on partial award of credit have been updated to reflect revised Administrative Code rules, effective March 15, 2020. The rules revised terminology regarding awarding of credit proportionately when a student receives a passing grade in "half" of a course, rather than per "semester."

New Administrative Code rules, effective March 30, 2020, address transition assistance for highly mobile students who are homeless or in substitute care and require districts to:

- Adopt local policy to assist with awarding credit for a course that was earned prior to the student enrolling in or transferring to the district [see FD(LOCAL) recommendations in Update 115],
- Develop credit recovery plans for students who were denied credits outside the district or if the student's credit deficit would impede on-time promotion or graduation,
- Create course transition plans for students who were denied credit,
- Develop and administer personal graduation plans for junior or middle school students, and
- Comply with existing Education Code provisions regarding awarding of diplomas.

EI(LOCAL)

ACADEMIC ACHIEVEMENT

Provisions on partial credit have been updated to reflect revised Administrative Code rules, which changed terminology regarding awarding of credit proportionately when a student receives a passing grade in "half" of a course, rather than per "semester."

To provide flexibility, Policy Service is recommending deletion of the statement that a student shall be required to retake only the portion of the course with a failing grade. The ways a student can earn credit for the failed part of a course can include various methods other than retaking the failed portion, and board policy is not required to specify which particular method may be used.

New Administrative Code rules address transition assistance for highly mobile students who are homeless or in substitute care. Because these new rules address similar concepts as the district's current text on late enrollment or withdrawal of migrant or homeless students and to avoid conflict with the new rules, Policy Service recommends deleting this provision from local policy. Any specific practices in this area will need to align with the new rules and could be included in administrative procedures. See also FD(LOCAL) in this update for recommended changes addressing the new Administrative Code rules.

EIF(LEGAL)

ACADEMIC ACHIEVEMENT: GRADUATION

Beginning with students enrolled in the 12th grade in the 2021–22 school year, HB 3 will require a student to complete and submit a federal or Texas application for financial aid to graduate. The provision has been added to the policy manual now in case the district starts receiving questions about this provision. TEA will be issuing rules with more details.

Details on forming an individual graduation committee, including acceptable alternate members, have been added from amended Administrative Code rules, effective February 10, 2020.

Administrative Code rules effective November 24, 2019, provide that a student who completes the core curriculum of an institution of higher education meets the curriculum requirements for the foundation high

Explanatory Notes

TASB Localized Policy Manual Update 115

Mineral Wells ISD

school program, earns an endorsement and the distinguished level of achievement, and is entitled to a high school diploma.

Provisions on transitioning to the foundation high school program have been deleted from law.

EKB(LLEGAL) TESTING PROGRAMS: STATE ASSESSMENT

Changes to this legally referenced policy on assessments include:

- Additional detail on end-of-course assessments, for more complete information;
- Deletion of detailed provisions on use of the TSI as a substitute assessment in lieu of a statutory reference; and
- Revisions to testing requirements for accountability purposes based on amended Administrative Code rules, effective February 23, 2020.

EKC(LLEGAL) TESTING PROGRAMS: READING ASSESSMENT

Effective with the 2020–21 school year, HB 3 requires a district to administer the commissioner-adopted reading instrument or the commissioner-approved alternative reading instrument to students at the kindergarten level and report results of reading instruments to parents within 60 calendar days of administration.

ELA(LLEGAL) CAMPUS OR PROGRAM CHARTERS: PARTNERSHIP CHARTERS

This legally referenced policy on partnership charters has been significantly revised in accordance with amended Administrative Code rules, effective March 31, 2020. The rules:

- State that operating partners have final and sole authority over certain campus decisions;
- Add numerous requirements for performance contracts; and
- Update the TEA approval process.

In accordance with amended Administrative Code rules, effective September 1, 2019, a performance contract for a partnership charter only needs to include assurances that the district has consulted with relevant campus personnel if the partnering entity is an open enrollment charter school and not for other partnering entities approved by TEA.

F(LLEGAL) STUDENTS

Update 115 includes reorganization of student mental health provisions. As a result:

- FFE has been renamed Counseling and Mental Health;
- FFEA has been renamed Counseling; and
- FFEB has been renamed Mental Health.

FB(LLEGAL) EQUAL EDUCATIONAL OPPORTUNITY

The provisions on required grievance procedures and retaliation have been updated based on the new Title IX regulations.

FB(LOCAL) EQUAL EDUCATIONAL OPPORTUNITY

The provision on the Title IX coordinator has been updated in response to the new Title IX regulations. Corresponding wording changes were made to the ADA/Section 504 coordinator text.

Explanatory Notes

TASB Localized Policy Manual Update 115

Mineral Wells ISD

FB(EXHIBIT)

EQUAL EDUCATIONAL OPPORTUNITY

The new Title IX regulations require districts to notify employees, students, parents, and others of the Title IX coordinator's contact information, which now must include an email address. For consistency, Policy Service recommends adding an email address for the district's ADA/Section 504 coordinator.

If you have not already completed the survey from Policy Service regarding coordinator contact information, including providing email addresses for each coordinator, please do so in order for your policy consultant to update this exhibit.

The *Legal Issues in Update 115* memo describes common legal concerns and best practices specific to [this policy topic](#).

FD(LOCAL)

ADMISSIONS

New Administrative Code rules, effective March 30, 2020, address transition assistance for highly mobile students who are homeless or in substitute care and require districts to adopt local policy to assist with awarding credit to a student who is homeless or in substitute care for a course that was earned prior to the student enrolling in or transferring to the district. See Transition Assistance for recommended text to comply with this local policy requirement.

State law permits districts to admit persons who are at least 21 and under 26 for the purpose of completing the requirements for a high school diploma. A small revision to the district's existing provision is to better match statutory language for clarity. If this provision no longer matches district practice, please contact your policy consultant.

The *Legal Issues in Update 115* memo describes common legal concerns and best practices specific to [this policy topic](#).

FDB(LEGAL)

ADMISSIONS: INTRADISTRICT TRANSFERS AND CLASSROOM ASSIGNMENTS

Clarification has been added regarding transfer of a student with a disability who receives special education services and who engaged in bullying.

FEA(LEGAL)

ATTENDANCE: COMPULSORY ATTENDANCE

From HB 3, we have added a provision, effective September 1, 2020, clarifying that a student is not required to attend school for the additional instructional days for which a district receives a financial incentive under Education Code 48.0051. See FEB(LEGAL) for more information.

FEB(LEGAL)

ATTENDANCE: ATTENDANCE ACCOUNTING

Amended Administrative Code rules, effective December 25, 2019, delete the reference to taking attendance during the second or fifth instructional hour and specify that attendance shall be taken at the official attendance-taking time during the campus's instructional day. There is no requirement to include the official attendance-taking time in policy; it may be designated in district procedures.

From HB 3, we have added a provision, effective September 1, 2020, under which a district may receive a financial incentive for offering an additional 30 days of half-day instruction above the required minimum number of minutes for students in prekindergarten through fifth grade.

FEB(LOCAL)

ATTENDANCE: ATTENDANCE ACCOUNTING

Recommended revisions to this local policy on attendance accounting are to address amended Administrative Code rules that delete the reference to taking attendance during the second or fifth instructional hour and specify that attendance shall be determined at the official attendance-taking time during the campus's instructional day. The recommended text assigns to the superintendent the responsibility of

Explanatory Notes

TASB Localized Policy Manual Update 115

Mineral Wells ISD

designating the district's official attendance-taking time. Note that there is no requirement to include the official attendance-taking time in policy; it may be designated in district procedures.

See FEB in the [TASB Regulations Resource Manual](#).

FFAC(LEGAL) WELLNESS AND HEALTH SERVICES: MEDICAL TREATMENT

Provisions on nursing peer review committees have been moved to DP(LEGAL).

Provisions on psychotropics and psychiatric evaluations have been moved to FFEB(LEGAL).

FFAE(LEGAL) WELLNESS AND HEALTH SERVICES: SCHOOL-BASED HEALTH CENTERS

HB 18 permits the board (in addition to a local health education and health-care advisory council) to initiate the establishment of a school-based health center at a campus. The bill also expands the list of services that may be provided at school-based health centers to include physical health care, treatment of mental health conditions, and treatment for substance abuse.

Other changes from HB 18 address parental consent for referrals, the membership of the advisory council, and coordination with existing providers.

FFB(LEGAL) STUDENT WELFARE: CRISIS INTERVENTION

Provisions on the recommended best practice programs and research-based practices on student mental health have been moved to FFEB(LEGAL).

FFC(LEGAL) STUDENT WELFARE: STUDENT SUPPORT SERVICES

New Administrative Code rules, effective March 30, 2020, address transition assistance for highly mobile students who are homeless or in substitute care. The rules address processes and practices on the following:

- Transferring student records;
- Developing systems to ease transition for students, including welcome packets, introductions, and mechanisms for receiving school nutrition program benefits;
- Convening enrollment conferences;
- Determining appropriate placement in educational programs and courses;
- Facilitating participation in extracurricular programs;
- Promoting postsecondary information; and
- Notifying the educational decision-maker and caseworker of events that significantly impact the student's education.

FFE(LEGAL) STUDENT WELFARE: COUNSELING AND MENTAL HEALTH

Provisions on counseling have been moved to FFEA.

FFEA(LEGAL) COUNSELING AND MENTAL HEALTH: COUNSELING

This legally referenced policy has been reorganized to focus on both behavioral and academic counseling programs. As a result:

- Personnel provisions on school counselors and their duties have been moved to DP(LEGAL), and

Explanatory Notes

TASB Localized Policy Manual Update 115

Mineral Wells ISD

- Various provisions regarding consent to counseling services previously at FFE(LEGAL) have been moved to this code.

From HB 18, we have added a provision requiring a school counselor to work with various stakeholders to plan, implement, and evaluate a comprehensive school counseling program.

From HB 114, we have added a provision applicable with the 2020–21 school year requiring a school counselor to provide information regarding availability of college credit for military experience, education, and training obtained during military service.

FFEB(LEGAL) COUNSELING AND MENTAL HEALTH: MENTAL HEALTH

This legally referenced policy has been added to focus on student mental health programs. As a result, provisions on psychotropics and psychiatric evaluations previously at FFAC(LEGAL) have been moved to this code.

The policy now addresses the various mental health programs, as revised by HB 18, for which the district must develop practices and procedures. The practices and procedures must be included in the student handbook and district improvement plan. The 2020–21 [TASB Model Student Handbook](#) has been updated to meet this requirement.

FFG(LEGAL) STUDENT WELFARE: CHILD ABUSE AND NEGLECT

This legally referenced policy on child abuse and neglect has been significantly revised based on amended Administrative Code rules, effective November 6, 2019. The rules address the required policy on sexual abuse, trafficking, and other maltreatment of students that must be included in the district improvement plan and the student handbook. The 2020–21 [TASB Model Student Handbook](#) has been updated to meet this requirement. The rules also revise the elements of the required child abuse and neglect reporting policy.

FFG(LOCAL) has been revised to comply with these rule changes.

FFG(LOCAL) STUDENT WELFARE: CHILD ABUSE AND NEGLECT

This local policy on child abuse and neglect has been significantly revised based on amended Administrative Code rules.

Recommended text is included to provide the required policy addressing sexual abuse, trafficking, and other maltreatment of students that must be included in the district improvement plan and the student handbook. The 2020–21 [TASB Model Student Handbook](#) has been updated to meet this requirement.

The rules also revise the elements of the required child abuse and neglect reporting policy. To ensure all the policy elements are addressed in board-adopted local policy, we have revised and moved provisions from FFG(EXHIBIT) into this local policy and recommend deletion of the exhibit.

The *Legal Issues in Update 115* memo describes common legal concerns and best practices specific to [this policy topic](#).

FFG(EXHIBIT) STUDENT WELFARE: CHILD ABUSE AND NEGLECT

As mentioned at FFG(LEGAL), Administrative Code rules on child abuse and neglect were recently revised. To ensure that all required policy elements are addressed in board-adopted local policy, we have revised and moved provisions from this exhibit into FFG(LOCAL). This exhibit is recommended for deletion.

Explanatory Notes

TASB Localized Policy Manual Update 115

Mineral Wells ISD

FFH(LEGAL)

STUDENT WELFARE: FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

This legally referenced policy addressing discrimination, harassment, and retaliation against students has been significantly revised to include the new Title IX regulations, which define sexual harassment under Title IX and establish detailed procedures for how districts must respond to notice or allegations of sexual harassment.

The final Title IX regulations and related materials are available on the U.S. Department of Education [Office for Civil Rights](#) website.

Provisions on dating violence have been moved from BQ(LEGAL) to this code on discrimination, harassment, and retaliation.

FFH(LOCAL)

STUDENT WELFARE: FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

Based on the new Title IX regulations, recommended revisions include the following.

- The definition of Prohibited Conduct has been revised to include conduct that meets the Title IX definition of sexual harassment, but the policy retains the broader definitions of prohibited conduct in districts' current policies to ensure that all prohibited conduct is addressed.
- Text at Sex-Based Harassment and Investigation of Reports Other than Title IX directs readers to new provisions on responding to allegations of prohibited conduct that if proved would meet the definition of sexual harassment under Title IX, as the law requires a specific response process for these allegations. Allegations of prohibited conduct not based on sex or that would not meet the definition of sexual harassment under Title IX will follow the district's existing investigation process.
- The provision requiring an employee to report prohibited conduct has been updated to include either direct or indirect reports.
- Text at Response to Sexual Harassment—Title IX addresses legally required actions when the district receives notice or allegations of conduct that would meet the definition of sexual harassment under Title IX.
- New provisions direct the superintendent to develop a Title IX formal complaint process that will apply following a formal complaint and that must comply with the elements in the new regulations, as included in FFH(LEGAL).
- To determine responsibility in a Title IX formal complaint of sexual harassment, the policy designates that the district will use a *preponderance of the evidence* standard. **If the board wishes to instead use the *clear and convincing evidence* standard, which is a higher standard of evidence, please contact the district's policy consultant.** The district must use the same standard of evidence for investigation of all formal Title IX sexual harassment complaints, including complaints by employees.
- Provisions on retaliation and false claims have been updated and moved to the end of the policy.

Policy Service also recommends updates to the examples for harassment to include cyberharassment and electronic communications.

TASB's Title IX model procedures are available in [TASB School Law eSource](#).

Explanatory Notes

TASB Localized Policy Manual Update 115

Mineral Wells ISD

FFH(EXHIBIT)

STUDENT WELFARE: FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

The new Title IX regulations require districts to notify employees, students, parents, and others of the Title IX coordinator's contact information, which now must include an email address. For consistency, Policy Service recommends adding an email address for the district's ADA/Section 504 coordinator.

If you have not already completed the survey from Policy Service regarding coordinator contact information, including providing email addresses for each coordinator, please do so in order for your policy consultant to update this exhibit.

The *Legal Issues in Update 115* memo describes common legal concerns and best practices specific to [this policy topic](#).

FM(LEGAL)

STUDENT ACTIVITIES

The detailed list of honors classes for purposes of eligibility to participate in extracurricular activities has been deleted in lieu of a reference to the Administrative Code.

Existing statutory provisions on before- and after-school programs for elementary and middle school grades have been added.

FMF(LOCAL)

STUDENT ACTIVITIES: CONTESTS AND COMPETITION

This local policy on student contests and competition is recommended for deletion. There is no requirement for board policy on these issues; the district's practices can be included in administrative procedures.

FNG(LOCAL)

STUDENT RIGHTS AND RESPONSIBILITIES: STUDENT AND PARENT COMPLAINTS/GRIEVANCES

Policy Service has revised the list of protected characteristics at Other Complaint Processes, item 1, to align with the list at FFH(LOCAL) above.

A recommended revision specifies that a person filing a complaint regarding refusal of entry to or ejection from property based on Education Code 37.105 shall be permitted to address the board within 90 "calendar" days. This is an exception to how other timelines are calculated in the policy, which are based on "business" days in accordance with how days are defined.

See FNG in the [TASB Regulations Resource Manual](#) for updated complaint forms.

The *Legal Issues in Update 115* memo describes common legal concerns and best practices specific to [this policy topic](#).

GBAA(EXHIBIT)

INFORMATION ACCESS: REQUESTS FOR INFORMATION

This exhibit referring to the attorney general's guidelines for charges under the Public Information Act is being deleted. The citation to the Administrative Code where these charges are found has been added to GBAA(LEGAL).

See GBAA in the [TASB Regulations Resource Manual](#) for updated forms related to requests for information.

Explanatory Notes

TASB Localized Policy Manual Update 115

Mineral Wells ISD

GF(LOCAL)

PUBLIC COMPLAINTS

A recommended revision specifies that a person filing a complaint regarding refusal of entry to or ejection from property based on Education Code 37.105 shall be permitted to address the board within 90 "calendar" days. This is an exception to how other timelines are calculated in the policy, which are based on "business" days in accordance with how days are defined.

See GF in the [TASB Regulations Resource Manual](#) for updated complaint forms.

The *Legal Issues in Update 115* memo describes common legal concerns and best practices specific to [this policy topic](#).

GKA(LEGAL)

COMMUNITY RELATIONS: CONDUCT ON SCHOOL PREMISES

Provisions on drones have been updated based on changes to federal law and replace previous provisions on model aircraft.



(LOCAL) Policy Comparison Packet

This packet is generated by an automated process that compares the updated policy to the district's 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; omitted in Word)

Annotations are shown as follows.

- *Deletions* are shown in a red strike-through font: ~~deleted text~~.
- *Additions* are shown in a blue, bold font: **new text**.
- Blocks of text that have been *moved* without alteration are shown in green, with double underline and double strike-through formatting to distinguish the text's destination from its origin: ~~moved text~~ becomes moved text.
- *Revision bars* appear in the right margin, as above.

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

Within the context of current law, the District shall be guided by Board-adopted written policies that are given appropriate distribution and are accessible to staff members, parents, students, and community residents.

Organization

Legally referenced policies contain provisions from federal and state statutes and regulations, case law, and other legal authority that together form the framework for local decision making and implementation. These policies are binding on the District until the cited provisions are repealed, revised, or superseded by legislative, regulatory, or judicial action.

[Legally referenced policies are not adopted by the Board.](#)

At each policy code the legally referenced policy and the Board-adopted local policy must be read together to further a full understanding of a topic.

Terms

The terms “Trustee” and “Board member” are used interchangeably in the local policy manual. Both terms are intended to reflect all the duties and obligations of the office.

[See AB for District name terminology.]

Harmony with Law

Newly enacted law is applicable when effective. No policy or regulation, or any portion thereof, shall be operative if it is found to be in conflict with applicable law.

Severability

If any portion of a policy or its application to any person or circumstance is found to be invalid, that invalidity shall not affect other provisions or applications of policy that can be given effect without the invalid provision or application; and to this end the provisions of this policy manual are declared to be severable.

Policy Development

Policies and policy amendments may be initiated by the Superintendent, Board members, school personnel, or community citizens, but generally shall be recommended for the Board’s consideration by the Superintendent.

Official Policy Manual

The Board shall designate one copy of the local policy manual as the official policy manual of the District. The official copy shall be kept in the central administration office, and the Superintendent ~~or designee~~ shall be responsible for its accuracy and integrity and shall maintain a historical record of the District’s policy manual.

Adoption and Amendment

Local policies may be adopted or amended by a majority of the Board at any regular or special meeting, provided that Board members have had advance written notice of the proposed change and that it has been placed on the agenda for such meeting.

BOARD POLICIES

BF
(LOCAL)

Local policies become effective upon Board adoption or at a future date designated by the Board at the time of adoption.

TASB Localized
Updates

After Board review of legally referenced policies and adoption of local policies, the new material shall be incorporated into the official policy manual and into other localized policy manuals maintained by the District. If discrepancies occur between different copies of the manual, the version contained in the official policy manual shall be regarded as authoritative.

COMPENSATION AND BENEFITS
VACATIONS AND HOLIDAYS

DED
(LOCAL)

Vacation Days

Eligible employees ~~Each full-time maintenance employee~~ in positions ~~a position~~ normally requiring 12 months ~~12 months~~ of service annually shall receive ~~ten~~ paid vacation days in accordance with administrative regulations that address the following:

1. Eligibility criteria;
2. Accrual rates and availability;
3. Request and approval processes;
4. Accumulation and carryover limits; and

Treatment ~~per fiscal year. Use~~ of vacation days upon separation from service ~~shall require advance approval by the employee's immediate supervisor.~~

Note: This policy addresses discrimination, harassment, and retaliation ~~against~~~~involving~~ District employees. ~~For Title IX and other provisions regarding~~ ~~For~~ discrimination, harassment, and retaliation ~~against~~~~involving~~ students, see FFH. For reporting requirements related to child abuse and neglect, see FFG.

Definitions

Solely for purposes of this policy, the term “employee” includes former employees, applicants for employment, and unpaid interns.

Statement of Nondiscrimination

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

Discrimination

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

~~In accordance with law, discrimination on the basis of sex includes discrimination on the basis of biological sex, gender identity, sexual orientation, gender stereotypes, or any other prohibited basis related to sex.~~

Prohibited Conduct

In this policy, the term “prohibited conduct” includes discrimination, harassment, 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 of an employee is defined as physical, verbal, or nonverbal conduct based on an employee’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. Has the purpose or effect of unreasonably interfering with the employee’s work performance;
2. Creates an intimidating, threatening, hostile, or offensive work environment; or
3. Otherwise adversely affects the employee’s performance, environment, or employment opportunities.

Examples

Examples of prohibited harassment may include offensive or derogatory language directed at another person’s religious beliefs or

practices, accent, skin color, gender identity, or need for workplace accommodation; threatening or intimidating 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** types of aggressive conduct such as theft or damage to property.

Sex-Based Harassment

As required by law, the District shall follow the procedures below at Response to Sexual Harassment—Title IX upon a report of sex-based harassment, including sexual harassment, when such allegations, if proved, would meet the definition of sexual harassment under Title IX. [See FFH(LEGAL)]

Sexual Harassment

Sexual harassment is a form of sex discrimination defined as 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. Submission to the conduct is either explicitly or implicitly a condition of an employee's employment, or when submission to or rejection of the conduct is the basis for an employment action affecting the employee; or
2. The conduct is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with the employee's work performance or creates an intimidating, threatening, hostile, or offensive work environment.

Examples

Examples of sexual harassment may include sexual advances; touching intimate body parts; coercing or forcing a sexual act on another; jokes or conversations of a sexual nature; and other sexually motivated conduct, **contact**, or communication, **including electronic communication** or ~~contact~~.

Retaliation

~~The District prohibits retaliation against an employee who makes a claim alleging to have experienced discrimination or harassment, or another employee who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation.~~

Examples

~~Examples of retaliation may include termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include threats, unjustified negative evaluations, unjustified negative references, or increased surveillance.~~

Prohibited Conduct

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

Reporting Procedures

Any An employee who believes that he or she has experienced prohibited conduct or believes that another employee has experienced

prohibited conduct should immediately report the alleged acts. The employee may report the alleged acts to his or her supervisor or campus principal.

Alternatively, the employee may report the alleged acts to one of the District officials below.

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.

Title IX Coordinator

Reports of discrimination based on sex, including sexual harassment, may be directed to the designated Title IX coordinator. [See DIA(EXHIBIT)]

ADA / Section 504 Coordinator

Reports of discrimination based on disability may be directed to the designated ADA/Section 504 coordinator. [See DIA(EXHIBIT)]

Superintendent

The Superintendent shall serve as coordinator for purposes of District compliance with all other ~~nondiscrimination~~ ~~antidiscrimination~~ laws.

Alternative Reporting Procedures

An employee 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.

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.

Timely Reporting

To ensure the District's prompt investigation, reports ~~Reports~~ of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act. ~~A failure to promptly report may impair the District's ability to investigate and address the prohibited conduct.~~

Notice of Report

Any District supervisor who receives a report of prohibited conduct shall immediately notify the appropriate District official listed above and take any other steps required by this policy.

Any District employee who receives a report of prohibited conduct based on sex, including sexual harassment, shall immediately notify the Title IX coordinator.

Investigation of Reports Other Than Title IX ~~the Report~~

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, see the procedures below at Response to Sexual Harassment—Title IX.

The District may request, but shall not ~~require~~~~insist upon~~, a written report. If a report is made orally, the District official shall reduce the report to written form.

Initial Assessment

Upon receipt or notice of a report, the District official shall determine whether the allegations, if ~~proved~~~~proven~~, would constitute prohibited conduct as defined by this policy. If so, the District ~~official~~ shall immediately authorize or undertake an investigation, regardless of whether a criminal or regulatory investigation regarding the same or similar allegations is pending.

Interim Action

If appropriate, the District shall promptly take interim action calculated to prevent prohibited conduct during the course of an investigation.

District Investigation

The investigation may be conducted by the District official or a designee, such as the campus principal, or by a third party designated by the District, such as an attorney. When appropriate, the ~~campus~~ principal or supervisor shall be involved in or informed of the investigation.

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.

Concluding the Investigation

Absent extenuating circumstances, 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.

The investigator shall prepare a written report of the investigation. The report shall be filed with the District official overseeing the investigation.

District Action

If the results of an investigation indicate that prohibited conduct occurred, the District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct.

The District may take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.

Confidentiality

To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.

Appeal

A complainant who is dissatisfied with the outcome of the investigation may appeal through DGBA(LOCAL), beginning at the appropriate level.

The complainant may have a right to file a complaint with appropriate state or federal agencies.

Response to 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, the District reserves the right to investigate and respond to prohibited conduct in accordance with Board policies and administrative procedures.

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 against an employee who makes a claim alleging to have experienced discrimination or harassment, or another employee who, in good faith, makes a report of harassment or discrimination, files a complaint of harassment or discrimination, serves as a witness, or otherwise participates or refuses to participate in an investigation.

Examples

Examples of retaliation may include termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include threats, intimidation, coercion, unjustified negative evaluations, unjustified negative references, or increased surveillance.

Records Retention

The District shall retain copies of allegations ~~Copies of reports alleging prohibited conduct~~, investigation reports, and related records regarding any prohibited conduct in accordance with ~~shall be maintained by~~ the District's records control schedules, but ~~District~~ for no less than the minimum amount ~~a period~~ of time required by law. ~~at least three years.~~ [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 ~~This~~ policy and any accompanying procedures shall be distributed annually to District employees. 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~~ ~~District~~ administrative offices.

PROFESSIONAL DEVELOPMENT
PROFESSIONAL MEETINGS AND VISITATIONS

DMD
(LOCAL)

**Meetings,
Conferences, and
Workshops**

~~Professional personnel may attend and participate in meetings, conferences, and workshops that will contribute to their professional growth and development. [See also DMA and DMG]~~

~~When attendance at such events is recommended or required by the administration, the Board, TEA, or UIL, personnel may attend with the Superintendent's approval. No salary deduction or loss of leave shall occur when attendance is recommended or required.~~

~~The Superintendent may grant additional absences to employees for attendance at meetings, conferences, and workshops that are of special interest to the employee.~~

Release Time

~~Requests for release time with pay to attend employee organization meetings, other than any such meetings approved for required staff development purposes, shall be considered on a case-by-case basis. The responsibility for justifying the school-related purpose to be accomplished by attendance shall rest with the employee. Approval shall be given only if the employee is on the program, has some official function, or can obtain specific information related to his or her job description that will assist the District in improving the instructional program.~~

Certificate of Coursework Completion

The District shall not issue a certificate of coursework completion to a student who fails to meet all state and local requirements for graduation. [See EIF, FMH]

Partial Credit

When a student earns a passing grade in only ~~half one semester~~ of a ~~two semester~~ course and the combined grade for ~~both halves~~ ~~the two semesters~~ is lower than 70, the District shall award the student credit for the ~~half semester~~ with the passing grade. ~~The student shall be required to retake only the semester in which he or she earned the failing grade.~~

~~**Withdrawal or Late Enrollment**~~

~~A migrant or homeless student who enrolls after the first day of instruction or who withdraws early shall be provided opportunities to achieve mastery of the essential knowledge and skills to meet course requirements. Teachers and counselors shall consider the student's particular circumstances in determining appropriate opportunities, which may include, but are not limited to:~~

- ~~1. Individualized work.~~
- ~~2. Tutorial sessions.~~
- ~~3. Testing to verify mastery of the essential knowledge and skills.~~
- ~~4.1. Early final examinations.~~

Note: The following provisions address equal educational opportunity for all students in accordance with law. For provisions addressing discrimination, harassment, and retaliation involving District students, see FFH.

Title IX Coordinator The District ~~designates and authorizes the~~~~has designated a~~ Title IX coordinator for students to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended. [See FB(EXHIBIT)]

ADA / Section 504 Coordinator The District ~~designates and authorizes the~~~~has designated an~~ ADA/Section 504 coordinator for students to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973 ("Section 504"), as amended. [See FB(EXHIBIT)]

Superintendent The Superintendent shall serve as coordinator for purposes of District compliance with all other nondiscrimination laws.

Equal Educational Opportunity
General Education The District shall provide necessary services and supports to provide students equal access to educational opportunities. [See EHBC]- Certain instructional or other accommodations, including on state-mandated assessments, may be made when necessary, when allowable, and when these accommodations do not modify the rigor or content expectations of a subject, course, or assessment. [See EKB]

Additional Services and Supports If the District has reason to believe that a student has a disability that may require additional services and supports in order for the student to receive an appropriate education as this term is defined by law, Section 504 and/or the Individuals with Disabilities Education Act (IDEA) shall govern the evaluation, services, and supports provided by the District. [See also EHBA series]

[For information regarding dyslexia and related disorders, see EHB.]

Note: The following provisions address the District's compliance efforts and system of procedural safeguards as required by federal regulations for a student with a disability as defined by Section 504. A report of discrimination or harassment based on a student's disability shall be made in accordance with FFH.

Section 504

Committees

The District shall form Section 504 committees as necessary. The Section 504 coordinator and members of each Section 504 committee shall receive training in the procedures and requirements for identifying and providing educational and related services and supports to a student who has a disability that results in a substantial limitation of a major life activity.

Each Section 504 committee shall be composed of a group of persons knowledgeable about the student, the meaning of the evaluation data, placement options, and the legal requirements regarding least restrictive environment and comparable facilities for students with disabilities.

Referrals

If a teacher, school counselor, administrator, or other District employee has reason to believe that a student may have a disability as defined by Section 504, the District shall evaluate the student. A student may also be referred for evaluation by the student's parent.

Notice and Consent

The District shall seek written parental consent prior to conducting a formal evaluation. Ordinary observations in the classroom or other school setting shall not require prior parental consent.

Evaluation and Placement

The results of an evaluation shall be considered before any action is taken to place a student with a disability or make a significant change in placement in an instructional program. The Superintendent shall ensure that the District's procedures for tests and other evaluation materials comply with the minimum requirements of law. In interpreting evaluation data and when making decisions related to necessary services and supports, each Section 504 committee shall carefully consider and document information from a variety of sources in accordance with law.

Review and Reevaluation Procedure

To address the periodic reevaluation requirement of law, the District shall adhere to the reevaluation timelines in the IDEA regulations.

A parent, teacher, or other District employee may request a review of a student's services and supports at any time, but a formal reevaluation shall generally occur no more frequently than once a year.

Examining Records

A parent shall make any request to review his or her child's education records to the campus principal or other identified custodian of records. [See FL]

Right to Impartial Hearing

A parent shall be given written notice of the due process right to an impartial hearing if the parent has a concern or complaint about the District's actions regarding the identification, evaluation, or educational placement of a student with a disability. The impartial hearing

shall be conducted by a person who is knowledgeable about Section 504 issues and who is not employed by the District or related to a member of the Board in a degree that would be prohibited under the nepotism statute [see DBE]. The impartial hearing officer is not required to be an attorney. The District and the parent shall be entitled to legal representation at the impartial hearing.

Records Retention

Records specific to identification, evaluation, and placement as these pertain to Section 504 shall be retained by the District in accordance with law and the District's local records ~~control~~retention schedules. [See CPC]

ADMISSIONS

FD
(LOCAL)

Persons Age 21 and Over

The District shall admit persons ~~who are at least age~~ ~~between~~ 21 and ~~under age~~ 26 ~~years of age~~ for the purpose of completing the requirements for a high school diploma.

Registration Forms

The student's parent, legal guardian, or other person having lawful control shall annually complete registration forms. A student who has reached age 18 shall be permitted to complete these forms.

Proof of Residency

At the time of initial registration, the parent, guardian, or other person having lawful control of the student under order of a court shall present proof of residency in accordance with administrative regulations developed by the Superintendent. The District may investigate stated residency as necessary.

Minor Living Apart

Person Standing in Parental Relation

A minor student residing in the District but whose parent, guardian, or other person having lawful control under a court order does not reside in the District shall present a power of attorney or an authorization agreement as provided in Chapter 34 of the Family Code assigning responsibility for the student in all school-related matters to an adult resident of the District.

Misconduct

A minor student living apart who has engaged in misconduct that results in any of the consequences found in Education Code 25.001(d) shall not be permitted to attend a District school.

Exceptions

Based on an individual student's circumstance, the Superintendent shall have authority to grant exceptions to the requirement for a power of attorney or authorization agreement and to the exclusion for misconduct.

Extracurricular Activities

The Superintendent shall determine whether a minor student living apart is present in the District for the primary purpose of participating in extracurricular activities.

Nonresident Student in Grandparent's After-School Care

The parent and grandparent of a nonresident student requesting admission under Education Code 25.001(b)(9) shall provide to the Superintendent the required information on the grandparent's residency and complete a form provided by the District describing the extent of after-school care to be provided by the grandparent.

The Superintendent shall have authority to approve or deny such admissions requests in accordance with criteria approved by the Board.

"Accredited" Defined

For the purposes of this policy, "accredited" shall be defined as accreditation by TEA, an equivalent agency from another state, or an accrediting association recognized by the commissioner of education.

Grade-Level Placement

Accredited Schools

The parent, guardian, or other person having lawful control of a student enrolling in a District school from an accredited public, private, or parochial school shall provide evidence of the prior schooling outside the District. The student shall be placed initially at the grade level reached elsewhere, pending observation by the classroom teacher, guidance personnel, and the principal. On the basis of these observations and results of tests that may be administered by appropriate District personnel, the principal shall determine the final grade placement.

Nonaccredited Schools

A student enrolling in a District school from a nonaccredited public, private, or parochial school, including a homeschool, shall be placed initially at the discretion of the principal, pending observation by classroom teachers, guidance personnel, and the principal. Criteria for placement may include:

1. Scores on achievement tests, which may be administered by appropriate District personnel;
2. Recommendation of the sending school;
3. Prior academic record;
4. Chronological age and social and emotional development of the student; and
5. Other criteria deemed appropriate by the principal.

Transfer of Credit

Accredited Texas Public Schools

Credit toward state graduation requirements earned in an accredited public school district in Texas shall be transferable and recognized by the District.

Other Accredited or Nonaccredited Schools

Before recognizing credit in a course earned in an accredited non-public school, an accredited school outside of Texas, or a nonaccredited school, appropriate personnel shall evaluate a student's records and transcript. The District may require the student to demonstrate mastery of the content or use alternative methods to verify course content for the award of credit.

Transition Assistance

In accordance with law, when a student who is identified as homeless or in substitute care enrolls in the District, the District shall assess the student's available records and other relevant information to determine transfer of credit for subjects and courses taken prior to enrollment.

-[See EI]

Withdrawal

A parent or guardian wishing to withdraw a minor student shall present a signed statement that includes the reason for the withdrawal. A student who is 18 or older may submit a withdrawal statement without a parent's or guardian's signature.

[For District withdrawal of students no longer in attendance, see
FEA(LOCAL).]

**Attendance
Accounting System**

The Superintendent shall be responsible for **designating the official attendance-taking time during the campus's instructional day and** maintaining a student attendance accounting system in accordance with statutory and TEA requirements. [See also FD for admissions and residency requirements.]

Alternative
Attendance-
Taking **Recording**
Time

The ~~When appropriate, the~~ Superintendent is authorized to **shall** establish written procedures permitting a campus to **record absences in** ~~specify~~ an alternative **hour from the District's official time for taking attendance-taking time other than the second or fifth instructional hour. Exceptions may be authorized for an entire campus** or for a designated group of students at a campus. The alternative ~~time for recording~~ attendance-taking time shall be determined in accordance with TEA's *Student Attendance Accounting Handbook* **and administrative regulations.**

**Parental Consent to
Leave Campus**

The Superintendent shall establish procedures regarding parental consent for a student to leave campus, including procedures for documenting a student's absence. The procedures shall be communicated in the employee and student handbooks.

**Program to Address
Child Sexual Abuse,
Trafficking, and
Maltreatment**

The District's program to address child sexual abuse, trafficking, and other maltreatment of children, as included in the District improvement plan and the student handbook, shall include:

1. Methods for increasing staff, student, and parent awareness regarding these issues, including prevention techniques and knowledge of likely warning signs indicating that a child may be a victim;
2. Age-appropriate, research-based antivictimization programs for students;
3. Actions that a child who is a victim should take to obtain assistance and intervention; and
4. Available counseling options for affected students.

Training

The District shall provide training to employees as required by law. Training shall address techniques to prevent and recognize sexual abuse, trafficking, and all other maltreatment of children, including children with significant cognitive disabilities. [See DMA]

[See BBD for Board member training requirements and BJCB for Superintendent continuing education requirements.]

**Reporting Child
Abuse and Neglect**

Any person who has cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect has a legal responsibility, under state law, to immediately report the suspected abuse or neglect to an appropriate authority.

As defined in state law, child abuse and neglect include both sex and labor trafficking of a child.

The following individuals have an additional legal obligation to submit a written or oral report within 48 hours of learning of the facts giving rise to the suspicion of abuse or neglect:

1. Any District employee, agent, or contractor who suspects a child's physical or mental health or welfare has been adversely affected by abuse or neglect.
2. A professional who has cause to believe that a child has been or may be abused or neglected or may have been a victim of indecency with a child. A professional is anyone licensed or certified by the state who has direct contact with children in the normal course of duties for which the individual is licensed or certified.

~~Any~~ ~~by any~~ person is required to ~~shall~~ make a report if the person has cause to believe that an adult was a victim of abuse or neglect ~~im-~~
~~mediately~~ as a child and the person determines in good faith that

disclosure of the information is necessary to protect the health and safety of another child or an elderly or disabled person. ~~required by law.~~

~~Reports shall be made in accordance with FFG(EXHIBIT).~~

[For parental notification requirements regarding an allegation of educator misconduct with a student, see FFF.]

Restrictions on Reporting

In accordance with law, an employee is prohibited from using or threatening to use a parent's refusal to consent to administration of a psychotropic drug or to any other psychiatric or psychological testing or treatment of a child as the sole basis for making a report of neglect, unless the employee has cause to believe that the refusal:

1. Presents a substantial risk of death, disfigurement, or bodily injury to the child; or
2. Has resulted in an observable and material impairment to the growth, development, or functioning of the child.

Making a Report

Reports may be made to any of the following:

1. A state or local law enforcement agency;
2. The Child Protective Services (CPS) division of the Texas Department of Family and Protective Services (DFPS) at (800) 252-5400 or the [Texas Abuse Hotline Website](#)ⁱ;
3. A local CPS office; or
4. If applicable, the state agency operating, licensing, certifying, or registering the facility in which the suspected abuse or neglect occurred.

However, if the suspected abuse or neglect involves a person responsible for the care, custody, or welfare of the child, the report must be made to DFPS, unless the report is to the state agency that operates, licenses, certifies, or registers the facility where the suspected abuse or neglect took place; or the report is to the Texas Juvenile Justice Department as a report of suspected abuse or neglect in a juvenile justice program or facility.

An individual does not fulfill his or her responsibilities under the law by only reporting suspicion of abuse or neglect to a campus principal, school counselor, or another District staff member. Furthermore, the District is prohibited from requiring an employee to first report his or her suspicion to a District or campus administrator.

Confidentiality

In accordance with state law, the identity of a person making a report of suspected child abuse or neglect shall be kept confidential

and disclosed only in accordance with the rules of the investigating agency.

Immunity

A person who in good faith reports or assists in the investigation of a report of child abuse or neglect is immune from civil or criminal liability.

Failing to Report Suspected Child Abuse or Neglect

By failing to report suspicion of child abuse or neglect, an employee:

1. May be placing a child at risk of continued abuse or neglect;
2. Violates the law and may be subject to legal penalties, including criminal sanctions for knowingly failing to make a required report;
3. Violates Board policy and may be subject to disciplinary action, including possible termination of employment; and
4. May have his or her certification from the State Board for Educator Certification suspended, revoked, or canceled in accordance with 19 Administrative Code Chapter 249.

It is a criminal offense to coerce someone into suppressing or failing to report child abuse or neglect.

Responsibilities Regarding Investigations

In accordance with law, District officials shall be prohibited from:

1. Denying an investigator's request to interview a child at school in connection with an investigation of child abuse or neglect;
2. Requiring that a parent or school employee be present during the interview; or
3. Coercing someone into suppressing or failing to report child abuse or neglect.

District personnel shall cooperate fully and without parental consent, if necessary, with an investigation of reported child abuse or neglect. [See GKA]

ⁱ Texas Abuse Hotline Website: <http://www.txabusehotline.org>

Note: This policy addresses discrimination, harassment, and retaliation ~~against~~~~involving~~ District students. For provisions regarding discrimination, harassment, and retaliation ~~against~~~~involving~~ 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, ~~age~~, 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, ~~age~~, or ~~on~~ 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 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, ~~age~~, or any other basis prohibited by law, ~~when the conduct~~ that 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.

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.

Sex-Based Harassment

As required by law, the District shall follow the procedures below at Response to 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 under Title IX. [See FFH(LEGAL)]

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**~~or contact~~.

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:

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 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.

~~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, serves as a witness, or participates in an investigation.~~

~~Examples~~

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

~~False Claim~~

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

~~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.~~

**Reporting
Procedures**

Student Report

Any student who believes that he or she has experienced prohibited conduct or believes that another student has experienced prohibited conduct should immediately report the alleged acts to a teacher, school counselor, principal, other District employee, or the appropriate District official listed in this policy.

STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH
(LOCAL)

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.
<i>Definition of District Officials</i>	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, or 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 individualA student 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	<p>To ensure the District's prompt investigation, reportsReports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the District's ability to investigate and address the prohibited conduct.</p>
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>
Investigation of Reports Other Than Title IX the Report	<p>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,</p>

and dating violence, see the procedures below at [Response to Sexual Harassment—Title IX](#).

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.

Initial Assessment Upon receipt or notice of a report, the District official shall determine whether the allegations, if ~~proved~~^{proven}, 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.

If the District official determines that the allegations, if ~~proved~~^{proven}, would not constitute prohibited conduct as defined by this policy, the District official shall refer the complaint for consideration under FFI.

Interim Action 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.

District Investigation 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.

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.

Criminal Investigation 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.

Concluding the Investigation 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 investiga-

tor shall take additional time if necessary to complete a thorough investigation.

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.

Notification of Outcome

Notification of the outcome of the investigation shall be provided to both parties in compliance with FERPA.

District Action

Prohibited Conduct

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.

Corrective Action

Examples of corrective action may include a training program for those involved in the ~~report~~ ~~complaint~~, 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.

Bullying

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.

Improper Conduct

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.

Confidentiality

To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.

Appeal

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 shall be informed of his or her right to file a complaint with the United States Department of Education Office for Civil Rights.

Response to 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, the District reserves the right to investigate and respond to 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.

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~~retention 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.

STUDENT ACTIVITIES
CONTESTS AND COMPETITION

FMF
(LOCAL)

UIL Activities

~~State Board and UIL rules shall govern interscholastic activities; however, Board policies and District rules may supplement State Board and UIL rules.~~

~~No event shall be scheduled and no student allowed to participate in any UIL event unless all pertinent rules and regulations are strictly enforced. The Superintendent or designee shall maintain all necessary records and reports. Sponsors and coaches are responsible for knowledge of and compliance with rules for eligibility and participation. [See FM]~~

Athletic Program

~~A well-rounded program of interscholastic athletics shall be maintained in the District secondary schools. The operation of the total program, including the starting and ending dates for each sport, shall be in accordance with regulations set by the UIL and the Board.~~

~~Supervision of the program shall be the responsibility of the Superintendent, but certain responsibilities may be delegated to other staff members. In each school, the principal shall have direct responsibility to maintain the athletic program as an integral part of the educational program of that school.~~

~~Interscholar competitive athletics shall not be part of the elementary grades' program. To the extent practicable, a program of intra-school sports activities for elementary students shall be maintained as part of the physical education program.~~

Non-UIL Activities

~~Contests and competitive activities that are sponsored by outside organizations shall not be recommended to students unless the activities supplement and do not interfere with the regular school program. Contests and competitive activities shall have the prior approval of the Superintendent or designee, who shall develop the necessary rules and regulations to implement this policy. [See FM]~~

Overnight Trips

~~Students involved in UIL competition that requires an overnight trip shall have their expenses paid by the District. [See also FM, FMG]~~

Complaints

In this policy, the terms “complaint” and “grievance” shall have the same meaning.

Other Complaint Processes

Student or parent complaints shall be filed in accordance with this policy, except as required by the policies listed below. Some of these policies require appeals to be submitted in accordance with FNG after the relevant complaint process:

1. Complaints alleging discrimination or harassment based on race, color, religion, sex, gender, national origin, age, or disability, ~~or religion~~ shall be submitted in accordance with FFH.
2. Complaints concerning dating violence shall be submitted in accordance with FFH.
3. Complaints concerning retaliation related to discrimination and harassment shall be submitted in accordance with FFH.
4. Complaints concerning bullying or retaliation related to bullying shall be submitted in accordance with FFI.
5. Complaints concerning failure to award credit or a final grade on the basis of attendance shall be submitted in accordance with FEC.
6. Complaints concerning expulsion shall be submitted in accordance with FOD and the Student Code of Conduct.
7. Complaints concerning any final decisions of the gifted and talented selection committee regarding selection for or exit from the gifted program shall be submitted in accordance with EHBB.
8. Complaints concerning identification, evaluation, or educational placement of a student with a disability within the scope of Section 504 shall be submitted in accordance with FB and the procedural safeguards handbook.
9. Complaints concerning identification, evaluation, educational placement, or discipline of a student with a disability within the scope of the Individuals with Disabilities Education Act shall be submitted in accordance with EHBAE, FOF, and the procedural safeguards handbook provided to parents of all students referred to special education.
10. Complaints concerning instructional resources shall be submitted in accordance with EF.
11. Complaints concerning a commissioned peace officer who is an employee of the District shall be submitted in accordance with CKE.

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG
(LOCAL)

12. Complaints concerning intradistrict transfers or campus assignment shall be submitted in accordance with FDB.
13. Complaints concerning admission, placement, or services provided for a homeless student shall be submitted in accordance with FDC.

Complaints regarding refusal of entry to or ejection from District property based on Education Code 37.105 shall be filed in accordance with this policy. However, the timelines shall be adjusted as necessary to permit the complainant to address the Board in person within 90 **calendar** days of filing the initial complaint, unless the complaint is resolved before the Board considers it. [See GKA(LEGAL)]

Notice to Students and Parents

The District shall inform students and parents of this policy through appropriate District publications.

Guiding Principles

Informal Process

The Board encourages students and parents to discuss their concerns with the appropriate teacher, principal, or other campus administrator who has the authority to address the concerns. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

Informal resolution shall be encouraged but shall not extend any deadlines in this policy, except by mutual written consent.

Formal Process

A student or parent may initiate the formal process described below by timely filing a written complaint form.

Even after initiating the formal complaint process, students and parents are encouraged to seek informal resolution of their concerns. A student or parent whose concerns are resolved may withdraw a formal complaint at any time.

The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or "mini-trial" at any level.

Freedom from Retaliation

Neither the Board nor any District employee shall unlawfully retaliate against any student or parent for bringing a concern or complaint.

General Provisions

Filing

Complaint forms and appeal notices may be filed by hand-delivery, by electronic communication, including email and fax, or by U.S. Mail. Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Filings submitted by electronic communication shall be timely filed if they are received by the close of business on the

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG
(LOCAL)

	<p>deadline, as indicated by the date/time shown on the electronic communication. Mail filings shall be timely filed if they are post-marked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.</p>
Scheduling Conferences	<p>The District shall make reasonable attempts to schedule conferences at a mutually agreeable time. If a student or parent fails to appear at a scheduled conference, the District may hold the conference and issue a decision in the student's or parent's absence.</p>
Response	<p>At Levels One and Two, "response" shall mean a written communication to the student or parent from the appropriate administrator. Responses may be hand-delivered, sent by electronic communication to the student's or parent's email address of record, or sent by U.S. Mail to the student's or parent's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.</p>
Days	<p>"Days" shall mean District business days, unless otherwise noted. In calculating timelines under this policy, the day a document is filed is "day zero." The following business day is "day one."</p>
Representative	<p>"Representative" shall mean any person who or organization that is designated by the student or parent to represent the student or parent in the complaint process. A student may be represented by an adult at any level of the complaint.</p> <p>The student or parent may designate a representative through written notice to the District at any level of this process. If the student or parent designates a representative with fewer than three days' notice to the District before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date, if desired, in order to include the District's counsel. The District may be represented by counsel at any level of the process.</p>
Consolidating Complaints	<p>Complaints arising out of an event or a series of related events shall be addressed in one complaint. A student or parent shall not file separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.</p>
Untimely Filings	<p>All time limits shall be strictly followed unless modified by mutual written consent.</p> <p>If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the student or parent, at any point during the complaint process. The student or parent may appeal the dismissal by seeking review in writing within ten days from the date of the written dismissal notice, starting at the</p>

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG
(LOCAL)

level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.

Costs Incurred

Each party shall pay its own costs incurred in the course of the complaint.

Complaint and Appeal Forms

Complaints and appeals under this policy shall be submitted in writing on a form provided by the District.

Copies of any documents that support the complaint should be attached to the complaint form. If the student or parent does not have copies of these documents, copies may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the student or parent unless the student or parent did not know the documents existed before the Level One conference.

A complaint or appeal form that is incomplete in any material aspect may be dismissed but may be refiled with all the required information if the refiling is within the designated time for filing.

Level One

Complaint forms must be filed:

1. Within 15 days of the date the student or parent first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and
2. With the lowest level administrator who has the authority to remedy the alleged problem.

In most circumstances, students and parents shall file Level One complaints with the campus principal.

If the only administrator who has authority to remedy the alleged problem is the Superintendent or designee, the complaint may begin at Level Two following the procedure, including deadlines, for filing the complaint form at Level One.

If the complaint is not filed with the appropriate administrator, the receiving administrator must note the date and time the complaint form was received and immediately forward the complaint form to the appropriate administrator.

The appropriate administrator shall investigate as necessary and schedule a conference with the student or parent within ten days after receipt of the written complaint. The administrator may set reasonable time limits for the conference.

Absent extenuating circumstances, the administrator shall provide the student or parent a written response within ten days following the conference. The written response shall set forth the basis of the

decision. In reaching a decision, the administrator may consider information provided at the Level One conference and any other relevant documents or information the administrator believes will help resolve the complaint.

Level Two

If the student or parent did not receive the relief requested at Level One or if the time for a response has expired, the student or parent may request a conference with the Superintendent or designee to appeal the Level One decision.

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level One response or, if no response was received, within ten days of the Level One response deadline.

After receiving notice of the appeal, the Level One administrator shall prepare and forward a record of the Level One complaint to the Level Two administrator. The student or parent may request a copy of the Level One record.

The Level One record shall include:

1. The original complaint form and any attachments.
2. All other documents submitted by the student or parent at Level One.
3. The written response issued at Level One and any attachments.
4. All other documents relied upon by the Level One administrator in reaching the Level One decision.

The Superintendent or designee shall schedule a conference within ten days after the appeal notice is filed. The conference shall be limited to the issues and documents considered at Level One. At the conference, the student or parent may provide information concerning any documents or information relied upon by the administration for the Level One decision. The Superintendent or designee may set reasonable time limits for the conference.

The Superintendent or designee shall provide the student or parent a written response within ten days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the Superintendent or designee may consider the Level One record, information provided at the Level Two conference, and any other relevant documents or information the Superintendent or designee believes will help resolve the complaint.

Recordings of the Level One and Level Two conferences, if any, shall be maintained with the Level One and Level Two records.

Level Three

If the student or parent did not receive the relief requested at Level Two or if the time for a response has expired, the student or parent may appeal the decision to the Board.

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level Two response or, if no response was received, within ten days of the Level Two response deadline.

The Superintendent or designee shall inform the student or parent of the date, time, and place of the Board meeting at which the complaint will be on the agenda for presentation to the Board.

The Superintendent or designee shall provide the Board the record of the Level Two appeal. The student or parent may request a copy of the Level Two record.

The Level Two record shall include:

1. The Level One record.
2. The notice of appeal from Level One to Level Two.
3. The written response issued at Level Two and any attachments.
4. All other documents relied upon by the administration in reaching the Level Two decision.

The appeal shall be limited to the issues and documents considered at Level Two, except that if at the Level Three hearing the administration intends to rely on evidence not included in the Level Two record, the administration shall provide the student or parent notice of the nature of the evidence at least three days before the hearing.

The District shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BE]

The presiding officer may set reasonable time limits and guidelines for the presentation, including an opportunity for the student or parent and administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board. The Board shall hear the complaint and may request that the administration provide an explanation for the decisions at the preceding levels.

In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the Level Three presentation. The Level Three presentation, including the presentation by the student or parent or the student's representative, any

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG
(LOCAL)

presentation from the administration, and questions from the Board with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

The Board shall then consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two.

Complaints

In this policy, the terms “complaint” and “grievance” shall have the same meaning.

Other Complaint Processes

Complaints by members of the public shall be filed in accordance with this policy, except as required by the policies listed below. Some of these policies require appeals to be submitted in accordance with GF after the relevant complaint process:

1. Complaints concerning instructional resources shall be filed in accordance with EF.
2. Complaints concerning a commissioned peace officer who is an employee of the District shall be filed in accordance with CKE.

Complaints regarding refusal of entry to or ejection from District property based on Education Code 37.105 shall be filed in accordance with this policy. However, the timelines shall be adjusted as necessary to permit the complainant to address the Board in person within 90 **calendar** days of filing the initial complaint, unless the complaint is resolved before the Board considers it. [See GKA(LEGAL)]

Guiding Principles

Informal Process

The Board encourages the public to discuss concerns with an appropriate administrator who has the authority to address the concerns. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

Informal resolution shall be encouraged but shall not extend any deadlines in this policy, except by mutual written consent.

Formal Process

An individual may initiate the formal process described below by timely filing a written complaint form.

Even after initiating the formal complaint process, individuals are encouraged to seek informal resolution of their concerns. An individual whose concerns are resolved may withdraw a formal complaint at any time.

The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or “mini-trial” at any level.

Freedom from Retaliation

Neither the Board nor any District employee shall unlawfully retaliate against any individual for bringing a concern or complaint.

General Provisions

Filing

Complaint forms and appeal notices may be filed by hand-delivery, by electronic communication, including email and fax, or by U.S. Mail. Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business on

the deadline. Filings submitted by electronic communication shall be timely filed if they are received by the close of business on the deadline, as indicated by the date/time shown on the electronic communication. Mail filings shall be timely filed if they are post-marked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.

Scheduling
Conferences

The District shall make reasonable attempts to schedule conferences at a mutually agreeable time. If the individual fails to appear at a scheduled conference, the District may hold the conference and issue a decision in the individual's absence.

Response

At Levels One and Two, "response" shall mean a written communication to the individual from the appropriate administrator. Responses may be hand-delivered, sent by electronic communication to the individual's email address of record, or sent by U.S. Mail to the individual's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.

Days

"Days" shall mean District business days, [unless otherwise noted](#). In calculating timelines under this policy, the day a document is filed is "day zero." The following business day is "day one."

Representative

"Representative" shall mean any person who or organization that is designated by an individual to represent the individual in the complaint process.

The individual may designate a representative through written notice to the District at any level of this process. If the individual designates a representative with fewer than three days' notice to the District before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date, if desired, in order to include the District's counsel. The District may be represented by counsel at any level of the process.

Consolidating
Complaints

Complaints arising out of an event or a series of related events shall be addressed in one complaint. An individual shall not file separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.

Untimely Filings

All time limits shall be strictly followed unless modified by mutual written consent.

If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the individual, at any point during the complaint process. The individual may appeal the dismissal by seeking review in writing within ten days from the date

of the written dismissal notice, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.

Costs Incurred

Each party shall pay its own costs incurred in the course of the complaint.

Complaint and Appeal Forms

Complaints and appeals under this policy shall be submitted in writing on a form provided by the District.

Copies of any documents that support the complaint should be attached to the complaint form. If the individual does not have copies of these documents, they may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the individual unless the individual did not know the documents existed before the Level One conference.

A complaint or appeal form that is incomplete in any material aspect may be dismissed but may be refiled with all the required information if the refiling is within the designated time for filing.

Level One

Complaint forms must be filed:

1. Within 15 days of the date the individual first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and
2. With the lowest level administrator who has the authority to remedy the alleged problem.

If the only administrator who has authority to remedy the alleged problem is the Superintendent or designee, the complaint may begin at Level Two following the procedure, including deadlines, for filing the complaint form at Level One.

If the complaint is not filed with the appropriate administrator, the receiving administrator must note the date and time the complaint form was received and immediately forward the complaint form to the appropriate administrator.

The appropriate administrator shall investigate as necessary and schedule a conference with the individual within ten days after receipt of the written complaint. The administrator may set reasonable time limits for the conference.

Absent extenuating circumstances, the administrator shall provide the individual a written response within ten days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the administrator may consider information provided at the Level One conference and any other

relevant documents or information the administrator believes will help resolve the complaint.

Level Two

If the individual did not receive the relief requested at Level One or if the time for a response has expired, he or she may request a conference with the Superintendent or designee to appeal the Level One decision.

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level One response or, if no response was received, within ten days of the Level One response deadline.

After receiving notice of the appeal, the Level One administrator shall prepare and forward a record of the Level One complaint to the Level Two administrator. The individual may request a copy of the Level One record.

The Level One record shall include:

1. The original complaint form and any attachments.
2. All other documents submitted by the individual at Level One.
3. The written response issued at Level One and any attachments.
4. All other documents relied upon by the Level One administrator in reaching the Level One decision.

The Superintendent or designee shall schedule a conference within ten days after the appeal notice is filed. The conference shall be limited to the issues and documents considered at Level One. At the conference, the individual may provide information concerning any documents or information relied upon by the administration for the Level One decision. The Superintendent or designee may set reasonable time limits for the conference.

The Superintendent or designee shall provide the individual a written response within ten days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the Superintendent or designee may consider the Level One record, information provided at the Level Two conference, and any other relevant documents or information the Superintendent or designee believes will help resolve the complaint.

Recordings of the Level One and Level Two conferences, if any, shall be maintained with the Level One and Level Two records.

Level Three

If the individual did not receive the relief requested at Level Two or if the time for a response has expired, he or she may appeal the decision to the Board.

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level Two response or, if no response was received, within ten days of the Level Two response deadline.

The Superintendent or designee shall inform the individual of the date, time, and place of the Board meeting at which the complaint will be on the agenda for presentation to the Board.

The Superintendent or designee shall provide the Board the record of the Level Two appeal. The individual may request a copy of the Level Two record.

The Level Two record shall include:

1. The Level One record.
2. The notice of appeal from Level One to Level Two.
3. The written response issued at Level Two and any attachments.
4. All other documents relied upon by the administration in reaching the Level Two decision.

The appeal shall be limited to the issues and documents considered at Level Two, except that if at the Level Three hearing the administration intends to rely on evidence not included in the Level Two record, the administration shall provide the individual notice of the nature of the evidence at least three days before the hearing.

The District shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BE]

The presiding officer may set reasonable time limits and guidelines for the presentation, including an opportunity for the individual and administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board. The Board shall hear the complaint and may request that the administration provide an explanation for the decisions at the preceding levels.

In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the Level Three presentation. The Level Three presentation, including the presentation by the individual or his or her representative, any presentation

from the administration, and questions from the Board with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

The Board shall then consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two.



BOARD OF TRUSTEES
Agenda Item

MEETING DATE: August 10, 2020

MEETING TYPE:

- Regular Meeting
- Special Meeting

DISTRICT GOALS (Check all that apply):

- Academic Competitiveness
- Competitive Work Force
- Promote Community/School Partnerships
- Fiscal Responsibility
- Safe and Secure Schools

AGENDA ITEM TYPE:

- Action Item
- Non Action Item

TITLE: Calendars for August and September

RECOMMENDED ACTION: This item for information only.

BOARD POLICY/STATE REGULATION/LAW REFERENCE (if applicable):

OVERVIEW:

See attached calendars.

FISCAL IMPACT: N/A

ATTACHMENTS: August and September Calendars

DEPARTMENT(S) SUBMITTING FORM: Superintendent

DEPARTMENT SIGNATURE/APPROVAL: 

August 2020

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3 On-Site Registration for Returning K-12 Students, 10A-6P @ FIRST Budget Workshop 6p	4 On-Site Registration for New Students 9A-6P @ Lamar	5	New Teacher Orientation		8 Lady Rams VB Open Scrimmages (TBD) Back to School Fair @ HS 10-11:30A
9	Professional Development			13	14 STAFF WORKDAY	15
16	17 STAFF WORKDAY SECOND Budget Workshop 6p	11 Lady Rams VB @ Millsap 4:30-7:30P 	12	20 Ram FB Scrimmage v. Breckenridge RB/5:30p, V/7p	14 Lady Rams VB @ Dublin 4:30-7P 21 Lady Rams VB v. Tolar 4:30-7:30P	22
23	24	25 Lady Rams VB @ Springtown 4:30-7:30P	26	27 Special Called Board Meeting (Budget) 6p Ram R/B FB @ Boyd 5p	28 Lady Rams VB v. Poolville 4:30-7P Ram FB v. Boyd (Lamar/Houston Night) 7p	29
30	31					

September 2020

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3 Ram R/B FB @ Godley 5p	4 Ram FB v. Godley 7:30p	5 Lady Rams VB @ Eastland
6	7 LABOR DAY	8	9	10 Ram R/B FB @ Venus 5P	11 Lady Rams VB v. Wichita Falls High (Jr. High Night) 4:30-7:30p Ram FB v. Venus (HOMECOMING /Jr. Ram Night) 7:30p	12 Lady Rams 9th/JV VB @ Glen Rose
13	14 Board Workshop 5:30p / Regular Meeting 7:00p	15 Lady Rams VB @ Brewer 5:30P	16	17 Ram R/B FB v. Sanger 5p	18 Ram FB @ Sanger 7:30p	19
20	21	22 Lady Rams VB v. Vernon 4:30P	23	24 Ram R/B FB v. Gainesville 5p	25 Lady Rams VB @ Iowa Park 4:30P Ram FB @ Gainesville 7p	26
27	28	29 Lady Rams VB v. Burkbnett 4:30P	30 Virtual TASA/TASB Convention (Sept 30-Oct 2)			