# Agenda of Board Workshop/Regular Meeting

## The Board of Trustees
## Mineral Wells Independent School District

---

A Board Workshop/Regular Meeting of the Board of Trustees of Mineral Wells Independent School District will be held Monday, August 11, 2025, beginning at 5:30 PM in the District Services Complex | Board Room.

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. **Board Workshop/Dinner - No Action Will Be Taken**
    A. Agenda Review
    B. Planning for 2025-2026 School Year
    C. Policy Review
3. **Closed Session - Texas Government Code 551.074, Texas Government Code 551.076, Texas Government Code 551.082 and Texas Government Code 551.072**
    A. Texas Government Code 551.074
        1) Employment/Appointment/Reassignment/Evaluation/Compensation/Duties of Personnel
        2) Renewal/Nonrenewal/Assignment/Reassignment/Probationary Status/Return to Probationary Status/Continuing Status of District Personnel
    B. Texas Government Code 551.076
        1) Security - Personnel, Devices, Audits
    C. Texas Government Code 551.082
        1) Student Discipline
4. **Open Session - 7:00 p.m.**
5. **Prayer**
6. **Pledges - U.S./Texas Flags**
7. **Mission & Vision Statements**
8. **Public Comment**
9. **Special Recognition**
10. **President's Report**

11. **Superintendent Report**

A. Transportation Department Update

**Presenter:** Christopher Williams, Director of Transportation

12. **Action Item: Consent Agenda**


A. Monthly Financial Reports, Accounts and Payable Listing 4

B. Water, Electricity, Gas Reports 19

C. Minutes of the July 21, 2025, Regular Meeting of the Board of Trustees 23

D. Leasor Crass, P.C. Proactive Legal Services & Retainer Program 32

13. **Announce Tentative Tax Rate; Board Meeting for August 25, 2025, for Adoption of Final Budget, New Budget, and Tax Rate** **45**

14. **Action Item: Discuss, Consider, and Take Any Necessary Action Regarding First Financial Bank Authorization Resolution** **46**

**Presenter:** David Tarver, Superintendent

15. **Action Item: Discuss, Consider, and Take Any Necessary Action regarding the 2025-2026 Student Code of Conduct** **58**

**Presenter:** Angie Myrick, Assistant Superintendent of Student Services

16. **Action Item: Discuss, Consider, and take Any Necessary Action Regarding the Approval of Purchase of Texas Tech Credit By Exam Assessments** **139**

**Presenter:** Angie Myrick, Assistant Superintendent of Student Services

17. **Action Item: Discuss, Consider and Take Any Necessary Action Regarding Approval of Interlocal Agreement for Emergency Medical Services** **140**

**Presenter:** David Tarver, Superintendent

18. **Action Item: Discuss, Consider and Take Any Necessary Action on the Resolution Regarding Extracurricular Status of 4-H Organization** **155**

**Presenter:** David Tarver, Superintendent

19. **Action Item: Discuss, Consider, and Take Any Necessary Action Regarding the Approval of Localized Policy Manual Update 125** **165**

**Presenter:** David Tarver, Superintendent

20. **Action Item: Discuss, Consider, and Take Any Necessary Action Regarding the Revisions to Board Policy EFB(LOCAL), FD(LOCAL), FM(LOCAL), FNCE(LOCAL)** **465**

**Presenter:** David Tarver, Superintendent

21. **Action Item: Discuss, Consider, and Take Any Necessary Action Regarding the Approval of the Board Resolution Authorizing Sale of Property Specifically Described as Approximately 2.242 Acres of Real Property Out of the T. & P. R.R. Co. Survey, Section No. 13, E.O.B., Abstract No. 701, Palo Pinto County, Texas: Being a Portion of Mineral Wells ISD's Called 23.185 Acres Tract of Land as Described in Volume 833, Page 822, Official Public Records, Palo Pinto County, Texas (the "Property"), More Particularly Described in Exhibit A. The Seller Will Retain All Mineral Rights** **478**

**Presenter:** David Tarver, Superintendent

22. **Action Item: Discuss, Consider, and Take Any Necessary Action Granting Authority to the Superintendent to Take All Actions Necessary for Demolition of the Gym Located at the District Service Center** **480**

**Presenter:** David Tarver, Superintendent

23. **Information**

A. Employee Handbook for 2025-2026 481

**Presenter:** Natalie Griffin, Assistant Superintendent

B. Student Handbook for 2025-2026 603

**Presenter:** Angie Myrick, Assistant Superintendent of Student Services

C. 89th Legislative Implementation Timeline

Link: https://tea.texas.gov/about-tea/government-relations-and-legal/government-relations/89th-legislature-updates

D. Review District Calendars on our MWISD Website

**Description:** MWISD Academic and Athletic Calendar

24. **Action Item: Vote on Closed Session Items**

A. Designation of Security Officers

25. **Action Item: Adjournment**

# BOARD OF TRUSTEES
## Agenda Item

**MEETING DATE:** 8/11/25

**MEETING TYPE:**
- [x] Regular Meeting
- [ ] Special Meeting

**AGENDA ITEM TYPE:**
- [x] Action Item
- [ ] Non-Action Item

**BOARD GOALS (check all that apply)**

***Academic Goals***
- [ ] Academic Competitiveness
  - [ ] Early Literacy (HB3)
  - [ ] Early Math (HB3)
  - [ ] Other
- [ ] Career Certifications (HB3)

***Operational Goals***
- [ ] Promote Community/School Partnerships
- [x] Fiscal Responsibility
- [ ] Safe and Secure Schools

**TITLE:** Discuss, Consider, and Take Any Necessary Action Regarding the Monthly Financial Report, Tax Receipt and Accounts Payable Listings

**RECOMMENDED ACTION:** It is recommended that the monthly Financial Reports, Tax Receipt, 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:** Financial Statement, Tax Receipt Report, AP Listing

**DEPARTMENT(S) SUBMITTING FORM:** Business and Finance

**DEPARTMENT SIGNATURE/APPROVAL:** CFO

| VENDOR | INVOICE NUMBER | INVOICE DESCRIPTION | CHECK DATE | CHECK NUMBER | CHE TYP | AMOUNT |
|---|---|---|---|---|---|---|
| ABM TEXAS GENERAL SE | Multiple | Multiple Invoices | 07/02/2025 | 7840 | R | 76,886.42 |
| ACE HARDWARE OF MINE | Multiple | Multiple Invoices | 07/02/2025 | 7841 | R | 175.38 |
| ACE HARDWARE OF MINE | 18144 | Ace Hardware June, July & August | 07/02/2025 | 7842 | S | 9.99 |
| AIRGAS USA, LLC | 5516924452 | MAINTENANCE-June 2025 | 07/02/2025 | 7843 | R | 97.40 |
| ALLSTAR CUSTOM APPAR | 3368 | ALL STAR REGISTRATION BANNERS | 07/02/2025 | 7844 | R | 42.00 |
| AT&T | 0611 | SERVICE - ACCT #214 A31-0060 668 0 (reissued) | 07/02/2025 | 7845 | R | 1,657.91 |
| AT&T | 6729193019 | SERVICE | 07/02/2025 | 7846 | R | 577.93 |
| ATS OUTDOORS | 271763 | Belts for mowers | 07/02/2025 | 7847 | R | 299.85 |
| AWARDS & MORE ENGRAV | Multiple | Multiple Invoices | 07/02/2025 | 7848 | R | 315.00 |
| BENNETT'S OFFICE SUP | Multiple | Multiple Invoices | 07/02/2025 | 7851 | R | 6,476.61 |
| BUCKS WHEEL & EQUIP | 153622 | TRANSPORTATION - PARTS | 07/02/2025 | 7852 | R | 1,051.22 |
| Cedillo, Daniella | 0630 | ESY Breakfast/Lunch pick up (Mileage) | 07/02/2025 | 7853 | R | 49.00 |
| DECKER EQUIPMENT | 619937A | Door numbers | 07/02/2025 | 7854 | R | 1,330.95 |
| DOUBLE H TIRE | Multiple | Multiple Invoices | 07/02/2025 | 7855 | R | 40.00 |
| EDUCATIONAL ENTERPRI | 39859 | MUSIC | 07/02/2025 | 7856 | R | 125.00 |
| ELLIOTT ELECTRIC SUP | Multiple | Multiple Invoices | 07/02/2025 | 7857 | R | 788.47 |
| FOLLETT CONTENT SOLU | Multiple | Multiple Invoices | 07/02/2025 | 7858 | R | 1,945.73 |
| GRADUATE SALES, INC | 5208 | LETTER JACKETS | 07/02/2025 | 7859 | R | 1,180.00 |
| HCTRA - VIOLATIONS | 0125690446 | TOLL FEES | 07/02/2025 | 7860 | R | 17.23 |
| HOMEBASE #250 MW | Multiple | Multiple Invoices | 07/02/2025 | 7862 | R | 1,317.35 |
| KYOCERA DOCUMENT SOL | Multiple | Multiple Invoices | 07/02/2025 | 7863 | R | 3,272.14 |
| MARTIN OIL COMPANY | 4830 | MAINTENANCE-June 2025 | 07/02/2025 | 7864 | R | 66.48 |
| NAPA AUTOMOTIVE PART | Multiple | Multiple Invoices | 07/02/2025 | 7865 | R | 1,085.48 |
| NATIONAL WHOLESALE S | Multiple | Multiple Invoices | 07/02/2025 | 7866 | R | 3,658.64 |
| O'REILLY AUTOMOTIVE, | 0791-11117 | MAINTENANCE-June 2025 | 07/02/2025 | 7867 | S | 51.87 |
| OMNI CORPUS CHRISTI | 0701 | TIVA Hotel Conference Stay Barrick | 07/02/2025 | 7868 | S | 1,278.76 |
| PARTS TOWN, LLC | 2105894675 | MAINTENANCE-June 2025 | 07/02/2025 | 7869 | R | 179.05 |
| PITNEY BOWES GLOBAL | 3320683441 | PITNEY BOWES LEASE INVOICE | 07/02/2025 | 7870 | R | 196.98 |
| PITNEY BOWES | 51310290 | POSTAGE METER REFILL - 51310290 | 07/02/2025 | 7871 | R | 400.00 |
| POSITIVE PROMOTIONS | 07590982 | STAFF GIFT | 07/02/2025 | 7872 | R | 1,146.59 |
| RMA TOLL PROCESSING | Multiple | Multiple Invoices | 07/02/2025 | 7873 | R | 17.09 |
| Roe, Gary JR | 0630 | Renewal of plumbing lic | 07/02/2025 | 7874 | R | 300.00 |
| SHELL ENERGY SOLUTIO | 2159105 | SERVOCE | 07/02/2025 | 7875 | R | 44,747.50 |
| SHERWIN-WILLIAMS | Multiple | Multiple Invoices | 07/02/2025 | 7876 | R | 889.35 |
| TASB | Multiple | Multiple Invoices | 07/02/2025 | 7877 | R | 1,622.00 |
| TEXAS GIRLS COACHES | 0701 | TGCA MEMBERSHIP AND CONVENTION | 07/02/2025 | 7878 | R | 150.00 |
| UNIFIRST CORPORATION | Multiple | Multiple Invoices | 07/02/2025 | 7879 | R | 1,397.76 |
| WALMART CAPITAL ONE | Multiple | Multiple Invoices | 07/02/2025 | 7880 | R | 69.15 |
| WELLS FARGO VENDOR F | Multiple | Multiple Invoices | 07/02/2025 | 7881 | R | 1,329.47 |
| Wells, David | 0604 | TRAVEL REIMBURSEMENT | 07/02/2025 | 7882 | R | 62.44 |
| WEST MUSIC | SI2530408 | QUOTE #sq164362 INSTRUMENT REPAIR SUPPLIES | 07/02/2025 | 7883 | R | 115.00 |
| ABM TEXAS GENERAL SE | 1000035211 | CONTRACTED SERVICES | 07/09/2025 | 7884 | R | 76,286.42 |
| ACE HARDWARE OF MINE | Multiple | Multiple Invoices | 07/09/2025 | 7885 | R | 133.02 |
| ALLSTAR CUSTOM APPAR | Multiple | Multiple Invoices | 07/09/2025 | 7886 | R | 1,877.45 |
| ARROW AIR CONDITIONI | 026506 | MAINTENANCE-June 2025 | 07/09/2025 | 7887 | R | 40.00 |
| AT&T MOBILITY | 825071876X | SERVICE | 07/09/2025 | 7888 | R | 1,518.41 |
| ATTACK FIRE | 1085 | Fire ext inspections | 07/09/2025 | 7889 | R | 4,217.00 |
| ATWOOD DISTRIBUTING | Multiple | Multiple Invoices | 07/09/2025 | 7890 | R | 77.97 |
| AUTO GLASS NOW | Multiple | Multiple Invoices | 07/09/2025 | 7891 | R | 611.00 |

| VENDOR | INVOICE NUMBER | INVOICE DESCRIPTION | CHECK DATE | CHECK NUMBER | CHE TYP | AMOUNT |
|---|---|---|---|---|---|---|
| AWARDS & MORE ENGRAV | 47061 | SUPPLIES | 07/09/2025 | 7892 | R | 18.00 |
| BENNETT'S OFFICE SUP | Multiple | Multiple Invoices | 07/09/2025 | 7893 | R | 2,953.99 |
| BUCKS WHEEL & EQUIP | Multiple | Multiple Invoices | 07/09/2025 | 7894 | R | 1,625.62 |
| CARRIER ENTERPRISES, | 14554712-0 | New a/c unit for Travis | 07/09/2025 | 7895 | R | 11,634.00 |
| CITY WATER WORKS | 0630-1 | SERVICE | 07/09/2025 | 7896 | R | 15,245.45 |
| ELAN FINANCIAL SERVI | Multiple | Multiple Invoices | 07/09/2025 | 7900 | R | 14,206.81 |
| ELLIOTT ELECTRIC SUP | Multiple | Multiple Invoices | 07/09/2025 | 7901 | R | 425.95 |
| FOLLETT CONTENT SOLU | Multiple | Multiple Invoices | 07/09/2025 | 7902 | R | 2,934.32 |
| FRONTIER WASTE-CRESS | Multiple | Multiple Invoices | 07/09/2025 | 7903 | R | 7,449.16 |
| GRAINGER | 9557717197 | MAINTENANCE-June 2025 | 07/09/2025 | 7904 | R | 60.05 |
| HCOP, LLC DBA PARTST | 2-101053 | MAINTENANCE-June 2025 | 07/09/2025 | 7905 | R | 191.12 |
| KYOCERA DOCUMENT SOL | 5034778175 | Kyocera rental for July teacher workroom &n offices | 07/09/2025 | 7906 | R | 1,151.30 |
| LEASOR CRASS, P.C. | 27335 | Invoice # 27335 General $124.00 Special Education $155.00 | 07/09/2025 | 7907 | R | 279.00 |
| NAPA AUTOMOTIVE PART | 455871 | MAINTENANCE-June 2025 | 07/09/2025 | 7908 | R | 4.49 |
| NATIONAL WHOLESALE S | S5578240.0 | MAINTENANCE-June 2025 | 07/09/2025 | 7909 | R | 177.54 |
| NEXTLINK | B10000024- | 1Gb Internet service due 07/31/2025 | 07/09/2025 | 7910 | R | 150.00 |
| O'REILLY AUTOMOTIVE, | 0791-11428 | MAINTENANCE-June 2025 | 07/09/2025 | 7911 | R | 15.56 |
| PARENTSQUARE, INC. | 2024-19321 | ParentSquare / SmartSites annual subscription | 07/09/2025 | 7912 | R | 19,585.80 |
| PITNEY BOWES GLOBAL | 3320867193 | 5/30/25-8/30/25 | 07/09/2025 | 7913 | R | 211.50 |
| REGION 4 ESC | Multiple | Multiple Invoices | 07/09/2025 | 7914 | R | 165.00 |
| SHERWIN-WILLIAMS | Multiple | Multiple Invoices | 07/09/2025 | 7915 | R | 128.92 |
| TASB | 675164 | 3 yr reinspection member | 07/09/2025 | 7916 | R | 2,300.00 |
| TCEA | Multiple | Multiple Invoices | 07/09/2025 | 7917 | R | 318.00 |
| TEXAS SHRED, INC. | Multiple | Multiple Invoices | 07/09/2025 | 7918 | R | 280.00 |
| TFF Media LLC | 0528 | GRAPHIC DESIGN DEPOSIT | 07/09/2025 | 7919 | R | 400.00 |
| TRACTOR SUPPLY PLAN | 456743 | MAINTENANCE-June 2025 | 07/09/2025 | 7920 | R | 26.98 |
| UNIFIRST CORPORATION | Multiple | Multiple Invoices | 07/09/2025 | 7921 | R | 500.98 |
| UNITED REFRIGERATION | Multiple | Multiple Invoices | 07/09/2025 | 7922 | R | 2,577.50 |
| WALMART CAPITAL ONE | Multiple | Multiple Invoices | 07/09/2025 | 7923 | R | 94.47 |
| WEATHERFORD DEMOCRAT | 114515 | Sale of Real Property Public Notice of Sale Dates: 7/2/25 & 7/9/25 | 07/09/2025 | 7924 | R | 525.60 |
| WES GRABLE COMPANY | 062925 | resurfacing of gym floors HS & JH | 07/09/2025 | 7925 | R | 8,250.00 |
| WEX BANK | 105520293 | FUEL | 07/09/2025 | 7926 | R | 337.58 |
| AARON, SCOTT | 0723 | Scott Aaron SLI Conference - Fort Worth \| June 18-21, 2025 Mileage - 166.4 miles x .70 = $116.48 | 07/23/2025 | 7927 | R | 116.48 |
| ABM TEXAS GENERAL SE | 1000035816 | SERVICES | 07/23/2025 | 7928 | R | 250.00 |
| ALLSTAR CUSTOM APPAR | 3518 | Allstar Custom Apparel new shirts for Staff | 07/23/2025 | 7929 | R | 1,028.50 |
| AT&T | 0711 | SERVICE - ACCT# 214 A31-0060 668 0 | 07/23/2025 | 7930 | R | 1,586.63 |
| AT&T LONG DISTANCE | 811340500 | SERVICE-CORPORATION #346970 811340500-0 | 07/23/2025 | 7931 | R | 5.34 |
| ATTACK FIRE | 1088 | Work @ Travis | 07/23/2025 | 7932 | R | 430.00 |
| AUTO GLASS NOW | Multiple | Multiple Invoices | 07/23/2025 | 7933 | R | 836.66 |
| Cribbs, Chasitiy | 0723 | Reimbursement for Aide certification - New Hire | 07/23/2025 | 7934 | R | 17.00 |
| DEMCO, INC | 7664538 | Demco Library order | 07/23/2025 | 7935 | R | 461.62 |

| VENDOR | INVOICE NUMBER | INVOICE DESCRIPTION | CHECK DATE | CHECK NUMBER | CHE TYP | AMOUNT |
|---|---|---|---|---|---|---|
| Dixon Psychological | 20250538 | SERVICES | 07/23/2025 | 7936 | R | 310.50 |
| EDUCATION SERVICE CT | 4102500591 | Monthly Internet Service July 2025 | 07/23/2025 | 7937 | R | 1,000.00 |
| EICHELBAUM WARDELL H | 94453 | EICHELBAUM WARDELL STUDENT DISCIPLINE CAMPUS ASST SUPT ANGIE MYRICK | 07/23/2025 | 7938 | R | 175.00 |
| FRONTIER WASTE-CRESS | Multiple | Multiple Invoices | 07/23/2025 | 7939 | R | 810.53 |
| Gordon, Ammie | 0531 | PLACE HOLDER-Mileage (Homebound student)Gordon/MAY | 07/23/2025 | 7940 | R | 32.34 |
| HUMAN KINETICS, INC | 47340150 | CTE CLASS MWJH E BOOK TEACHER LICENSE | 07/23/2025 | 7941 | R | 181.30 |
| KYOCERA DOCUMENT SOL | Multiple | Multiple Invoices | 07/23/2025 | 7942 | R | 629.22 |
| MESQUITE PIT | 2676 | July Board Meeting Meal Mesquite Pit | 07/23/2025 | 7943 | R | 140.37 |
| NATIONAL FLEET TRACK | 203048 | New Routing Software | 07/23/2025 | 7944 | R | 4,015.00 |
| ONWARD LEARNING | Multiple | Multiple Invoices | 07/23/2025 | 7945 | R | 837.65 |
| Rivas, Eric | 0630 | TASSP Conference June 16th-19th | 07/23/2025 | 7946 | R | 172.15 |
| SALT CREEK SHOOTING | 254 | SCHOOL SAFETY TRAINING | 07/23/2025 | 7947 | R | 1,000.00 |
| SCREENCASTIFY | SC-913341 | SCREENCASTIFY SUBSCRIPTION RENEWAL | 07/23/2025 | 7948 | R | 720.00 |
| SEAL TEX | 82754 | work done @ DSC, freezer door | 07/23/2025 | 7949 | R | 297.70 |
| SHELL ENERGY SOLUTIO | 2171395 | SERVICE | 07/23/2025 | 7950 | R | 47,323.11 |
| Tarver, David | 0630 | David Taver SLI Conference - Fort Worth \| June 18-21, 2025 Mileage - 166.4 miles x .70 = $116.48 | 07/23/2025 | 7951 | R | 116.48 |
| TASB | Multiple | Multiple Invoices | 07/23/2025 | 7952 | R | 150.00 |
| TEXAS TECH UNIVERSIT | 612399 | CREDIT BY EXAM TEXAS TECH UNIVERSITY AMBER MOORE | 07/23/2025 | 7953 | R | 30.00 |
| TEXAS DEPT OF PUBLIC | CRS-202505 | Invoice CRS-202505-311976 | 07/23/2025 | 7954 | R | 19.00 |
| TEXAS GAS SERVICES | 0711 | SERVICE | 07/23/2025 | 7955 | R | 4,039.26 |
| THE CORNER GUARD STO | 534347 | Floor door | 07/23/2025 | 7956 | R | 3,158.46 |
| UNIFIRST CORPORATION | 2810573418 | Uniforms | 07/23/2025 | 7957 | R | 56.87 |
| UNITE PRIVATE NETWOR | si-25-0278 | Monthly WAN service due 08/01/2025 | 07/23/2025 | 7958 | R | 530.72 |
| WALMART CAPITAL ONE | Multiple | Multiple Invoices | 07/23/2025 | 7959 | R | 247.30 |
| J&D SOLUTIONS | 1127 | Fire Panel @ HS | 07/24/2025 | 7960 | R | 6,777.30 |
| APPELBAUM TRAINING I | 08072025 | APPELBAUM TRAINING INSTITUTE IN PERSON PD 8/7/25 THE EVERYTHING COURSE: CHALLENGING BEHAVIORS | 07/30/2025 | 7961 | R | 3,000.00 |
| Arrington, Micheal | 0729 | Reimbursement for Michael Arrington for CDL Training | 07/30/2025 | 7962 | R | 90.00 |
| CDW-G | Multiple | Multiple Invoices | 07/30/2025 | 7963 | R | 5,328.04 |
| EBSCO INFORMATION SE | 2501296 | MAGAZINE | 07/30/2025 | 7964 | R | 328.74 |
| EDUCATION SERVICE CT | 1002501090 | IMPACT QUOTE TRAINING QUOTE ROBERSON | 07/30/2025 | 7965 | S | 200.00 |
| EDUCATION SERVICE CT | 1002501119 | BUS DRIVER CERTIFICATION | 07/30/2025 | 7966 | R | 180.00 |
| ELAN FINANCIAL SERVI | Multiple | Multiple Invoices | 07/30/2025 | 7967 | R | 1,968.30 |
| ERWIN HEALTH CARE, I | 1085 | TRANSPORTATION - OPEN PURCHASE ORDER FOR DOT BUS DRIVER PHYSICALS | 07/30/2025 | 7968 | R | 360.00 |
| FOOD SERVICE, CHILD | 256 | PLACE HOLDER- INV #256 ESY Meals/JULY | 07/30/2025 | 7969 | R | 204.00 |
| GOTO COMMUNICATIONS, | Multiple | Multiple Invoices | 07/30/2025 | 7970 | R | 4,676.03 |

| VENDOR | INVOICE NUMBER | INVOICE DESCRIPTION | CHECK DATE | CHECK NUMBER | CHE TYP | AMOUNT |
|---|---|---|---|---|---|---|
| HOLIDAY HILLS GOLF C | 1 | Holiday Hills Golf Course for Meet New Teachers July 30th | 07/30/2025 | 7971 | R | 300.00 |
| IN TOUCH THERAPY, PL | 2025_MIN_7 | PLACE HOLDER- Contracted PT Services/JULY | 07/30/2025 | 7972 | R | 1,606.40 |
| KYOCERA DOCUMENT SOL | Multiple | Multiple Invoices | 07/30/2025 | 7973 | R | 2,888.24 |
| PC PARTS PLUS dba CH | Multiple | Multiple Invoices | 07/30/2025 | 7974 | R | 6,067.30 |
| PCC SPRAY FOAM | INV-001244 | Foam @ Bus Barn-Hail damage claim | 07/30/2025 | 7975 | R | 16,265.00 |
| Rothe, Michaela | 0729 | PLACE HOLDER- Mileage 3 day Conference (Counseling for Behavioral Change with Betty White, LPC)/JUNE | 07/30/2025 | 7976 | R | 224.70 |
| TENNIS OUTLET INC. | 58549 | TENNIS SUPPLIES ACT FUND | 07/30/2025 | 7977 | R | 750.90 |
| THE HUNTINGTON NATIO | 1978268 | LEASE PAYMENT - CONTRACT #008-0878809-300 DAKTRONICS VIDEO DISPLAY | 07/30/2025 | 7978 | R | 157,639.95 |
| TOP WINDOW CLEANING | 232460 | cleaned windows @ DSC | 07/30/2025 | 7979 | R | 600.00 |
| UNIFIRST CORPORATION | Multiple | Multiple Invoices | 07/30/2025 | 7980 | R | 129.64 |
| WELLS FARGO VENDOR F | 5035224890 | PLACE HOLDER- Rental on Copiers 3554ci s/n 19x3x04801, 405ci s/n 19z4416980/AUGUST | 07/30/2025 | 7981 | R | 455.27 |
| Wells, Lindsey | 0729 | JULY MILEAGE REIUMBURSEMENT PROJECTED MONTHLY EXPENSE FOR LINDSEY WELLS TO ESC REGION 11 TRAINING | 07/30/2025 | 7982 | R | 63.56 |
| Acker, Frances | 0701 | TRAVEL | 07/02/2025 | 242500209 | A | 72.10 |
| AMAZON CAPITAL SERVI | Multiple | Multiple Invoices | 07/02/2025 | 242500211 | A | 2,833.94 |
| Bricker, Niki | 0630 | Mileage May-June 2025: Bricker | 07/09/2025 | 242500213 | A | 108.64 |
| KONE INC. | 1158954768 | work on Stadium elevator | 07/09/2025 | 242500214 | A | 2,248.53 |
| Lascsak, Justin | Multiple | Multiple Invoices | 07/09/2025 | 242500215 | A | 1,792.96 |
| Murphy, Ronda | 0630 | Mileage May-June 2025: Murphy | 07/09/2025 | 242500216 | A | 85.54 |
| Shirley, Zackery | 0630 | Mileage May-June 2025: Shirley | 07/09/2025 | 242500217 | A | 4.97 |
| AMAZON CAPITAL SERVI | Multiple | Multiple Invoices | 07/23/2025 | 242500221 | A | 376.10 |
| HENDERSON, DONNA | Multiple | Multiple Invoices | 07/23/2025 | 242500222 | A | 174.92 |
| Hons, Brandon | Multiple | Multiple Invoices | 07/23/2025 | 242500223 | A | 148.40 |
| JONES, MARIA | 0723 | Maria Jones SLI Conference - Fort Worth \| June 18-21, 2025 Meals $200 | 07/23/2025 | 242500224 | A | 39.01 |
| LEE, SUNNY | 0630 | Sunny Lee SLI Conference - Fort Worth \| June 18-21, 2025 Mileage - 166.4 miles x .70 = $116.48 | 07/23/2025 | 242500225 | A | 116.48 |
| POOLE, LAURETTA | Multiple | Multiple Invoices | 07/23/2025 | 242500226 | A | 177.17 |
| 3720 MINERAL WELLS L | INV-13 & I | Car Wash | 07/30/2025 | 242500227 | A | 210.00 |
| | | | Totals for checks | | | 624,622.47 |

**F U N D S U M M A R Y**

| FUND | DESCRIPTION | BALANCE SHEET | REVENUE | EXPENSE | TOTAL |
|---|---|---|---|---|---|
| 180 | CO-CURRICULAR | 0.00 | 0.00 | 4,471.23 | 4,471.23 |
| 199 | GENERAL FUND | 0.00 | 0.00 | 620,151.24 | 620,151.24 |
| *** Fund Summary Totals *** | | 0.00 | 0.00 | 624,622.47 | 624,622.47 |

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

| VENDOR | INVOICE NUMBER | INVOICE DESCRIPTION | CHECK DATE | CHECK NUMBER | CHE TYP | AMOUNT |
|---|---|---|---|---|---|---|
| WALMART CAPITAL ONE | Multiple | Multiple Invoices | 07/02/2025 | 6585 | R | 66.37 |
| Wells, David | 0531 | Mileage Reimbursement | 07/02/2025 | 6586 | R | 139.72 |
| LABATT FOOD SERVICE | 0630 | Groceries for Summer Feeding | 07/09/2025 | 6587 | R | 2,262.27 |
| OAK FARMS DAIRY | 0630 | Milk for Summer Feeding (June) | 07/09/2025 | 6588 | R | 1,750.77 |
| Wells, David | 0630 | Mileage Reimbursement | 07/09/2025 | 6589 | R | 131.39 |
| MASSEY'S SEPTIC TANK | 051275 | Pumping of Grease Trap | 07/23/2025 | 6590 | R | 300.00 |
| | | | Totals for checks | | | 4,650.52 |

**F U N D  S U M M A R Y**

| FUND | DESCRIPTION | BALANCE SHEET | REVENUE | EXPENSE | TOTAL |
|---|---|---|---|---|---|
| 240 | FOOD SERVICE | 0.00 | 0.00 | 4,650.52 | 4,650.52 |
| *** Fund Summary Totals *** | | 0.00 | 0.00 | 4,650.52 | 4,650.52 |

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

| VENDOR | INVOICE NUMBER | INVOICE DESCRIPTION | CHECK DATE | CHECK NUMBER | CHE TYP | AMOUNT |
|---|---|---|---|---|---|---|
| AIRGAS USA, LLC | 9162006946 | Tools Welding | 07/02/2025 | 1220 | R | 329.97 |
| AIRGAS USA, LLC | 9162053982 | Welding Equipment | 07/02/2025 | 1220 | R | 185.13 |
| BENNETT'S OFFICE SUP | 0261769-00 | Education & Training Equipment | 07/02/2025 | 1221 | R | 750.00 |
| FRYE, Stacie | 000023 | SIGN GYPSIES WELCOME BACK SIGN | 07/02/2025 | 1222 | R | 60.00 |
| IMCAT | 13 | IMCAT SUMMER INSTITUTE VIRTUAL 6/11/25-6/12/25 LINDSEY WELLS | 07/02/2025 | 1223 | R | 120.00 |
| MATH WARM-UP.COM | 20929 | Spanish Curriculum products | 07/02/2025 | 1224 | R | 2,700.00 |
| TEX-OMA BUILDERS SUP | 809250 | Security Grant-Doors | 07/02/2025 | 1225 | R | 2,610.00 |
| ALLSTAR CUSTOM APPAR | 3495 | SHIRTS | 07/09/2025 | 1226 | R | 1,154.78 |
| TEX-OMA BUILDERS SUP | 815065 | Grant-HS Door 4 | 07/09/2025 | 1227 | R | 3,501.75 |
| Burks, Jammie | 1 | Jamie Burks Invoice 1 base painting the room | 07/23/2025 | 1228 | R | 250.00 |
| DeltaMath Solution I | 24000 | DELTA MATH SOLUTIONS INC. MWHS 2025-2026 | 07/23/2025 | 1229 | R | 2,220.00 |
| FOLLETT SCHOOL SOLUT | 1584165 | FOLLETT SOFTWARE RENEWAL 2025/2026 | 07/23/2025 | 1230 | R | 8,577.48 |
| HOUGHTON MIFFLIN COM | 956304652 | HMH SOCIAL STUDIES MWHS 2025-2026 | 07/23/2025 | 1231 | R | 70.00 |
| SURVEYMONKEY.COM, LL | 46823388 | SURVEY MONKEY RENEWAL 2025-2026 | 07/30/2025 | 1232 | R | 1,440.00 |
| AMAZON CAPITAL SERVI | 1J3Y-JDGW- | AMAZON BEGININING OF YEAR GIFTS | 07/02/2025 | 242500212 | A | 137.98 |
| | | | Totals for checks | | | 24,107.09 |

F U N D S U M M A R Y

| FUND | DESCRIPTION | BALANCE SHEET | REVENUE | EXPENSE | TOTAL |
|---|---|---|---|---|---|
| 244 | CARL PERKINS BASIC FORM. GRANT | 0.00 | 0.00 | 1,265.10 | 1,265.10 |
| 263 | Title III, PART A-ELA | 0.00 | 0.00 | 4,140.00 | 4,140.00 |
| 410 | STATE TEXTBOOK FUND | 0.00 | 0.00 | 10,987.48 | 10,987.48 |
| 429 | STATE FUNDED SPECIAL REVENUE | 0.00 | 0.00 | 6,111.75 | 6,111.75 |
| 461 | CAMPUS ACTIVITY FUND | 0.00 | 0.00 | 1,602.76 | 1,602.76 |
| *** Fund Summary Totals *** | | 0.00 | 0.00 | 24,107.09 | 24,107.09 |

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

**August 11, 2025**
**2024-2025 TAX COLLECTIONS**
**June 30, 2025**

| MAINTENANCE & OPERATIONS | | | | | | |
|---|---|---|---|---|---|---|
| | LEVY | MONTHLY ACTIVITY | PRIOR ACTIVITY | YEAR-TO-DATE ACTITIVY | BALANCE DUE | YEAR-TO-DATE PERCENTAGE COLLECTED |
| CURRENT TAXES | $ 10,161,971.00 | $ 69,693.20 | $ 10,427,910.30 | $ 10,497,603.50 | $ (335,632.50) | 103.30% |
| DELINQUENT TAXES | $ 290,158.00 | $ 23,804.32 | $ 142,383.47 | $ 166,187.79 | $ 123,970.21 | 57.27% |
| PENALTY & INTEREST | $ 219,502.00 | $ 16,777.19 | $ 94,299.41 | $ 111,076.60 | $ 108,425.40 | 50.60% |
| GRAND TOTAL | $ 10,671,631.00 | $ 110,274.71 | $ 10,664,593.18 | $ 10,774,867.89 | $ (103,236.89) | 100.97% |

| INTEREST & SINKING | | | | | | |
|---|---|---|---|---|---|---|
| | LEVY | MONTHLY ACTIVITY | PRIOR ACTIVITY | YEAR-TO-DATE ACTITIVY | BALANCE DUE | YEAR-TO-DATE PERCENTAGE COLLECTED |
| CURRENT TAXES | $ 3,123,145.00 | $ 19,327.61 | $ 3,198,271.58 | $ 3,217,599.19 | $ (94,454.19) | 103.02% |
| DELINQUENT TAXES | $ 93,562.00 | $ 8,870.39 | $ 48,850.19 | $ 57,720.58 | $ 35,841.42 | 61.69% |
| PENALTY & INTEREST | $ 57,682.00 | $ 5,665.33 | $ 36,010.91 | $ 41,676.24 | $ 16,005.76 | 72.25% |
| GRAND TOTAL | $ 3,274,389.00 | $ 33,863.33 | $ 3,283,132.68 | $ 3,316,996.01 | $ (42,607.01) | 101.30% |

# *MINERAL WELLS INDEPENDENT SCHOOL DISTRICT*
## CASH POSITION

### FOR PERIOD ENDING JUNE 30, 2025

| | | |
|---|---|---|
| GENERAL FUND | | $ 3,841,707.54 |
| FOOD SERVICE | | $ 855,775.48 |
| SPECIAL REVENUE | | $ 343,881.43 |
| INTEREST & SINKING | | $ 1,741,083.76 |
| INSURANCE FUND | | $ 1,153.25 |
| WORKERS' COMPENSATION | | $ 249.55 |
| TRUST & AGENCY FUND | | $ 206,194.56 |
| PAYROLL | | $ (49,190.83) |
| | **TOTAL** | $ 6,940,854.74 |

| | | |
|---|---|---|
| Lone Star Investment | | |
| General Fund | | $ 4,071,034.90 |
| Food Service Fund | | $ 4.47 |
| Interest & Sinking | | $ 1,285,699.84 |
| Insurance Fund | | $ 544,006.70 |
| | **TOTAL INVESTMENTS** | $ 5,900,745.91 |

| Fnd | Fnd | CASH RECEIVED | 2024-2025 Budget | Balance |
|---|---|---|---|---|
| 180 | CO-CURRICULAR | 247,961.17 | 278,813.00 | 30,851.83 |
| 199 | GENERAL FUND | 31,303,287.74 | 36,514,086.00 | 5,210,798.26 |
| 211 | TITLE I, PART A | 776,708.60 | 1,138,497.00 | 361,788.40 |
| 224 | IDEA-B FORMULA | 710,020.25 | 859,474.00 | 149,453.75 |
| 225 | IDEA-B PRESCHOOL | 13,808.00 | 17,152.00 | 3,344.00 |
| 240 | FOOD SERVICE | 1,855,884.37 | 2,367,508.00 | 511,623.63 |
| 244 | CARL PERKINS BASIC FORM. GRANT | 50,546.89 | 61,783.00 | 11,236.11 |
| 255 | TITLE II,PART A-SUP EFF INSTR | 114,419.45 | 233,104.00 | 118,684.55 |
| 263 | Title III, PART A-ELA | 67,358.27 | 91,223.00 | 23,864.73 |
| 270 | TITLE V,B,SP 2, RLIS | 94,550.50 | 120,178.00 | 25,627.50 |
| 289 | FEDERALLY FUNDED SPECIAL REV | 75,933.72 | 85,578.00 | 9,644.28 |
| 410 | STATE TEXTBOOK FUND | 167,507.84 | 167,393.00 | -114.84 |
| 429 | STATE FUNDED SPECIAL REVENUE | 755,526.59 | 978,208.00 | 222,681.41 |
| 461 | CAMPUS ACTIVITY FUND | 11,334.91 | 25,354.00 | 14,019.09 |
| 599 | DEBT SERVICE | 4,038,841.50 | 3,897,817.00 | -141,024.50 |
| 753 | INSURANCE FUND | 20,038.97 | 22,073.00 | 2,034.03 |
| 880 | CUSTODIAL FUND - SCHOLARSHIPS | 30,152.87 | 9,283.00 | -20,869.87 |
| | Grand Revenue Totals | 40,333,881.64 | 46,867,524.00 | 6,533,642.36 |

**Number of Accounts:** 88

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

| Fnd | Fnd | Expended | Encumbered | 2024-2025 Budget | Balance |
|---|---|---|---|---|---|
| 180 | CO-CURRICULAR | 1,157,689.94 | 10,572.16 | 1,315,823.00 | 147,560.90 |
| 199 | GENERAL FUND | 31,370,414.44 | 245,289.19 | 35,510,868.00 | 3,895,164.37 |
| 211 | TITLE I, PART A | 888,422.68 | 9,055.07 | 1,138,497.00 | 241,019.25 |
| 224 | IDEA-B FORMULA | 731,190.93 | 300.00 | 859,474.00 | 127,983.07 |
| 225 | IDEA-B PRESCHOOL | 17,260.00 | 0.00 | 17,152.00 | -108.00 |
| 240 | FOOD SERVICE | 1,588,883.52 | 206.09 | 2,367,508.00 | 778,418.39 |
| 244 | CARL PERKINS BASIC FORM. GRANT | 59,079.94 | 1,189.96 | 61,783.00 | 1,513.10 |
| 255 | TITLE II,PART A-SUP EFF INSTR | 120,121.97 | 5,500.00 | 233,104.00 | 107,482.03 |
| 263 | Title III, PART A-ELA | 67,757.72 | 3,092.70 | 91,223.00 | 20,372.58 |
| 270 | TITLE V,B,SP 2, RLIS | 94,550.50 | 5,654.30 | 120,178.00 | 19,973.20 |
| 289 | FEDERALLY FUNDED SPECIAL REV | 74,712.05 | 0.00 | 85,578.00 | 10,865.95 |
| 410 | STATE TEXTBOOK FUND | 167,387.84 | 120.00 | 167,393.00 | -114.84 |
| 429 | STATE FUNDED SPECIAL REVENUE | 812,035.78 | 56,714.88 | 978,208.00 | 109,457.34 |
| 461 | CAMPUS ACTIVITY FUND | 20,780.15 | 2,197.98 | 25,244.00 | 2,265.87 |
| 599 | DEBT SERVICE | 2,841,074.31 | 0.00 | 3,897,817.00 | 1,056,742.69 |
| 880 | CUSTODIAL FUND - SCHOLARSHIPS | 10,800.00 | 0.00 | 6,000.00 | -4,800.00 |
| | Grand Expense Totals | 40,022,161.77 | 339,892.33 | 46,875,850.00 | 6,513,795.90 |

**Number of Accounts:** 1769

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

| Fnd T Fn Obj Sb Org F Pr L L2 Obj | 2024-2025 BUDGET | YTD EXPENDED | Encumbered Amount | Unencumbered Balance |
|---|---|---|---|---|
| XXX R 00 ---- -- --- - -- - -- ---- | 46,836,168.00 | 40,283,689.80 | 0.00 | 6,552,478.20 |
| XXX E 11 ---- -- --- - -- - -- ---- | 23,211,406.00 | 18,929,302.02 | 97,833.98 | 4,184,270.00 |
| XXX E 12 ---- -- --- - -- - -- ---- | 2,211,912.00 | 1,888,898.76 | 36,441.24 | 286,572.00 |
| XXX E 13 ---- -- --- - -- - -- ---- | 466,984.00 | 290,731.47 | 12,442.76 | 163,809.77 |
| XXX E 21 ---- -- --- - -- - -- ---- | 324,140.00 | 290,297.83 | 10,103.61 | 23,738.56 |
| XXX E 23 ---- -- --- - -- - -- ---- | 2,506,588.00 | 2,125,454.34 | 21,344.49 | 359,789.17 |
| XXX E 31 ---- -- --- - -- - -- ---- | 1,404,947.00 | 1,262,905.08 | 8,459.00 | 133,582.92 |
| XXX E 33 ---- -- --- - -- - -- ---- | 388,163.00 | 341,554.90 | 0.00 | 46,608.10 |
| XXX E 34 ---- -- --- - -- - -- ---- | 1,294,125.00 | 1,124,528.72 | 10,076.99 | 159,519.29 |
| XXX E 35 ---- -- --- - -- - -- ---- | 2,405,014.00 | 1,605,754.82 | 206.09 | 799,053.09 |
| XXX E 36 ---- -- --- - -- - -- ---- | 1,339,302.00 | 1,191,350.13 | 10,771.16 | 137,180.71 |
| XXX E 41 ---- -- --- - -- - -- ---- | 1,892,372.00 | 1,646,772.06 | 23,716.51 | 221,883.43 |
| XXX E 51 ---- -- --- - -- - -- ---- | 4,400,779.00 | 4,974,331.19 | 26,518.62 | -600,070.81 |
| XXX E 52 ---- -- --- - -- - -- ---- | 545,058.00 | 471,762.24 | 56,714.88 | 16,580.88 |
| XXX E 53 ---- -- --- - -- - -- ---- | 221,176.00 | 193,989.30 | 17,013.00 | 10,173.70 |
| XXX E 61 ---- -- --- - -- - -- ---- | 58,776.00 | 20,538.78 | 8,250.00 | 29,987.22 |
| XXX E 71 ---- -- --- - -- - -- ---- | 4,138,708.00 | 3,064,003.47 | 0.00 | 1,074,704.53 |
| XXX E 81 ---- -- --- - -- - -- ---- | 0.00 | 18,559.90 | 0.00 | -18,559.90 |
| XXX E 93 ---- -- --- - -- - -- ---- | 60,400.00 | 60,400.00 | 0.00 | 0.00 |
| XXX E 97 ---- -- --- - -- - -- ---- | 0.00 | 510,226.76 | 0.00 | -510,226.76 |
| Grand Revenue Totals | 46,836,168.00 | 40,283,689.80 | 0.00 | 6,552,478.20 |
| Grand Expense Totals | 46,869,850.00 | 40,011,361.77 | 339,892.33 | 6,518,595.90 |
| Grand Totals | 33,682.00 | 272,328.03 | 339,892.33 | 33,882.30 |
| | Loss | Profit | Loss | Profit |

**Number of Accounts:** 1837

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

# BOARD OF TRUSTEES
## Agenda Item

**MEETING DATE:** 8/11/25

**MEETING TYPE:**
- [x] Regular Meeting
- [ ] Special Meeting

**AGENDA ITEM TYPE:**
- [x] Action Item
- [ ] Non-Action Item

**BOARD GOALS (check all that apply)**

***Academic Goals***
- [ ] Academic Competitiveness
  - [ ] Early Literacy (HB3)
  - [ ] Early Math (HB3)
  - [ ] Other
- [ ] Career Certifications (HB3)

***Operational Goals***
- [ ] Promote Community/School Partnerships
- [x] Fiscal Responsibility
- [ ] Safe and Secure Schools

**TITLE:** Discuss, Consider, and Take Any Necessary Action Regarding the 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:** CFO

# Water

| 2020-2021 | Sep | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| High School | 1,706.46 | 1,733.80 | 1,646.64 | 1,322.04 | 1,464.25 | 1,445.60 | 1,687.31 | 1,857.03 | 2,196.34 | 1,093.67 | 958.10 | 1,689.35 | 18,800.59 |
| Junior High | 1,038.88 | 947.49 | 883.72 | 796.12 | 1,287.90 | 1,981.24 | 964.53 | 1,024.66 | 972.29 | 646.54 | 510.89 | 954.35 | 12,008.61 |
| Travis | 2,010.06 | 2,228.48 | 1,994.75 | 1,491.09 | 1,776.98 | 1,613.99 | 2,390.21 | 2,458.34 | 2,276.65 | 927.28 | 749.60 | 1,913.26 | 21,830.69 |
| Houston | 2,158.30 | 429.75 | 1,571.43 | 2,071.10 | 2,379.71 | 1,849.32 | 1,874.70 | 671.48 | 460.71 | 537.89 | 502.63 | 768.50 | 15,275.52 |
| Lamar | 1,197.67 | 1,291.51 | 1,427.16 | 912.80 | 1,098.51 | 1,047.73 | 1,241.45 | 1,425.34 | 1,381.73 | 578.79 | 454.54 | 994.29 | 13,051.52 |
| DSC | 410.43 | 654.61 | 373.07 | 354.32 | 399.10 | 384.41 | 403.81 | 410.49 | 432.50 | 387.07 | 357.69 | 381.04 | 4,948.54 |
| Athletics | 1,845.97 | 1,733.82 | 2,193.89 | 1,797.03 | 1,899.54 | 2,526.83 | 1,977.06 | 1,930.79 | 1,970.25 | 1,785.48 | 1,934.81 | 2,621.30 | 24,216.77 |
| Transportation | 261.09 | 281.29 | 254.47 | 245.10 | 245.12 | 242.44 | 261.14 | 263.81 | 261.14 | 326.61 | 162.28 | 246.46 | 3,050.95 |
| **Total** | **10,628.86** | **9,300.75** | **10,345.13** | **8,989.60** | **10,551.11** | **11,091.56** | **10,800.21** | **10,041.94** | **9,951.61** | **6,283.33** | **5,630.54** | **9,568.55** | **113,183.19** |

| 2021-2022 | Sep | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| High School | 2,339.79 | 2,493.16 | 2,228.00 | 2,181.86 | 2,794.16 | 2,386.10 | 2,609.90 | 2,857.49 | 3,671.42 | 1,764.86 | 1,785.27 | 2,087.82 | 29,199.83 |
| Junior High | 1,571.80 | 1,590.57 | 1,613.19 | 1,861.45 | 2,121.11 | 1,620.86 | 1,222.66 | 1,241.69 | 1,302.94 | 655.54 | 625.70 | 1,439.27 | 16,866.78 |
| Travis | 2,963.35 | 2,698.82 | 2,756.45 | 3,703.37 | 3,441.66 | 1,829.39 | 1,678.94 | 1,769.01 | 387.32 | 366.22 | 370.44 | 374.66 | 22,339.63 |
| Houston | 1,019.67 | 1,014.33 | 674.94 | 517.37 | 515.96 | 321.95 | 223.57 | 230.60 | 269.99 | 209.49 | 213.71 | 243.26 | 5,454.84 |
| Lamar | 1,361.69 | 1,372.38 | 1,218.98 | 1,150.04 | 1,271.04 | 1,111.61 | 1,191.34 | 1,320.79 | 1,458.67 | 482.22 | 482.22 | 1,220.89 | 13,641.87 |
| DSC | 385.10 | 395.79 | 444.27 | 393.61 | 409.09 | 283.42 | 246.69 | 264.99 | 264.99 | 229.81 | 217.14 | 353.63 | 3,888.53 |
| Athletics | 2,854.33 | 2,473.80 | 6,181.77 | 9,172.91 | 2,569.88 | 1,637.85 | 2,396.01 | 3,157.05 | 4,776.50 | 7,665.98 | 5,561.55 | 5,894.19 | 54,341.82 |
| Transportation | 249.12 | 274.51 | 269.62 | 276.66 | 249.93 | 269.62 | 282.30 | 256.97 | 280.88 | 247.11 | 268.22 | 261.18 | 3,186.12 |
| **Total** | **12,744.85** | **12,313.36** | **15,387.22** | **19,257.27** | **13,372.83** | **9,460.80** | **9,851.41** | **11,098.59** | **12,412.71** | **11,621.23** | **9,524.25** | **11,874.90** | **148,919.42** |

| 2022-2023 | Sep | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| High School | 2,332.67 | 2,202.51 | 2,435.77 | 2,390.33 | 2,026.37 | 2,475.28 | 1,996.54 | 2,569.91 | 2,468.00 | 3,073.93 | 1,532.56 | 3,003.08 | 28,506.95 |
| Junior High | 1,358.46 | 1,347.93 | 1,055.59 | 1,062.84 | 953.10 | 1,226.19 | 1,029.36 | 1,185.03 | 1,101.28 | 808.72 | 667.20 | 1,038.21 | 12,833.91 |
| Travis | 381.70 | 385.92 | 414.27 | 413.73 | 407.79 | 415.22 | 409.27 | 416.70 | 415.22 | 389.97 | 395.91 | 406.31 | 4,852.01 |
| Houston | 303.76 | 244.66 | 270.15 | 294.85 | 324.55 | 242.88 | 266.63 | 287.42 | 245.85 | 220.60 | 254.75 | 238.42 | 3,194.52 |
| Lamar | 1,354.56 | 1,398.17 | 1,308.57 | 1,463.49 | 1,282.31 | 1,436.75 | 1,173.91 | 1,551.10 | 1,494.68 | 440.32 | 364.58 | 1,766.43 | 15,034.87 |
| DSC | 423.98 | 433.83 | 527.38 | 533.80 | 349.65 | 346.68 | 282.83 | 312.53 | 324.41 | 291.74 | 248.68 | 306.59 | 4,382.10 |
| Athletics | 2,885.77 | 3,923.80 | 2,799.00 | 4,390.05 | 3,018.93 | 2,136.45 | 2,096.66 | 2,248.24 | 2,013.30 | 1,985.37 | 1,674.69 | 2,462.69 | 31,634.95 |
| Transportation | 238.67 | 240.08 | 235.41 | 263.08 | 292.78 | 277.93 | 245.26 | 283.88 | 249.72 | 267.53 | 282.38 | 190.31 | 3,067.03 |
| **Total** | **9,279.57** | **10,176.90** | **9,046.14** | **10,812.17** | **8,655.48** | **8,557.38** | **7,500.46** | **8,854.81** | **8,312.46** | **7,478.18** | **5,420.75** | **9,412.04** | **103,506.34** |

| 2023-2024 | Sep | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| High School | 3,197.70 | 3,389.40 | 5,043.76 | 4,335.73 | 4,973.59 | 5,192.06 | 4,476.48 | 6,003.88 | 5,614.58 | 3,870.27 | 3,870.27 | 6,169.75 | 56,137.47 |
| Junior High | 1,253.99 | 1,290.27 | 2,093.51 | 2,694.32 | 2,581.71 | 2,290.48 | 2,150.89 | 2,484.23 | 2,144.78 | 1,299.45 | 1,299.45 | 1,375.29 | 22,958.37 |
| Travis | 398.88 | 403.34 | 907.04 | 907.04 | 909.74 | 917.83 | 907.04 | 912.43 | 907.04 | 898.94 | 898.94 | 890.85 | 9,859.11 |
| Houston | 238.42 | 257.72 | 530.87 | 549.76 | 547.06 | 558.44 | 605.43 | 618.93 | 605.44 | 589.26 | 589.26 | 581.15 | 6,271.74 |
| Lamar | 1,387.75 | 1,585.25 | 2,308.98 | 2,241.54 | 2,322.48 | 2,764.94 | 2,330.57 | 2,994.29 | 2,783.84 | 1,067.91 | 1,067.91 | 1,011.25 | 23,866.71 |
| DSC | 294.71 | 306.59 | 570.33 | 551.45 | 570.33 | 691.74 | 591.91 | 627.00 | 610.80 | 532.56 | 532.56 | 800.46 | 6,680.44 |
| Athletics | 2,905.55 | 2,931.57 | 5,233.81 | 4,764.15 | 5,328.45 | 4,941.84 | 4,597.57 | 6,206.79 | 5,899.58 | 4,729.22 | 4,729.22 | 9,455.40 | 61,723.15 |
| Transportation | 187.35 | 135.37 | 221.97 | 284.03 | 235.46 | 262.44 | 270.54 | 3,300.40 | 313.71 | 216.58 | 216.58 | 224.67 | 5,869.10 |
| **Total** | **9,864.35** | **10,299.51** | **16,910.27** | **16,328.02** | **17,468.82** | **17,619.77** | **15,930.43** | **23,147.95** | **18,879.77** | **13,204.19** | **13,204.19** | **20,508.82** | **193,366.09** |

| 2024-2025 | Sep | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| High School | 5,155.93 | 6,021.83 | 4,645.99 | 3,928.10 | 5,202.26 | 4,986.19 | 4,626.15 | 5,691.21 | 5,705.29 | 5,059.46 | | | 51,022.41 |
| Junior High | 2,500.00 | 2,689.21 | 2,127.68 | 2,069.34 | 2,377.52 | 2,549.13 | 2,064.07 | 2,849.79 | 2,228.74 | 1,362.34 | | | 22,817.82 |
| Travis | 907.04 | 915.13 | 906.46 | 903.75 | 903.75 | 909.18 | 909.18 | 922.77 | 909.18 | 898.31 | | | 9,084.75 |
| Houston | 5,847.66 | 6,174.12 | 6,092.92 | 5,285.37 | 6,511.64 | 6,084.75 | 3,931.31 | 2,324.37 | 2,188.43 | 1,081.80 | | | 45,522.37 |
| Lamar | 2,686.70 | 2,940.32 | 2,289.37 | 2,050.09 | 2,281.21 | 2,566.70 | 2,210.52 | 2,920.18 | 2,784.22 | 976.09 | | | 23,705.40 |
| DSC | 678.25 | 1,080.25 | 583.77 | 556.58 | 610.96 | 632.70 | 613.67 | 684.37 | 646.30 | 564.73 | | | 6,651.58 |
| Athletics | 6,666.32 | 14,893.04 | 6,005.74 | 3,954.41 | 4,224.68 | 4,564.65 | 6,392.46 | 4,643.55 | 4,632.04 | 5,124.49 | | | 61,101.38 |
| Transportation | 136.62 | 283.94 | 248.93 | 251.64 | 335.94 | 270.68 | 235.34 | 227.18 | 227.18 | 178.23 | | | 2,395.68 |
| **Total** | **24,578.52** | **34,997.84** | **22,900.86** | **18,999.28** | **22,447.96** | **22,563.98** | **20,982.70** | **20,263.42** | **19,321.38** | **15,245.45** | **-** | **-** | **222,301.39** |

**Electricity**

| 2020-2021 | Sep | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| High School | 18,672.72 | 14,702.00 | 16,373.27 | 9,863.01 | 11,020.00 | 11,357.87 | 11,092.58 | 12,504.06 | 14,491.08 | 14,943.71 | 15,197.20 | 17,169.11 | 167,386.61 |
| MW Academy | 284.88 | 193.34 | 126.78 | 113.95 | 99.36 | 109.22 | 136.17 | 205.01 | 201.22 | 318.93 | 331.30 | 360.65 | 2,480.81 |
| Junior High | 9,278.42 | 6,943.37 | 7,274.86 | 6,372.17 | 7,097.54 | 8,392.06 | 5,797.66 | 5,485.33 | 6,405.18 | 6,870.01 | 6,805.28 | 8,208.69 | 84,930.57 |
| Travis | 7,211.69 | 4,953.92 | 4,749.05 | 3,774.89 | 4,131.29 | 4,625.14 | 3,607.65 | 3,907.08 | 4,552.03 | 4,651.64 | 4,916.34 | 6,125.06 | 57,205.78 |
| Houston | 5,038.23 | 3,274.40 | 2,816.47 | 2,128.61 | 2,200.64 | 2,351.14 | 2,179.62 | 2,284.18 | 2,862.05 | 3,486.07 | 3,760.01 | 6,030.67 | 38,412.09 |
| Lamar | 7,565.80 | 4,777.35 | 7,182.65 | 3,183.70 | 3,512.36 | 4,020.25 | 3,408.77 | 3,886.53 | 4,863.91 | 5,813.56 | 5,610.03 | 4,340.51 | 58,165.42 |
| DSC | 2,950.93 | 2,245.38 | 1,900.42 | 1,421.65 | 1,503.54 | 1,457.21 | 1,347.26 | 1,555.41 | 1,754.58 | 2,490.26 | 2,697.42 | 2,954.99 | 24,279.05 |
| Athletics | 6,740.46 | 5,573.00 | 5,203.78 | 5,758.56 | 5,224.56 | 7,803.15 | 6,056.18 | 5,349.19 | 4,377.04 | 4,283.78 | 3,822.51 | 4,680.85 | 64,873.06 |
| Transportation | 498.07 | 509.52 | 676.65 | 625.87 | 648.57 | 773.83 | 510.41 | 534.40 | 394.35 | 482.05 | 531.32 | 557.08 | 6,742.12 |
| **Total** | **58,241.20** | **43,172.28** | **46,303.93** | **33,242.41** | **35,437.86** | **40,889.87** | **34,136.30** | **35,711.19** | **39,901.44** | **43,340.01** | **43,671.41** | **50,427.61** | **504,475.51** |

| 2021-2022 | Sep | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| High School | 23,818.74 | 16,129.45 | 14,900.96 | 13,689.20 | 14,570.08 | 14,862.69 | 14,588.07 | 18,728.04 | 21,068.43 | 20,114.63 | 19,384.76 | 20,276.08 | 212,131.13 |
| MW Academy | 271.30 | 191.55 | 170.32 | 164.44 | 172.12 | 173.57 | 148.27 | 169.00 | 221.33 | 221.23 | 246.65 | 248.65 | 2,398.43 |
| Junior High | 9,914.99 | 7,478.83 | 6,734.43 | 6,135.46 | 7,793.75 | 8,309.59 | 7,877.54 | 6,505.79 | 7,647.38 | 7,396.75 | 8,249.87 | 9,022.37 | 93,066.75 |
| Travis | 6,715.50 | 5,211.05 | 4,369.68 | 3,955.09 | 4,222.90 | 4,632.91 | 4,419.35 | 4,367.23 | 5,983.72 | 5,294.67 | 6,217.55 | 7,403.50 | 62,793.15 |
| Houston | 5,077.31 | 3,658.97 | 2,999.58 | 2,445.22 | 2,532.47 | 2,724.95 | 2,511.84 | 3,031.15 | 4,215.30 | 4,059.72 | 4,461.80 | 5,029.44 | 42,747.75 |
| Lamar | 6,595.42 | 5,184.84 | 4,510.72 | 4,120.23 | 4,032.15 | 3,565.64 | 3,529.48 | 4,613.65 | 6,143.06 | 6,017.55 | 6,940.22 | 7,631.06 | 62,884.02 |
| DSC | 2,994.60 | 2,277.19 | 2,035.15 | 1,669.48 | 1,559.88 | 1,500.94 | 1,456.47 | 1,843.72 | 2,424.74 | 2,870.28 | 3,656.93 | 3,718.98 | 28,008.36 |
| Athletics | 798.70 | 7,052.23 | 5,986.71 | 5,894.56 | 8,067.09 | 8,494.95 | 8,534.19 | 6,156.99 | 4,333.43 | 5,796.87 | 3,862.25 | 4,537.03 | 69,515.00 |
| Transportation | 596.28 | 564.94 | 523.03 | 671.40 |  | 1,461.26 | 661.42 | 502.39 | 423.22 | 478.50 | 481.59 | 474.79 | 6,838.82 |
| **Total** | **56,782.84** | **47,749.05** | **42,230.58** | **38,745.08** | **42,950.44** | **45,726.50** | **43,726.63** | **45,917.96** | **52,460.61** | **52,250.20** | **53,501.62** | **58,341.90** | **580,383.41** |

| 2022-2023 | Sep | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| High School | 19,533.27 | 17,005.63 | 16,786.45 | 14,031.29 | 21,872.41 | 14,984.39 | 12,603.49 | 18,933.81 | 13,709.03 | 17,631.10 | 15,769.66 | 19,198.57 | 202,059.10 |
| MW Academy | 198.77 | 161.86 | 175.86 | 143.59 | 165.86 | 142.52 | 156.20 | 132.18 | 183.78 | 189.27 | 300.99 | 347.41 | 2,298.29 |
| Junior High | 8,392.02 | 6,800.67 | 7,144.77 | 6,654.50 | 7,898.36 | 7,281.22 | 5,884.70 | 5,783.23 | 6,264.42 | 6,711.79 | 8,619.39 | 10,899.32 | 88,334.39 |
| Travis | 6,909.16 | 5,374.88 | 4,341.10 | 4,394.67 | 4,392.70 | 4,284.99 | 3,741.20 | 4,039.38 | 4,757.32 | 5,595.05 | 6,440.58 | 9,003.50 | 63,274.53 |
| Houston | 4,916.77 | 3,425.24 | 2,854.53 | 2,549.01 | 2,674.16 | 2,838.47 | 2,624.04 | 2,926.75 | 3,631.40 | 3,957.98 | 4,702.04 | 6,492.18 | 43,592.57 |
| Lamar | 6,801.19 | 5,327.15 | 4,440.85 | 4,496.31 | 3,823.77 | 4,208.02 | 4,439.58 | 5,061.56 | 6,307.68 | 6,629.94 | 7,143.21 | 9,266.27 | 67,945.53 |
| DSC | 3,208.13 | 2,385.87 | 1,834.35 | 1,581.62 | 1,759.59 | 1,767.44 | 1,685.49 | 1,863.31 | 2,068.36 | 2,920.20 | 3,514.48 | 4,398.67 | 28,987.51 |
| Athletics | 6,847.35 | 6,387.49 | 6,875.64 | 8,190.76 | 3,530.04 | 9,530.77 | 8,524.24 | 2,419.70 | 5,104.74 | 842.73 | 3,863.46 | 7,189.24 | 69,306.16 |
| Transportation | 462.45 | 535.20 | 673.50 | 739.00 | 620.13 | 710.43 |  | 962.10 | 382.49 | 458.55 | 555.07 | 670.38 | 6,769.30 |
| **Total** | **57,269.11** | **47,403.99** | **45,127.05** | **42,780.75** | **46,737.02** | **45,748.25** | **39,658.94** | **42,122.02** | **42,409.22** | **44,936.61** | **50,908.88** | **67,465.54** | **572,567.38** |

| 2023-2024 | Sep | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| High School | 20,094.76 | 18,119.52 | 15,456.54 | 18,444.83 | 15,174.36 | 16,548.46 | 14,384.04 | 17,785.80 | 15,275.55 | 15,251.93 | 15,697.79 | 17,784.46 | 200,018.04 |
| MW Academy | 384.67 | 275.15 | 221.74 | 165.22 | 178.28 | 222.83 | 240.12 | 195.09 | 345.56 | 404.62 | 396.75 | 429.92 | 3,459.95 |
| Junior High | 10,246.79 | 7,744.21 | 7,080.51 | 6,839.96 | 9,227.35 | 7,561.05 | 6,018.32 | 6,288.20 | 7,309.88 | 7,336.60 | 7,646.31 | 9,558.31 | 92,857.49 |
| Travis | 8,375.77 | 6,164.37 | 4,646.89 | 4,116.45 | 4,905.51 | 4,323.38 | 3,833.01 | 4,210.65 | 5,163.32 | 5,388.70 | 6,067.76 | 7,513.51 | 64,709.32 |
| Houston | 6,488.61 | 4,745.79 | 3,425.34 | 2,650.04 | 3,016.67 | 2,987.65 | 2,805.34 | 3,184.62 | 3,711.17 | 4,363.26 | 4,807.26 | 5,925.36 | 48,111.11 |
| Lamar | 8,712.70 | 7,052.94 | 6,026.03 | 4,023.07 | 4,530.44 | 4,125.85 | 4,541.64 | 5,574.52 | 6,845.79 | 7,704.75 | 7,783.65 | 8,454.69 | 75,376.07 |
| DSC | 3,927.88 | 3,071.75 | 2,229.64 | 1,794.17 | 1,987.09 | 1,974.13 | 1,894.99 | 2,074.23 | 2,340.88 | 2,927.33 | 3,239.92 | 3,669.64 | 31,131.65 |
| Athletics | 8,137.75 | 5,480.59 | 7,629.46 | 3,641.38 | 9,992.26 | 8,060.88 | 6,859.95 | 3,202.72 | 5,479.84 | 5,234.37 | 4,016.62 | 5,425.37 | 73,161.19 |
| Transportation | 600.20 | 542.36 | 638.28 | 558.25 | 795.57 | 566.32 | 497.27 | 549.39 | 438.07 | 470.40 | 612.89 | 651.07 | 6,920.07 |
| **Total** | **66,969.13** | **53,196.68** | **47,354.43** | **42,233.37** | **49,807.53** | **46,370.55** | **41,074.68** | **43,065.22** | **46,910.06** | **49,081.96** | **50,268.95** | **59,412.33** | **595,744.89** |

| 2024-2025 | Sep | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| High School | 22,193.07 | 17,526.12 | 15,501.14 | 16,122.24 | 15,781.94 | 16,401.16 | 14,147.49 | 13,583.28 | 17,363.83 | 18,959.73 |  |  | 167,580.00 |
| MW Academy | 476.21 | 379.44 | 320.29 | 310.31 | 165.19 | 303.65 | 319.50 | 295.63 | 322.00 | 301.17 |  |  | 3,193.39 |
| Junior High | 9,033.13 | 7,093.17 | 6,217.19 | 6,759.81 | 8,080.76 | 8,362.18 | 7,036.96 | 6,401.79 | 6,734.80 | 6,609.59 |  |  | 72,329.38 |
| Travis | 7,560.61 | 5,779.49 | 5,186.37 | 4,033.10 | 4,652.73 | 5,027.17 | 4,077.91 | 4,648.72 | 5,314.55 | 6,041.69 |  |  | 52,322.34 |
| Houston | 5,353.77 | 4,147.34 | 3,829.41 | 3,083.58 | 3,351.74 | 3,660.31 | 2,803.37 | 3,670.70 | 4,123.18 | 4,707.66 |  |  | 38,731.06 |
| Lamar | 7,804.22 | 6,004.42 | 5,240.47 | 4,682.51 | 4,324.59 | 5,016.64 | 4,813.42 | 5,176.87 | 5,678.58 | 6,495.45 |  |  | 55,237.17 |
| DSC | 3,322.64 | 2,611.49 | 2,375.77 | 1,780.50 | 1,964.24 | 2,155.31 | 1,937.67 | 2,055.48 | 2,443.46 | 2,950.00 |  |  | 23,596.56 |
| Athletics | 1,865.07 | 5,619.96 | 5,147.06 | 5,914.07 | 7,840.33 | 9,267.41 | 6,179.37 | 5,588.74 | 2,323.37 | 823.68 |  |  | 50,569.06 |
| Transportation | 462.93 | 454.68 | 540.06 | 578.82 | 662.27 | 755.29 | 526.55 | 533.45 | 443.73 | 434.14 |  |  | 5,391.92 |
| **Total** | **58,071.65** | **49,616.11** | **44,357.76** | **43,264.94** | **46,823.79** | **50,949.12** | **41,842.24** | **41,954.66** | **44,747.50** | **47,323.11** | **-** | **-** | **468,950.88** |

# Gas

| 2020-2021 | Sep | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| High School | 297.29 | 1,344.73 | 2,438.19 | 6,238.04 | 5,158.02 | 7,437.69 | 2,340.61 | 788.08 | 563.32 | 280.27 | 189.71 | 492.62 | 27,568.57 |
| MW Academy | 78.31 | 120.49 | 227.69 | 327.49 | 293.46 | 259.32 | 198.64 | 47.90 | 85.44 | 79.06 | 110.60 | 109.09 | 1,937.49 |
| Junior High | 193.28 | 747.38 | 1,588.53 | 2,981.87 | 2,951.05 | 3,649.25 | 1,644.94 | 555.17 | 433.29 | 279.07 | 303.14 | 392.59 | 15,719.56 |
| Travis | 179.08 | 769.96 | 2,049.26 | 4,396.13 | 3,417.63 | 4,215.44 | 1,359.11 | 410.30 | 271.24 | 172.89 | 232.25 | 277.88 | 17,751.17 |
| Houston | 179.67 | 566.94 | 1,334.29 | 2,138.18 | 2,486.13 | 3,011.99 | 1,230.02 | 373.02 | 270.14 | 199.87 | 260.62 | 296.60 | 12,347.47 |
| Lamar | 112.49 | 690.06 | 1,963.33 | 4,220.46 | 3,392.19 | 4,754.40 | 1,037.44 | 327.64 | 188.96 | 112.64 | 107.78 | 151.42 | 17,058.81 |
| DSC | 113.90 | 495.28 | 1,135.52 | 2,109.58 | 2,474.40 | 2,972.82 | 665.70 | 219.11 | 196.57 | 168.17 | 199.58 | 204.40 | 10,955.03 |
| Transportation | 113.63 | 572.83 | 1,248.58 | 1,636.42 | 1,547.22 | 1,437.43 | 624.59 | 387.95 | 175.24 | 104.70 | 127.81 | 128.04 | 8,104.44 |
| **Total** | **1,267.65** | **5,307.67** | **11,985.39** | **24,048.17** | **21,720.10** | **27,738.34** | **9,101.05** | **3,109.17** | **2,184.20** | **1,396.67** | **1,531.49** | **2,052.64** | **111,442.54** |

| 2021-2022 | Sep | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| High School | 793.89 | 1,007.48 | 2,358.19 | 7,490.34 | 7,750.28 | 8,307.96 | 3,800.23 | 6,344.93 | 562.20 | 423.69 | 457.13 | 978.53 | 40,274.85 |
| MW Academy | 109.33 | 113.06 | 138.11 | 252.67 | 322.42 | 364.83 | 245.82 | 89.06 | 109.77 | 111.44 | 109.81 | 109.75 | 2,076.07 |
| Junior High | 477.98 | 788.46 | 2,164.93 | 3,400.41 | 3,777.03 | 4,150.81 | 2,122.82 | 1,603.33 | 446.82 | 397.52 | 391.98 | 600.56 | 20,322.65 |
| Travis | 335.36 | 557.74 | 2,449.02 | 3,874.12 | 4,165.75 | 4,574.51 | 2,680.63 | 1,282.78 | 314.28 | 239.40 | 239.53 | 318.46 | 21,031.58 |
| Houston | 353.77 | 512.42 | 1,965.92 | 2,972.40 | 3,060.42 | 3,419.13 | 1,660.07 | 794.93 | 1,062.83 | 670.75 | 397.74 | 402.67 | 17,273.05 |
| Lamar | 188.86 | 280.95 | 1,554.73 | 3,416.71 | 3,331.40 | 3,705.76 | 2,002.51 | 243.61 | 227.65 | 174.98 | 143.74 | 194.32 | 15,465.22 |
| DSC | 207.28 | 295.56 | 1,571.47 | 2,806.56 | 2,997.36 | 3,029.32 | 1,675.00 | 209.47 | 215.91 | 166.31 | 170.10 | 180.28 | 13,524.62 |
| Transportation | 129.38 | 286.04 | 736.65 | 1,476.59 | 2,114.66 | 1,718.58 | 828.72 | 70.67 | 281.73 | 153.31 | 153.33 | 154.55 | 8,104.21 |
| **Total** | **2,595.85** | **3,841.71** | **12,939.02** | **25,689.80** | **27,519.32** | **29,270.90** | **15,015.80** | **10,638.78** | **3,221.19** | **2,337.40** | **2,063.36** | **2,939.12** | **138,072.25** |

| 2022-2023 | Sep | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| High School | 887.46 | 3,266.01 | 8,341.51 | 11,504.65 | 9,518.59 | 4,407.09 | 1,345.03 | 1,245.43 | 707.08 | 591.86 | 596.40 | 578.54 | 42,989.65 |
| MW Academy | 113.29 | 156.78 | 342.48 | 471.35 | 442.49 | 328.59 | 268.77 | 231.33 | 175.01 | 229.51 | 230.32 | 229.51 | 3,219.43 |
| Junior High | 616.98 | 761.16 | 3,050.61 | 5,022.04 | 4,480.09 | 1,917.18 | 881.08 | 478.05 | 242.14 | 271.88 | 229.51 | 279.37 | 18,230.09 |
| Travis | 325.56 | 795.22 | 4,219.41 | 7,158.55 | 6,628.51 | 2,534.20 | 1,366.96 | 466.58 | 1,042.12 | 242.09 | 243.85 | 260.10 | 25,283.15 |
| Houston | 318.94 | 431.34 | 2,590.55 | 4,516.45 | 4,830.57 | 1,673.67 | 958.05 | 567.47 | 350.84 | 461.69 | 459.98 | 462.26 | 17,621.81 |
| Lamar | 199.40 | 389.02 | 3,675.66 | 6,525.04 | 6,122.16 | 2,116.33 | 972.26 | 491.18 | 265.48 | 252.71 | 244.80 | 263.32 | 21,517.36 |
| DSC | 168.85 | 541.45 | 2,271.14 | 3,017.46 | 3,312.93 | 1,517.96 | 607.41 | 339.23 | 199.03 | 234.36 | 233.34 | 232.75 | 12,675.91 |
| Transportation | 163.16 | 396.70 | 1,589.10 | 2,263.69 | 1,892.39 | 853.45 | 362.04 | 246.92 | 222.38 | 234.36 | 229.51 | 231.92 | 8,685.62 |
| **Total** | **2,793.64** | **6,737.68** | **26,080.46** | **40,479.23** | **37,227.73** | **15,348.47** | **6,761.60** | **4,066.19** | **3,204.08** | **2,518.46** | **2,467.71** | **2,537.77** | **150,223.02** |

| 2023-2024 | Sep | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| High School | 624.65 | 1,127.57 | 3,691.15 | 2,317.07 | 6,360.32 | 2,553.40 | 1,479.91 | 1,055.40 | 521.74 | 481.22 | 491.39 | 722.29 | 21,426.11 |
| MW Academy | 229.51 | 248.24 | 277.63 | 403.09 | 434.42 | 315.41 | 264.96 | 240.29 | 229.51 | 250.55 | 249.66 | 250.46 | 3,393.73 |
| Junior High | 318.73 | 956.48 | 1,650.68 | 2,690.96 | 3,674.67 | 1,666.30 | 941.24 | 564.66 | 313.70 | 260.91 | 265.48 | 322.09 | 13,625.90 |
| Travis | 524.42 | 1,166.92 | 2,266.53 | 3,713.15 | 4,382.67 | 2,027.74 | 1,139.10 | 687.28 | 496.54 | 514.21 | 511.29 | 532.57 | 17,962.42 |
| Houston | 463.88 | 813.75 | 1,654.65 | 2,918.45 | 3,423.19 | 1,908.66 | 1,220.92 | 623.65 | 465.45 | 501.45 | 500.32 | 505.97 | 15,000.34 |
| Lamar | 278.30 | 965.62 | 2,228.60 | 3,627.99 | 4,288.73 | 1,837.62 | 1,034.58 | 773.15 | 590.73 | 465.80 | 410.20 | 368.36 | 16,869.68 |
| DSC | 235.34 | 467.16 | 1,046.21 | 1,984.36 | 2,763.05 | 1,310.92 | 666.82 | 388.78 | 248.80 | 251.79 | 250.66 | 249.66 | 9,863.55 |
| Transportation | 232.38 | 385.83 | 782.74 | 1,167.41 | 1,412.83 | 677.01 | 407.37 | 307.01 | 246.65 | 279.47 | 261.63 | 262.95 | 6,423.28 |
| **Total** | **2,907.21** | **6,131.57** | **13,598.19** | **18,822.48** | **26,739.88** | **12,297.06** | **7,154.90** | **4,640.22** | **3,113.12** | **3,005.40** | **2,940.63** | **3,214.35** | **104,565.01** |

| 2024-2025 | Sep | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| High School | 494.08 | 883.14 | 2,771.20 | 5,260.93 | 6,985.88 | 6,145.25 | 1,838.34 | 923.84 | 1,117.08 | 1,745.15 | | | 28,164.89 |
| MW Academy | 249.66 | 249.66 | 321.62 | 370.82 | 478.00 | 490.39 | 403.80 | 315.47 | 270.27 | 269.20 | | | 3,418.89 |
| Junior High | 340.24 | 410.92 | 1,239.18 | 2,239.71 | 4,017.82 | 3,137.97 | 2,206.87 | 1,386.69 | - | | | | 14,979.40 |
| Travis | 572.92 | 573.01 | 1,833.79 | 2,733.15 | 4,284.84 | 2,844.15 | 2,244.73 | 715.47 | 624.09 | 561.60 | | | 16,987.75 |
| Houston | 505.37 | 514.57 | 1,449.87 | 2,218.99 | 3,234.22 | 2,573.97 | 1,158.74 | 607.10 | 547.21 | 540.98 | | | 13,351.02 |
| Lamar | 344.44 | 484.80 | 2,367.47 | 2,328.79 | 4,679.79 | 3,553.22 | 1,143.22 | 488.62 | 397.75 | 360.72 | | | 16,148.82 |
| DSC | 251.67 | 264.91 | 1,351.46 | 1,854.79 | 3,314.00 | 2,674.13 | 742.55 | 304.71 | 272.98 | 271.78 | | | 11,302.98 |
| Transportation | 271.37 | 320.48 | 1,067.75 | 1,750.81 | 1,923.33 | 1,348.13 | 490.80 | 362.45 | 313.29 | 289.83 | | | 8,138.24 |
| **Total** | **3,029.75** | **3,701.49** | **12,402.34** | **18,757.99** | **28,917.88** | **22,767.21** | **10,229.05** | **5,104.35** | **3,542.67** | **4,039.26** | **-** | **-** | **112,491.99** |

# BOARD OF TRUSTEES
## Agenda Item

**MEETING DATE:** 8/11/25

**MEETING TYPE:**
- [x] Regular Meeting
- [ ] Special Meeting

**AGENDA ITEM TYPE:**
- [x] Action Item
- [ ] Non-Action Item

**BOARD GOALS (check all that apply)**

***Academic Goals***
- [ ] Academic Competitiveness
  - [ ] Early Literacy (HB3)
  - [ ] Early Math (HB3)
  - [ ] Other
- [ ] Career Certifications (HB3)

***Operational Goals***
- [ ] Promote Community/School Partnerships
- [x] Fiscal Responsibility
- [ ] Safe and Secure Schools

**TITLE:** Discuss, Consider, and Take Any Action Necessary Action Regarding the July 21, 2025 Regular Meeting of the Board of Trustees

**RECOMMENDED ACTION:** It is recommended that the July 21, 2025 Regular Meeting of the Board of Trustees be approved as presented.

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

**OVERVIEW:**

Review and approve minutes from July 21, 2025 Regular Meeting of the Board of Trustees

**FISCAL IMPACT:** N/A

**ATTACHMENTS:** Minutes

**DEPARTMENT(S) SUBMITTING FORM:** Superintendent

**DEPARTMENT SIGNATURE/APPROVAL:**

# MINERAL WELLS INDEPENDENT SCHOOL DISTRICT
# MINERAL WELLS, TEXAS

**SUBJECT:** Minutes of Workshop/Regular Board Meeting
**PLACE:** Boardroom/District Services Complex
**DATE:** July 21, 2025
**TIME:** 5:30 p.m.

**Board Members Present:**
Sunny Lee, President
Maria Jones
Joe Ruelas
Donna Henderson
Brandon Hons

**Board Members Absent:**
Lauretta Poole
Scott Aaron

**Central Administrators Present:**
David Tarver, Superintendent
Angie Myrick, Assistant Superintendent of Student Services
Justic Lascsak, Director of Technology
Karyn Bullock, Director of Communications
Kendra Fowler, Director of Special Education
Trey Evans, Director of Maintenance

**Call to Order/Establish Quorum:**
The regular meeting was called to order at 5:30 p.m. by Sunny Lee, President. 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.

**Closed Session – Texas Government Code 551.074:**
The Board adjourned into closed session at 6:34 p.m. No action was taken during closed session.

**Open Session:**
The Board reconvened in open session at 7:05 p.m.

**Prayer**
Donna Henderson opened the meeting with prayer.

**Pledges – U.S./Texas**
The Board led the audience to the Pledges of Allegiance.

**Mission and Vision Statements**
Joe Ruelas read the Mission and Vision Statement.

**Public Comment**
No one registered for Public Comment.

**Special Recognition**
Karyn Bullock proudly recognized the 2025 Mineral Wells Varsity Rams Baseball Team for delivering one of the most remarkable seasons in school history. Under the

leadership of Head Coach Jacob Clay—who was recently named Regional Coach of the Year by the American Baseball Coaches Association and ATEC Sports—the Rams advanced to the 4A Region I Division I Regional Final Championship against Seminole. This incredible run placed them among the Elite Eight in the state of Texas, a milestone the program had not reached since 1958. To commemorate their outstanding achievement, Board President Sunny Lee presented the team and coaching staff with a formal proclamation in their honor.

**President's Report**

Sunny Lee spoke regarding the SLI Conference that the board members and superintendent recently attended. She was pleased to announce that everyone was able to obtain their required continuing education hours and gain valuable insights on current topics impacting our district. Joe Ruelas will be attending the 2025 txEDCON Conference in Houston and will also serve as our official Delegate for this year.

**Superintendent's Report**

REPORT**:** 2025–2026 Pregnancy Services / Compensatory Education Home Instruction (CEHI) Angie Myrick stated that this annual report, required by the state. We had a successful year of providing support through our PRS and CEHI programs.

**Action Items:**

**Consent Agenda Items:**

A. Monthly Financial Reports and Accounts Payable Listing
B. Water/Electricity/Gas Reports
C. Investment Report
D. Minutes of June 9, 2025, Regular and June 30, 2025 Special Meeting of the Board of Trustees

Joe Ruelas moved and Maria Jones seconded a motion to approve the consent agenda items as presented. ***The motion passed 5-0 with the following votes:***
***Sunny Lee – Yes, Lauretta Poole – Absent, Donna Henderson – Yes, Scott Aaron – Absent, Brandon Hons – Yes, Joe Ruelas – Yes, Maria Jones – Yes***

**Discuss, Consider, and Take Any Necessary Action Regarding the Purchase of a Toro Groundsmaster 4000 D**

Joe Ruelas moved and Donna Henderson seconded a motion to approve the Purchase of the Toro Groundsmaster 4000 D. ***. The motion passed 5-0 with the following votes:***
***Sunny Lee – Yes, Lauretta Poole – Absent, Donna Henderson – Yes, Scott Aaron – Absent, Brandon Hons – Yes, Joe Ruelas – Yes, Maria Jones – Yes***

**Discuss, Consider, and Take Any Necessary Action Regarding the Approval of Architectural Firms for Future District Construction Projects**

Maria Jones moved and Donna Henderson seconded a motion to approve the Architectural Firms for Future District Construction. ***. The motion passed 5-0 with the following votes:***
***Sunny Lee – Yes, Lauretta Poole – Absent, Donna Henderson – Yes, Scott Aaron – Absent, Brandon Hons – Yes, Joe Ruelas – Yes, Maria Jones – Yes***

**Discuss, Consider, and Take Any Necessary Action Regarding an Interlocal Agreement between the City of Mineral Wells and MWISD for the Provision of Technology Services by**

Maria Jones moved and Brandon Hons seconded a motion to approve the Interlocal Agreement Between the City of Mineral Wells and MWISD for the Provision of Technology.Services by MWISD to the City of Mineral Wells. Jason Weeks spoke about the strong collaboration between the District and the City. Mr. Tarver and the Board joined in expressing appreciation to Justin Lascsak and the City of Mineral Wells for their efforts and dedication in making this partnership a great success. ***. The motion passed 5-0 with the following votes:***

| | |
|---|---|
| **MWISD to the City of Mineral Wells** | ***Sunny Lee – Yes, Lauretta Poole – Absent, Donna Henderson – Yes, Scott Aaron – Absent, Brandon Hons – Yes, Joe Ruelas – Yes, Maria Jones – Yes*** |
| **Discuss, Consider, and Take Any Necessary Action Regarding the 2025-2026 Student Code of Conduct** | Maria Jones moved and Donna Henderson seconded a motion to TABLE the 2025-2026 Student Code of Conduct. **.** . ***The motion passed 5-0 with the following votes: Sunny Lee – Yes, Lauretta Poole – Absent, Donna Henderson – Yes, Scott Aaron – Absent, Brandon Hons – Yes, Joe Ruelas – Yes, Maria Jones – Yes*** |
| **Discuss, Consider, and Take Any Necessary Action Regarding a Waiver for Low Attendance** | Joe Ruelas moved and Maria Jones seconded a motion to approve the request of the Waiver for Low Attendance. . ***The motion passed 5-0 with the following votes: Sunny Lee – Yes, Lauretta Poole – Absent, Donna Henderson – Yes, Scott Aaron – Absent, Brandon Hons – Yes, Joe Ruelas – Yes, Maria Jones – Yes*** |
| **Discuss, Consider, and Take Any Necessary Action Regarding Approval of the 2025-2026 Innovative Course List** | Donna Henderson moved and Maria Jones seconded a motion to approve the 2025-2026 Innovative Course List. . ***The motion passed 5-0 with the following votes: Sunny Lee – Yes, Lauretta Poole – Absent, Donna Henderson – Yes, Scott Aaron – Absent, Brandon Hons – Yes, Joe Ruelas – Yes, Maria Jones – Yes*** |
| **Discuss, Consider, and Take Necessary Action Regarding the Optional Flexible School Day** | Maria Jones moved and Brandon Hons seconded a motion to approve the Optional Flexible School Day Program. ***The motion passed 5-0 with the following votes: Sunny Lee – Yes, Lauretta Poole – Absent, Donna Henderson – Yes, Scott Aaron – Absent, Brandon Hons – Yes, Joe Ruelas – Yes, Maria Jones – Yes*** |
| **Discuss, Consider, and Take Any Necessary Action Regarding the 2025-2026 Compensation Plan** | Brandon Hons moved and Joe Ruelas seconded a motion to approve the 25-26 Compensation Plan. ***The motion passed 5-0 with the following votes: Sunny Lee – Yes, Lauretta Poole – Absent, Donna Henderson – Yes, Scott Aaron – Absent, Brandon Hons – Yes, Joe Ruelas – Yes, Maria Jones – Yes*** |
| **Discuss, Consider, and Take Any Necessary Action Regarding the 2025-2026 Teacher Appraisal Calendar and T-TESS Appraiser List** | Joe Ruelas moved and Donna Henderson seconded a motion to approve the 25-26 Teacher Appraisal Calendar and T-TESS Appraiser List***. The motion passed 5-0 with the following votes: Sunny Lee – Yes, Lauretta Poole – Absent, Donna Henderson – Yes, Scott Aaron – Absent, Brandon Hons – Yes, Joe Ruelas – Yes, Maria Jones – Yes*** |
| **Discuss, Consider, and Take Any Necessary Action Regarding the Adoption of Resolution for Nonbusiness** | Donna Henderson moved and Maria Jones seconded a motion to approve the adoption of the Resolution for Nonbusiness Days under House Bill 3033. ***The motion passed 5-0 with the following votes: Sunny Lee – Yes, Lauretta Poole – Absent, Donna Henderson – Yes, Scott Aaron – Absent, Brandon Hons – Yes, Joe Ruelas – Yes, Maria Jones – Yes*** |
| **FIRST READING:** | Local Update 125 was presented to the Board ***(copies attached)*** |
| **Information Only:** | PUBLIC HEARING: 25-26 Every Student Succeeds Act (ESSA) Planning Amounts<br>Kendra Fowler presented the ESSA planning amounts to the Board and provided an overview of how the funds will support district priorities. ***(copies attached)*** |
| | Mr. Tarver provided the Board with an update on end-of-summer activities happening across the district. |
| | No action was taken on items discussed in closed session. |

**Adjournment**

Upon a motion by Joe Ruelas and seconded by Maria Jones, the meeting was adjourned at 7:42 p.m. ***The motion passed 5-0 with the following votes: Sunny Lee – Yes, Lauretta Poole – Absent, Donna Henderson – Yes, Scott Aaron – Absent, Brandon Hons – Yes, Joe Ruelas – Yes, Maria Jones – Yes***

_____
Sunny Lee, President

_____
Donna Henderson, Secretary

# MINERAL WELLS INDEPENDENT SCHOOL DISTRICT
# MINERAL WELLS, TEXAS

**SUBJECT:** Minutes of Workshop/Regular Board Meeting
**PLACE:** Boardroom/District Services Complex
**DATE:** July 21, 2025
**TIME:** 5:30 p.m.

| | |
|---|---|
| **Board Members Present:** | Sunny Lee, President<br>Maria Jones<br>Joe Ruelas<br>Donna Henderson<br>Brandon Hons |
| **Board Members Absent:** | Lauretta Poole<br>Scott Aaron |
| **Central Administrators Present:** | David Tarver, Superintendent<br>Angie Myrick, Assistant Superintendent of Student Services<br>Justic Lascsak, Director of Technology<br>Karyn Bullock, Director of Communications<br>Kendra Fowler, Director of Special Education<br>Trey Evans, Director of Maintenance |
| **Call to Order/Establish Quorum:** | The regular meeting was called to order at 5:30 p.m. by Sunny Lee, President. 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. |
| **Closed Session – Texas Government Code 551.074:** | The Board adjourned into closed session at 6:34 p.m. No action was taken during closed session. |
| **Open Session:** | The Board reconvened in open session at 7:05 p.m. |
| **Prayer** | Donna Henderson opened the meeting with prayer. |
| **Pledges – U.S./Texas** | The Board led the audience to the Pledges of Allegiance. |
| **Mission and Vision Statements** | Joe Ruelas read the Mission and Vision Statement. |
| **Public Comment** | No one registered for Public Comment. |
| **Special Recognition** | Karyn Bullock proudly recognized the 2025 Mineral Wells Varsity Rams Baseball Team for delivering one of the most remarkable seasons in school history. Under the |

leadership of Head Coach Jacob Clay—who was recently named Regional Coach of the Year by the American Baseball Coaches Association and ATEC Sports—the Rams advanced to the 4A Region I Division I Regional Final Championship against Seminole. This incredible run placed them among the Elite Eight in the state of Texas, a milestone the program had not reached since 1958. To commemorate their outstanding achievement, Board President Sunny Lee presented the team and coaching staff with a formal proclamation in their honor.

**President's Report**

Sunny Lee spoke regarding the SLI Conference that the board members and superintendent recently attended. She was pleased to announce that everyone was able to obtain their required continuing education hours and gain valuable insights on current topics impacting our district. Joe Ruelas will be attending the 2025 txEDCON Conference in Houston and will also serve as our official Delegate for this year.

**Superintendent's Report**

REPORT: 2025–2026 Pregnancy Services / Compensatory Education Home Instruction (CEHI) Angie Myrick stated that this annual report, required by the state. We had a successful year of providing support through our PRS and CEHI programs.

**Action Items:**

**Consent Agenda Items:**

A. Monthly Financial Reports and Accounts Payable Listing
B. Water/Electricity/Gas Reports
C. Investment Report
D. Minutes of June 9, 2025, Regular and June 30, 2025 Special Meeting of the Board of Trustees

Joe Ruelas moved and Maria Jones seconded a motion to approve the consent agenda items as presented. ***The motion passed 5-0 with the following votes:***
***Sunny Lee – Yes, Lauretta Poole – Absent, Donna Henderson – Yes, Scott Aaron – Absent, Brandon Hons – Yes, Joe Ruelas – Yes, Maria Jones – Yes***

**Discuss, Consider, and Take Any Necessary Action Regarding the Purchase of a Toro Groundsmaster 4000 D**

Joe Ruelas moved and Donna Henderson seconded a motion to approve the Purchase of the Toro Groundsmaster 4000 D. . ***The motion passed 5-0 with the following votes:***
***Sunny Lee – Yes, Lauretta Poole – Absent, Donna Henderson – Yes, Scott Aaron – Absent, Brandon Hons – Yes, Joe Ruelas – Yes, Maria Jones – Yes***

**Discuss, Consider, and Take Any Necessary Action Regarding the Approval of Architectural Firms for Future District Construction Projects**

Maria Jones moved and Donna Henderson seconded a motion to approve the Architectural Firms for Future District Construction. . ***The motion passed 5-0 with the following votes:***
***Sunny Lee – Yes, Lauretta Poole – Absent, Donna Henderson – Yes, Scott Aaron – Absent, Brandon Hons – Yes, Joe Ruelas – Yes, Maria Jones – Yes***

**Discuss, Consider, and Take Any Necessary Action Regarding an Interlocal Agreement between the City of Mineral Wells and MWISD for the Provision of Technology Services by**

Maria Jones moved and Brandon Hons seconded a motion to approve the Interlocal Agreement Between the City of Mineral Wells and MWISD for the Provision of Technology.Services by MWISD to the City of Mineral Wells. Jason Weeks spoke about the strong collaboration between the District and the City. Mr. Tarver and the Board joined in expressing appreciation to Justin Lascsak and the City of Mineral Wells for their efforts and dedication in making this partnership a great success. . ***The motion passed 5-0 with the following votes:***

| | |
|---|---|
| **MWISD to the City of Mineral Wells** | ***Sunny Lee – Yes, Lauretta Poole – Absent, Donna Henderson – Yes, Scott Aaron – Absent, Brandon Hons – Yes, Joe Ruelas – Yes, Maria Jones – Yes*** |
| **Discuss, Consider, and Take Any Necessary Action Regarding the 2025-2026 Student Code of Conduct** | Maria Jones moved and Donna Henderson seconded a motion to TABLE the 2025-2026 Student Code of Conduct. . . ***The motion passed 5-0 with the following votes: Sunny Lee – Yes, Lauretta Poole – Absent, Donna Henderson – Yes, Scott Aaron – Absent, Brandon Hons – Yes, Joe Ruelas – Yes, Maria Jones – Yes*** |
| **Discuss, Consider, and Take Any Necessary Action Regarding a Waiver for Low Attendance** | Joe Ruelas moved and Maria Jones seconded a motion to approve the request of the Waiver for Low Attendance. . ***The motion passed 5-0 with the following votes: Sunny Lee – Yes, Lauretta Poole – Absent, Donna Henderson – Yes, Scott Aaron – Absent, Brandon Hons – Yes, Joe Ruelas – Yes, Maria Jones – Yes*** |
| **Discuss, Consider, and Take Any Necessary Action Regarding Approval of the 2025-2026 Innovative Course List** | Donna Henderson moved and Maria Jones seconded a motion to approve the 2025-2026 Innovative Course List. . ***The motion passed 5-0 with the following votes: Sunny Lee – Yes, Lauretta Poole – Absent, Donna Henderson – Yes, Scott Aaron – Absent, Brandon Hons – Yes, Joe Ruelas – Yes, Maria Jones – Yes*** |
| **Discuss, Consider, and Take Necessary Action Regarding the Optional Flexible School Day** | Maria Jones moved and Brandon Hons seconded a motion to approve the Optional Flexible School Day Program. ***The motion passed 5-0 with the following votes: Sunny Lee – Yes, Lauretta Poole – Absent, Donna Henderson – Yes, Scott Aaron – Absent, Brandon Hons – Yes, Joe Ruelas – Yes, Maria Jones – Yes*** |
| **Discuss, Consider, and Take Any Necessary Action Regarding the 2025-2026 Compensation Plan** | Brandon Hons moved and Joe Ruelas seconded a motion to approve the 25-26 Compensation Plan. ***The motion passed 5-0 with the following votes: Sunny Lee – Yes, Lauretta Poole – Absent, Donna Henderson – Yes, Scott Aaron – Absent, Brandon Hons – Yes, Joe Ruelas – Yes, Maria Jones – Yes*** |
| **Discuss, Consider, and Take Any Necessary Action Regarding the 2025-2026 Teacher Appraisal Calendar and T-TESS Appraiser List** | Joe Ruelas moved and Donna Henderson seconded a motion to approve the 25-26 Teacher Appraisal Calendar and T-TESS Appraiser List***. The motion passed 5-0 with the following votes: Sunny Lee – Yes, Lauretta Poole – Absent, Donna Henderson – Yes, Scott Aaron – Absent, Brandon Hons – Yes, Joe Ruelas – Yes, Maria Jones – Yes*** |
| **Discuss, Consider, and Take Any Necessary Action Regarding the Adoption of Resolution for Nonbusiness** | Donna Henderson moved and Maria Jones seconded a motion to approve the adoption of the Resolution for Nonbusiness Days under House Bill 3033. ***The motion passed 5-0 with the following votes: Sunny Lee – Yes, Lauretta Poole – Absent, Donna Henderson – Yes, Scott Aaron – Absent, Brandon Hons – Yes, Joe Ruelas – Yes, Maria Jones – Yes*** |
| **FIRST READING:** | Local Update 125 was presented to the Board ***(copies attached)*** |
| **Information Only:** | PUBLIC HEARING: 25-26 Every Student Succeeds Act (ESSA) Planning Amounts Kendra Fowler presented the ESSA planning amounts to the Board and provided an overview of how the funds will support district priorities. ***(copies attached)*** |
| | Mr. Tarver provided the Board with an update on end-of-summer activities happening across the district. |
| | No action was taken on items discussed in closed session. |

**Adjournment**

Upon a motion by Joe Ruelas and seconded by Maria Jones, the meeting was adjourned at 7:42 p.m. ***The motion passed 5-0 with the following votes: Sunny Lee – Yes, Lauretta Poole – Absent, Donna Henderson – Yes, Scott Aaron – Absent, Brandon Hons – Yes, Joe Ruelas – Yes, Maria Jones – Yes***

Sunny Lee, President

Donna Henderson, Secretary

# BOARD OF TRUSTEES
## Agenda Item

**MEETING DATE:** 8/11/25

**MEETING TYPE:**
- [x] Regular Meeting
- [ ] Special Meeting

**AGENDA ITEM TYPE:**
- [x] Action Item
- [ ] Non-Action Item

**BOARD GOALS (check all that apply)**

***Academic Goals***
- [ ] Academic Competitiveness
  - [ ] Early Literacy (HB3)
  - [ ] Early Math (HB3)
  - [ ] Other
- [ ] Career Certifications (HB3)

***Operational Goals***
- [ ] Promote Community/School Partnerships
- [ ] Fiscal Responsibility
- [ ] Safe and Secure Schools

**TITLE:** Discuss, Consider, and Take Any Action Necessary Action Regarding the Approval of Leasor Crass, P.C Proactive Legal Services and Retainer Program

**RECOMMENDED ACTION:** It is recommended that the Board approve the Leasor Crass, P.C Proactive Legal Services and Retainer Program 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.

**FISCAL IMPACT:** $397.50 Yearly

**ATTACHMENTS:** Invoice

**DEPARTMENT(S) SUBMITTING FORM:** Superintendent

**DEPARTMENT SIGNATURE/APPROVAL:**

LEASOR CRASS, P.C.
YOUR SCHOOL • OUR MISSION

# PROACTIVE LEGAL SERVICES & RETAINER PROGRAM

The _____ 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, 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.

2. **Email Questions:** The Law Firm shall provide responses to email questions regarding routine matters at no charge to the District's Trustees, Superintendent, 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:** Additional legal work may include, but is not limited to, negotiation of contracts, grievances, personnel nonrenewal or terminations, review of construction documents, intellectual property, 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, the provision of legal advice, and extended phone conferences or lengthy emails as well as 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.

**Fees for Retainer Districts and Charter Schools**

| Partners/ Of Counsel | Sr. Associates | Associates | Law Clerks | Paralegals |
|---|---|---|---|---|
| $310/hour | $290/hour | $275/hour | $150/hour | $140/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 basis 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:** Individuals at the law firm are 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 a nominal charge to the District.

7. **District Trainings:** Individuals at the law firm are approved by TEA to provide professional continuing education credits for administrators. 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. These trainings include:

    a) Documentation Training for Administrators
    b) Special Education Training
    c) §504 Training
    d) Mandatory Reporting and Human Trafficking
    e) Bond Election Issues for Board Members and Administrators
    f) Title IX Training
    g) Chapter 37 Discipline 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 2025-26 school year, Leasor Crass is reducing the rate for membership by half due to the difficult climate districts continue to face. 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. 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 2024-25 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. **Optional Communications Services:** The District may elect to participate in the Leasor Crass Communications Support Program for an additional annual fee of $1,000. This program provides the District with twelve (12) hours of direct access to Amanda Brim, Strategic Communications Consultant for Leasor Crass. Amanda brings more than two decades of experience in school public relations, crisis communication, marketing, and stakeholder engagement.

Participating districts will receive customized communications support, including:

- Strategic discussion of sensitive or complex situations before they escalate;
- Review and refinement of messaging prior to public release;
- Support for internal communications, parent engagement, and media coordination; and
- Brainstorming and development of storytelling and outreach strategies.

These services are designed to help superintendents and their teams communicate with clarity and confidence. Additional communications support beyond the included twelve (12) hours is available for an additional fee, tailored to your District's needs.

If the District would like to participate in this program, please check the box below to receive the Leasor Crass Communications Support Program and invoice.

☐ I would like to participate in the Leasor Crass Communications Program for the 2025-26 school year.

10. **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.

The State Bar of Texas asks every lawyer to advise his or her clients that the State Bar of Texas investigates and prosecutes professional misconduct committed by Texas attorneys. Although not every complaint against or dispute with a lawyer involves professional misconduct, the State Bar Office of General Counsel will provide you with information about these matters. For more information, call 1-800-932-1900. This is a toll-free call.

11. **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 _____, 2025.

LEASOR CRASS, P.C.

By: _____
Mike Leasor, Shareholder

By: _____
Rhonda Crass, Shareholder

_____ INDEPENDENT SCHOOL DISTRICT

By: _____
_____, Superintendent

LEASOR CRASS, P.C.
YOUR SCHOOL • OUR MISSION

**Attn: Accounting**
682-422-0009
682-422-0008
302 W. Broad Street, Mansfield, Texas 76063

District: _____

Superintendent: _____

Address: _____

Phone: _____ Fax: _____

## DISTRICT EMAIL INFORMATION SHEET

| RECIPIENT NAME/TITLE | RECIPIENT EMAIL |
|---|---|
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| Board President | |
| Board Vice President | |
| Board Secretary | |
| Board Member | |
| Board Member | |
| Board Member | |
| Board Member | |

*If more addresses are needed, please submit via email to kim@leasorcrass.com.

LEASOR CRASS, P.C.
YOUR SCHOOL • OUR MISSION

**Attn: Accounting**
682-422-0009
682-422-0008
302 W. Broad Street, Mansfield, Texas 76063

District _____

Superintendent: _____

Re: 2025-26 Proactive Legal Services & Retainer Program

**YEARLY INVOICE**

| | AMOUNT | ✔ ONE |
|---|---|---|
| Student enrollment of <999 | $297.50 | |
| Student enrollment of 1000-2499 | $347.50 | |
| Student enrollment of 2500-4999 | $397.50 | |
| Student enrollment of 5000-7499 | $447.50 | |
| Student enrollment of >7500 | $497.50 | |
| Charter Schools | $447.50 | |
| Special Education Cooperatives | $447.50 | |
| Optional Communications Services | $1,000.00 | |
| TOTAL | | |

Enclosures required:

Signed Agreement ☐
Information Sheet ☐
Payment ☐

LEASOR CRASS, P.C.
YOUR SCHOOL • OUR MISSION

# 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, 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.

2. **Email Questions:** The Law Firm shall provide responses to email questions regarding routine matters at no charge to the District's Trustees, Superintendent, 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:** Additional legal work may include, but is not limited to, negotiation of contracts, grievances, personnel nonrenewal or terminations, review of construction documents, intellectual property, 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, the provision of legal advice, and extended phone conferences or lengthy emails as well as 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.

**Fees for Retainer Districts and Charter Schools**

| Partners/ Of Counsel | Sr. Associates | Associates | Law Clerks | Paralegals |
|---|---|---|---|---|
| $310/hour | $290/hour | $275/hour | $150/hour | $140/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 basis 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:** Individuals at the law firm are 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 a nominal charge to the District.

7. **District Trainings:** Individuals at the law firm are approved by TEA to provide professional continuing education credits for administrators. 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. These trainings include:

    a) Documentation Training for Administrators
    b) Special Education Training
    c) §504 Training
    d) Mandatory Reporting and Human Trafficking
    e) Bond Election Issues for Board Members and Administrators
    f) Title IX Training
    g) Chapter 37 Discipline 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 2025-26 school year, Leasor Crass is reducing the rate for membership by half due to the difficult climate districts continue to face. 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. 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 2024-25 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. **Optional Communications Services:** The District may elect to participate in the Leasor Crass Communications Support Program for an additional annual fee of $1,000. This program provides the District with twelve (12) hours of direct access to Amanda Brim, Strategic Communications Consultant for Leasor Crass. Amanda brings more than two decades of experience in school public relations, crisis communication, marketing, and stakeholder engagement.

Participating districts will receive customized communications support, including:

- Strategic discussion of sensitive or complex situations before they escalate;
- Review and refinement of messaging prior to public release;
- Support for internal communications, parent engagement, and media coordination; and
- Brainstorming and development of storytelling and outreach strategies.

These services are designed to help superintendents and their teams communicate with clarity and confidence. Additional communications support beyond the included twelve (12) hours is available for an additional fee, tailored to your District's needs.

If the District would like to participate in this program, please check the box below to receive the Leasor Crass Communications Support Program and invoice.

I would like to participate in the Leasor Crass Communications Program for the 2025-26 school year.

10. **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.

The State Bar of Texas asks every lawyer to advise his or her clients that the State Bar of Texas investigates and prosecutes professional misconduct committed by Texas attorneys. Although not every complaint against or dispute with a lawyer involves professional misconduct, the State Bar Office of General Counsel will provide you with information about these matters. For more information, call 1-800-932-1900. This is a toll-free call.

11. **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 11 day of August, 2025.

LEASOR CRASS, P.C.

By: Mike Leasor
Mike Leasor, Shareholder

By: Rhonda Crass
Rhonda Crass, Shareholder

Mineral Wells INDEPENDENT SCHOOL DISTRICT

By: David Tarver, Superintendent

LEASOR CRASS, P.C.
YOUR SCHOOL • OUR MISSION

**Attn: Accounting**
682-422-0009
682-422-0008
302 W. Broad Street, Mansfield, Texas 76063

District mineral Wells ISD

Superintendent: David Tarver

Re: 2025-26 Proactive Legal Services & Retainer Program

**YEARLY INVOICE**

| | AMOUNT | ✔ ONE |
|---|---|---|
| Student enrollment of <999 | $297.50 | |
| Student enrollment of 1000-2499 | $347.50 | |
| Student enrollment of 2500-4999 | $397.50 | ✓ |
| Student enrollment of 5000-7499 | $447.50 | |
| Student enrollment of >7500 | $497.50 | |
| Charter Schools | $447.50 | |
| Special Education Cooperatives | $447.50 | |
| Optional Communications Services | $1,000.00 | |
| TOTAL | $397.50 | |

Enclosures required:

Signed Agreement ☐
Information Sheet ☐
Payment ☐

LEASOR CRASS, P.C.
YOUR SCHOOL • OUR MISSION

**Attn: Accounting**
682-422-0009
682-422-0008
302 W. Broad Street, Mansfield, Texas 76063

District: Mineral Wells ISD

Superintendent: David Tarver

Address: 906 SW 5th Ave Mineral Wells, TX 76067

Phone: 940.325.6404 Fax: _____

**DISTRICT EMAIL INFORMATION SHEET**

| RECIPIENT NAME/TITLE | RECIPIENT EMAIL |
|---|---|
| David Tarver - Superintendent | dtarver@mwisd.net |
| Natalie Griffin - Assistaint Superintendent | ngriffin@mwisd.net |
| Lizbeth Paez - Exec. Assistant of Superintendent | lpaez@mwisd.net |
| | |
| | |
| | |
| | |
| | |
| | |
| Sunny Lee Board President | slee@mwisd.net |
| Lauretta Poole Board Vice President | lpoole@mwisd.net |
| Donna Henderson Board Secretary | d.henderson@mwisd.net |
| Scott Aaron Board Member | saaron@mwisd.net |
| Brandon Hons Board Member | bhons@mwisd.net |
| Joe Ruelas Board Member | jruelas@mwisd.net |
| Maria Jones Board Member | mjones@mwisd.net |

*If more addresses are needed, please submit via email to kim@leasorcrass.com.

# BOARD OF TRUSTEES
## Agenda Item

**MEETING DATE:** 8/11/25

**MEETING TYPE:**
- [x] Regular Meeting
- [ ] Special Meeting

**AGENDA ITEM TYPE:**
- [x] Action Item
- [ ] Non-Action Item

**BOARD GOALS (check all that apply)**

***Academic Goals***
- [x] Academic Competitiveness
  - [ ] Early Literacy (HB3)
  - [ ] Early Math (HB3)
  - [ ] Other
- [x] Career Certifications (HB3)

***Operational Goals***
- [x] Promote Community/School Partnerships
- [x] Fiscal Responsibility
- [x] Safe and Secure Schools

**TITLE:** Announce Tentative Tax Rate: Board Meeting for August 25, 2025 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: .9636 (General Fund .7516 and Debt Service .2120)

Proposed Budget Schedule:
August 18, Budget Workshop 5:30
August 25, Approve final budget amendment, adopt 2025-2026 budget and set tax rate - 5:30

**FISCAL IMPACT:** $41,341,719 General Fund Budget and $3,376,223 Debt Service Budget

**ATTACHMENTS:** N/A

**DEPARTMENT(S) SUBMITTING FORM:** Superintendent

**DEPARTMENT SIGNATURE/APPROVAL:**

# BOARD OF TRUSTEES
## Agenda Item

**MEETING DATE:** 8/11/25

**MEETING TYPE:**
- [x] Regular Meeting
- [ ] Special Meeting

**AGENDA ITEM TYPE:**
- [x] Action Item
- [ ] Non-Action Item

**BOARD GOALS (check all that apply)**

***Academic Goals***
- [ ] Academic Competitiveness
  - [ ] Early Literacy (HB3)
  - [ ] Early Math (HB3)
  - [ ] Other
- [ ] Career Certifications (HB3)

***Operational Goals***
- [ ] Promote Community/School Partnerships
- [ ] Fiscal Responsibility
- [ ] Safe and Secure Schools

**TITLE:** Discuss, Consider, and Take Any Action Necessary Action Regarding the First Financial Bank Authorization Resolution

**RECOMMENDED ACTION:** It is recommended that the First Financial Bank Authorization Resolution be approved as presented.

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

**OVERVIEW:**

The superintendent David Tarver, and the Chief Financial Officer shall serve as the District's banking designees with powers listed in the resolution. There is no change to our current agreement with the bank. The bank is now requiring this resolution be kept on file.

**FISCAL IMPACT:** N/A

**ATTACHMENTS:** Resolution

**DEPARTMENT(S) SUBMITTING FORM:** Business and Finance

**DEPARTMENT SIGNATURE/APPROVAL:** CFO

MF00605

# Corporate Authorization Resolution

First Financial Bank
PO Box 280
Mineral Wells, TX 76068

*Referred to in this document as "Financial Institution"*

**By:** Mineral Wells ISD
General Fund
906 SW 5th Ave
Mineral Wells TX 76067-8445

*Referred to in this document as "Corporation"*

I, Donna Henderson, certify that I am Secretary (clerk) of the above named corporation organized under the laws of Texas, Federal Employer I.D. Number 75-6002079, engaged in business under the trade name of Mineral Wells ISD, and that the resolutions on this document are a correct copy of the resolutions adopted at a meeting of the Board of Directors of the Corporation duly and properly called and held on June 03, 2025 (*date*). These resolutions appear in the minutes of this meeting and have not been rescinded or modified.

**Agents.** Any Agent listed below, subject to any written limitations, is authorized to exercise the powers granted as indicated below:

| Name and Title or Position | | Signature | | Facsimile Signature *(if used)* |
|---|---|---|---|---|
| A. David Tarver, Superintendent | X | | X | |
| B. Paul Hearn, Chief Financial Officer | X | | X | |
| C. | X | | X | |
| D. | X | | X | |
| E. | X | | X | |
| F. | X | | X | |


Wolters Kluwer Financial Services © 2016

**Powers Granted.** (Attach one or more Agents to each power by placing the letter corresponding to their name in the area before each power. Following each power indicate the number of Agent signatures required to exercise the power.)

| Indicate A, B, C, D, E, and/or F | | Description of Power | Indicate number of signatures required |
|---|---|---|---|
| A B | (1) | Exercise all of the powers listed in this resolution. | 1 |
| | (2) | Open any deposit or share account(s) in the name of the Corporation. | |
| | (3) | Endorse checks and orders for the payment of money or otherwise withdraw or transfer funds on deposit with this Financial Institution. | |
| | (4) | Borrow money on behalf and in the name of the Corporation, sign, execute and deliver promissory notes or other evidences of indebtedness. | |
| | (5) | Endorse, assign, transfer, mortgage or pledge bills receivable, warehouse receipts, bills of lading, stocks, bonds, real estate or other property now owned or hereafter owned or acquired by the Corporation as security for sums borrowed, and to discount the same, unconditionally guarantee payment of all bills received, negotiated or discounted and to waive demand, presentment, protest, notice of protest and notice of non-payment. | |
| | (6) | Enter into a written lease for the purpose of renting, maintaining, accessing and terminating a Safe Deposit Box in this Financial Institution. | |
| | (7) | Other: See Resolution Addendum | 1 |

**Limitations on Powers.** The following are the Corporation's express limitations on the powers granted under this resolution.

## Resolutions

**The Corporation named on this resolution resolves that,**

(1) The Financial Institution is designated as a depository for the funds of the Corporation and to provide other financial accommodations indicated in this resolution.

(2) This resolution shall continue to have effect until express written notice of its rescission or modification has been received and recorded by the Financial Institution. Any and all prior resolutions adopted by the Board of Directors of the Corporation and certified to the Financial Institution as governing the operation of this corporation's account(s), are in full force and effect, until the Financial Institution receives and acknowledges an express written notice of its revocation, modification or replacement. Any revocation, modification or replacement of a resolution must be accompanied by documentation, satisfactory to the Financial Institution, establishing the authority for the changes.

(3) The signature of an Agent on this resolution is conclusive evidence of their authority to act on behalf of the Corporation. Any Agent, so long as they act in a representative capacity as an Agent of the Corporation, is authorized to make any and all other contracts, agreements, stipulations and orders which they may deem advisable for the effective exercise of the powers indicated on page one, from time to time with the Financial Institution, subject to any restrictions on this resolution or otherwise agreed to in writing.

(4) All transactions, if any, with respect to any deposits, withdrawals, rediscounts and borrowings by or on behalf of the Corporation with the Financial Institution prior to the adoption of this resolution are hereby ratified, approved and confirmed.

(5) The Corporation agrees to the terms and conditions of any account agreement, properly opened by any Agent of the Corporation. The Corporation authorizes the Financial Institution, at any time, to charge the Corporation for all checks, drafts, or other orders, for the payment of money, that are drawn on the Financial Institution, so long as they contain the required number of signatures for this purpose.

(6) The Corporation acknowledges and agrees that the Financial Institution may furnish at its discretion automated access devices to Agents of the Corporation to facilitate those powers authorized by this resolution or other resolutions in effect at the time of issuance. The term "automated access device" includes, but is not limited to, credit cards, automated teller machines (ATM), and debit cards.

(7) The Corporation acknowledges and agrees that the Financial Institution may rely on alternative signature and verification codes issued to or obtained from the Agent named on this resolution. The term "alternative signature and verification codes" includes, but is not limited to, facsimile signatures on file with the Financial Institution, personal identification numbers (PIN), and digital signatures. If a facsimile signature specimen has been provided on this resolution, (or that are filed separately by the Corporation with the Financial Institution from time to time) the Financial Institution is authorized to treat the facsimile signature as the signature of the Agent(s) regardless of by whom or by what means the facsimile signature may have been affixed so long as it resembles the facsimile signature specimen on file. The Corporation authorizes each Agent to have custody of the Corporation's private key used to create a digital signature and to request issuance of a certificate listing the corresponding public key. The Financial Institution shall have no responsibility or liability for unauthorized use of alternative signature and verification codes unless otherwise agreed in writing.

**Pennsylvania.** The designation of an Agent does not create a power of attorney; therefore, Agents are not subject to the provisions of 20 Pa.C.S.A. Section 5601 et seq. (Chapter 56; Decedents, Estates and Fiduciaries Code) unless the agency was created by a separate power of attorney. Any provision that assigns Financial Institution rights to act on behalf of any person or entity is not subject to the provisions of 20 Pa.C.S.A. Section 5601 et seq. (Chapter 56; Decedents, Estates and Fiduciaries Code).


Wolters Kluwer Financial Services © 2016

**Effect on Previous Resolutions.** This resolution supersedes resolution dated January 09, 2023 . If not completed, all resolutions remain in effect.

**Certification of Authority**

I further certify that the Board of Directors of the Corporation has, and at the time of adoption of this resolution had, full power and lawful authority to adopt the resolutions stated above and to confer the powers granted above to the persons named who have full power and lawful authority to exercise the same. (Apply seal below where appropriate.)

☒If checked, the Corporation is a non-profit corporation.

In Witness Whereof, I have subscribed my name to this document and affixed the seal of the Corporation on *(date)*.

*Secretary*
Donna Henderson

*Attest by One Other Officer*

**For Financial Institution Use Only**

Acknowledged and received on *(date)* by _____ *(initials)*

☐ This resolution is superseded by resolution dated .

**Comments:**

# Resolution Addendum

Entity Name: **Mineral Wells ISD**

Entity CIF#: **MF00605**

(7) Other Each agent that is listed on page 1 of this Resolution (the "Designated Agents") has the authority to provide the Financial Institution with written instructions that designate person(s) to become authorized signer(s) on specific designated account(s) held by the Corporation ☐ and the Corporation ☐ will be bound by such designation(s) The Designated Agent making such designation and the authorized signer will both be signers on the designated Corporation ☐ account, with only one (1) signature required. Any of the Designated Agents may remove an authorized signer from a(n) Corporation ☐ account with written notice that is received and acknowledged by the Financial Institution. The Financial Institution may rely upon the authority of the Designated Agents for the purposes herein expressed, until such time that written notice is received and acknowledged by the Financial Institution that specifies that such authority has been withdrawn by the Board of Directors of the Corporation ☐.

**CERTIFICATION OF AUTHORITY**

I further certify that the Board of Directors of the Corporation ☐ has, and at the time of adoption of this resolution had, full power and lawful authority to adopt the resolutions on Page 2 and to confer the powers granted above to the persons named who have full power and lawful authority to exercise the same.

In Witness Whereof, I have subscribed my name to this document and affixed the seal of the Corporation ☐ on _____(date).

_____ _____

**Attest by One Other Manager or Designated Memb** ☐ **Secretary** ☐

MF00605

# Corporate Authorization Resolution

First Financial Bank
PO Box 280
Mineral Wells, TX 76068

*Referred to in this document as "Financial Institution"*

**By:** Mineral Wells ISD
General Fund
906 SW 5th Ave
Mineral Wells TX 76067-8445

*Referred to in this document as "Corporation"*

I, Donna Henderson, certify that I am Secretary (clerk) of the above named corporation organized under the laws of Texas, Federal Employer I.D. Number 75-6002079, engaged in business under the trade name of Mineral Wells ISD, and that the resolutions on this document are a correct copy of the resolutions adopted at a meeting of the Board of Directors of the Corporation duly and properly called and held on June 03, 2025 (*date*). These resolutions appear in the minutes of this meeting and have not been rescinded or modified.

**Agents.** Any Agent listed below, subject to any written limitations, is authorized to exercise the powers granted as indicated below:

| Name and Title or Position | | Signature | | Facsimile Signature *(if used)* |
|---|---|---|---|---|
| A. David Tarver, Superintendent | X | | X | |
| B. Paul Hearn, Chief Financial Officer | X | | X | |
| C. | X | | X | |
| D. | X | | X | |
| E. | X | | X | |
| F. | X | | X | |

**Powers Granted.** (Attach one or more Agents to each power by placing the letter corresponding to their name in the area before each power. Following each power indicate the number of Agent signatures required to exercise the power.)

| Indicate A, B, C, D, E, and/or F | | Description of Power | Indicate number of signatures required |
|---|---|---|---|
| A B | (1) | Exercise all of the powers listed in this resolution. | 1 |
| | (2) | Open any deposit or share account(s) in the name of the Corporation. | |
| | (3) | Endorse checks and orders for the payment of money or otherwise withdraw or transfer funds on deposit with this Financial Institution. | |
| | (4) | Borrow money on behalf and in the name of the Corporation, sign, execute and deliver promissory notes or other evidences of indebtedness. | |
| | (5) | Endorse, assign, transfer, mortgage or pledge bills receivable, warehouse receipts, bills of lading, stocks, bonds, real estate or other property now owned or hereafter owned or acquired by the Corporation as security for sums borrowed, and to discount the same, unconditionally guarantee payment of all bills received, negotiated or discounted and to waive demand, presentment, protest, notice of protest and notice of non-payment. | |
| | (6) | Enter into a written lease for the purpose of renting, maintaining, accessing and terminating a Safe Deposit Box in this Financial Institution. | |
| | (7) | Other: See Resolution Addendum | 1 |

**Limitations on Powers.** The following are the Corporation's express limitations on the powers granted under this resolution.

## Resolutions

**The Corporation named on this resolution resolves that,**

(1) The Financial Institution is designated as a depository for the funds of the Corporation and to provide other financial accommodations indicated in this resolution.

(2) This resolution shall continue to have effect until express written notice of its rescission or modification has been received and recorded by the Financial Institution. Any and all prior resolutions adopted by the Board of Directors of the Corporation and certified to the Financial Institution as governing the operation of this corporation's account(s), are in full force and effect, until the Financial Institution receives and acknowledges an express written notice of its revocation, modification or replacement. Any revocation, modification or replacement of a resolution must be accompanied by documentation, satisfactory to the Financial Institution, establishing the authority for the changes.

(3) The signature of an Agent on this resolution is conclusive evidence of their authority to act on behalf of the Corporation. Any Agent, so long as they act in a representative capacity as an Agent of the Corporation, is authorized to make any and all other contracts, agreements, stipulations and orders which they may deem advisable for the effective exercise of the powers indicated on page one, from time to time with the Financial Institution, subject to any restrictions on this resolution or otherwise agreed to in writing.

(4) All transactions, if any, with respect to any deposits, withdrawals, rediscounts and borrowings by or on behalf of the Corporation with the Financial Institution prior to the adoption of this resolution are hereby ratified, approved and confirmed.

(5) The Corporation agrees to the terms and conditions of any account agreement, properly opened by any Agent of the Corporation. The Corporation authorizes the Financial Institution, at any time, to charge the Corporation for all checks, drafts, or other orders, for the payment of money, that are drawn on the Financial Institution, so long as they contain the required number of signatures for this purpose.

(6) The Corporation acknowledges and agrees that the Financial Institution may furnish at its discretion automated access devices to Agents of the Corporation to facilitate those powers authorized by this resolution or other resolutions in effect at the time of issuance. The term "automated access device" includes, but is not limited to, credit cards, automated teller machines (ATM), and debit cards.

(7) The Corporation acknowledges and agrees that the Financial Institution may rely on alternative signature and verification codes issued to or obtained from the Agent named on this resolution. The term "alternative signature and verification codes" includes, but is not limited to, facsimile signatures on file with the Financial Institution, personal identification numbers (PIN), and digital signatures. If a facsimile signature specimen has been provided on this resolution, (or that are filed separately by the Corporation with the Financial Institution from time to time) the Financial Institution is authorized to treat the facsimile signature as the signature of the Agent(s) regardless of by whom or by what means the facsimile signature may have been affixed so long as it resembles the facsimile signature specimen on file. The Corporation authorizes each Agent to have custody of the Corporation's private key used to create a digital signature and to request issuance of a certificate listing the corresponding public key. The Financial Institution shall have no responsibility or liability for unauthorized use of alternative signature and verification codes unless otherwise agreed in writing.

**Pennsylvania.** The designation of an Agent does not create a power of attorney; therefore, Agents are not subject to the provisions of 20 Pa.C.S.A. Section 5601 et seq. (Chapter 56; Decedents, Estates and Fiduciaries Code) unless the agency was created by a separate power of attorney. Any provision that assigns Financial Institution rights to act on behalf of any person or entity is not subject to the provisions of 20 Pa.C.S.A. Section 5601 et seq. (Chapter 56; Decedents, Estates and Fiduciaries Code).

**Effect on Previous Resolutions.** This resolution supersedes resolution dated January 09, 2023 . If not completed, all resolutions remain in effect.

**Certification of Authority**

I further certify that the Board of Directors of the Corporation has, and at the time of adoption of this resolution had, full power and lawful authority to adopt the resolutions stated above and to confer the powers granted above to the persons named who have full power and lawful authority to exercise the same. (Apply seal below where appropriate.)

☒ If checked, the Corporation is a non-profit corporation.

In Witness Whereof, I have subscribed my name to this document and affixed the seal of the Corporation on *(date)*.

Donna Henderson
*Secretary*
Donna Henderson

S Lee
*Attest by One Other Officer*

**For Financial Institution Use Only**

Acknowledged and received on *(date)* by _____ *(initials)*

☐ This resolution is superseded by resolution dated .

**Comments:**

# Resolution Addendum

Entity Name: **Mineral Wells ISD**

Entity CIF#: **MF00605**

(7) Other Each agent that is listed on page 1 of this Resolution (the "Designated Agents") has the authority to provide the Financial Institution with written instructions that designate person(s) to become authorized signer(s) on specific designated account(s) held by the Corporation ☑ and the Corporation ☑ will be bound by such designation(s) The Designated Agent making such designation and the authorized signer will both be signers on the designated Corporation ☑ account, with only one (1) signature required. Any of the Designated Agents may remove an authorized signer from a(n) Corporation ☑ account with written notice that is received and acknowledged by the Financial Institution. The Financial Institution may rely upon the authority of the Designated Agents for the purposes herein expressed, until such time that written notice is received and acknowledged by the Financial Institution that specifies that such authority has been withdrawn by the Board of Directors of the Corporation ☑.

**CERTIFICATION OF AUTHORITY**

I further certify that the Board of Directors of the Corporation ☑ has, and at the time of adoption of this resolution had, full power and lawful authority to adopt the resolutions on Page 2 and to confer the powers granted above to the persons named who have full power and lawful authority to exercise the same.

In Witness Whereof, I have subscribed my name to this document and affixed the seal of the Corporation ☑ on August 11, 2025 (date).

Donna Henderson

**Attest by One Other Manager or Designated Memb** ☑ **Secretary** ☑

# BOARD OF TRUSTEES
## Agenda Item

**MEETING DATE:** 8/11/25

**MEETING TYPE:**
- [x] Regular Meeting
- [ ] Special Meeting

**AGENDA ITEM TYPE:**
- [x] Action Item
- [ ] Non-Action Item

**BOARD GOALS (check all that apply)**

***Academic Goals***
- [x] Academic Competitiveness
  - [ ] Early Literacy (HB3)
  - [ ] Early Math (HB3)
  - [ ] Other
- [ ] Career Certifications (HB3)

***Operational Goals***
- [ ] Promote Community/School Partnerships
- [ ] Fiscal Responsibility
- [x] Safe and Secure Schools

**TITLE:** Discuss, Consider, and Take Any Necessary Action Regarding Approval of the 2025-2026 Student Code of Conduct

**RECOMMENDED ACTION:** It is recommended that the 2025-26 Student Code of Conduct be approved as presented.

**BOARD POLICY/STATE REGULATION/LAW REFERENCE (if applicable):** TEC Chapter 37

**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. The code provides information and direction to students and parents regarding standards of behavior as well as consequences of misconduct.

**FISCAL IMPACT:** N/A

**ATTACHMENTS:** Student Code of Conduct

**DEPARTMENT(S) SUBMITTING FORM:** Student Services

**DEPARTMENT SIGNATURE/APPROVAL:**

# MWISD Student Code of Conduct Changes

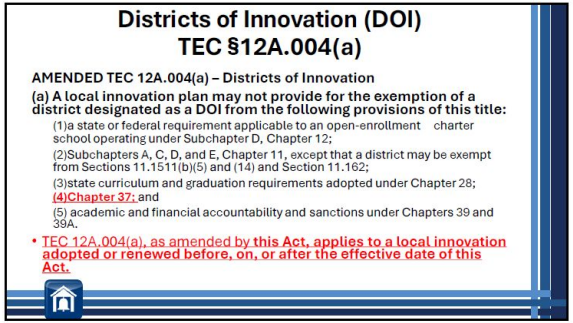
2025-26

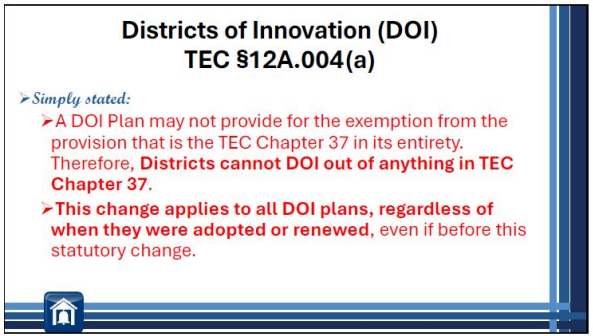
**Key**

New Student Code of Conduct will be located in this window on each slide.

Old Student Code of Conduct will be located in this window on each slide.

# District of Innovation Changes




TASB POLICY SERVICE | 50 YEARS

2025 Model Student Code of Conduct Webinar

## Important Changes to the *Model Student Code of Conduct*

**Kris Train**
**Policy Consultant, TASB Policy Service**
kris.train@tasb.org

### Bills From the 89th Legislative Session That Affect the Student Code of Conduct

| Bill | Summary |
|---|---|
| HB 6 | Relating to various changes to discipline management, including:<br>• DOI exemption prohibition |

SECTION 2. Section 12A.004(a), Education Code, is amended to read as follows:

(a) A local innovation plan may not provide for the exemption of a district designated as a district of innovation from the following provisions of this title:

(1) a state or federal requirement applicable to an open-enrollment charter school operating under Subchapter D, Chapter 12;

(2) Subchapters A, C, D, and E, Chapter 11, except that a district may be exempt from Sections 11.1511(b)(5) and (14) and Section 11.162;

(3) state curriculum and graduation requirements adopted under Chapter 28;

(4) Chapter 37; and

(5) [~~(4)~~] academic and financial accountability and sanctions under Chapters 39 and 39A.

# Campus Behavior Coordinator - Change from DOI Plan

As required by law, a single person at each campus must be designated to serve as the campus behavior coordinator (CBC). The designated person may be the principal, or any other campus administrator selected by the principal. Additional staff members may assist the CBC in the performance of the CBC's duties, provided that the CBC personally verifies that all aspects of Chapter 37, Subchapter A are appropriately implemented. The CBC is primarily responsible for maintaining student discipline. The CBC shall monitor disciplinary referrals and report the following behavior to the campus's threat assessment and safe and supportive school team:

- Conduct that contains the elements of the offense of terroristic threat under Penal Code 22.07;
- Conduct that contains the elements of the offense of unlawfully carrying weapons under Penal Code 46.02;
- Conduct that contains the elements of the offense of exhibiting, using, or threatening to exhibit or use a firearm under Education Code 37.125; and
- Any concerning student behaviors or behavioral trends that may pose a serious risk of violence to the student or others.

The district shall post on its website and in the Student Handbook, for each campus, the email address and telephone number of the person serving as CBC. Contact information may be found at ***www.mwisd.net*** and at ***[insert URL to digital copy of Student Handbook]***.

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 *www.mwisd.net* and at *Student Handbook and Student Code of Conduct*

# Reporting Crimes

The principal or CBC 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.

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.

# Mistreatment of Others

Students shall not:

· Use profanity or vulgar language or make obscene gestures.

· Fight or scuffle. [See Placement and/or Expulsion for Certain Offenses for assault.]

· Threaten a district student, employee, or volunteer, including off school property if the conduct causes a substantial disruption to the educational environment.

· Engage in any behavior that violates the Student Code of Conduct and is motivated by antisemitism. [See Glossary]

· Engage in bullying, cyberbullying, harassment, or making hit lists. (See Glossary for all four terms.)

Students shall not:

- Use profanity or vulgar language or make obscene gestures.
- Fight or scuffle. (For assault, see **DAEP—Placement and/or Expulsion for Certain Offenses** on page .)
- 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.)

# 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;

· A short barrel firearm;

· Ammunition;

· A hand instrument designed to cut or stab another by being thrown;

· A firearm silencer or suppressor;

SB 1596 removes short barrel firearms from the definition of prohibited weapons in the Penal Code, so those firearms are now specifically listed as a prohibited weapon here.

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;
- A firearm silencer or suppressor;

# Possession of Personal Communication Devices vs. Possession of Telecommunications or Other Electronic Devices

Students shall not:

Use a personal communication device, including a cell phone, or other electronic device on school property during the school day and shall store the device in accordance with the method of storage established by the district. [See Glossary]

· The district may authorize the use of a personal communication device for the following reasons:

· To implement an individualized education program (IEP) or for a plan created under Section 504, Rehabilitation Act of 1973 (29 U.S.C Section 794) or a similar program or plan;

· With documented need based on a directive from a qualified physician; or

· To comply with a health or safety requirement imposed by law or as part of the district's safety protocols.

Inappropriate use of a personal communication device during the school day will result in disciplinary action in accordance with this Code of Conduct.

Students shall not:

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

# Misuse of Technology Resources and the Internet

Students shall not:

Added:

· Utilize artificial intelligence in a way that would constitute academic dishonesty or as a means of engaging in any other prohibited conduct.

# Miscellaneous Offenses

Students shall not:

· Violate dress and grooming standards as communicated in the Student Handbook.

· Engage in academic dishonesty, which includes cheating or copying the work of another student, unauthorized use of artificial intelligence, plagiarism, and unauthorized communication between students during an examination.

Students shall not:

· Violate dress and grooming standards as communicated in the Student Handbook.

· Engage in academic dishonesty, which includes cheating or copying the work of another student, plagiarism, and unauthorized communication between students during an examination.

# New: First-Time Offense of Possession or Use of Nicotine Delivery Product or E-Cigarette

An appropriate administrator may place a student in a disciplinary alternative education program for the first-time offense of possession or use of a nicotine delivery product or e-cigarette, as defined by Section 161.081, Health and Safety Code.

If a student who possesses or uses an e-cigarette is not placed in a disciplinary alternative education program for the first-time offense under Education Code 37.008, the student shall be placed in in-school suspension for a period of at least 10 school days.

# New: Parental Involvement

The principal, campus behavior coordinator, or other appropriate administrator shall notify the parent of or person standing in parental relation to a student who has been placed in a disciplinary alternative education program (DAEP) or expelled of the parent's or person's right to request a behavioral agreement that specifies the responsibilities of the parent or person and student.

The behavioral agreement must specify the responsibilities of the student and parent/guardian. If followed, the agreement may result in a reduced disciplinary placement period, as outlined in the agreement. Reduction in the disciplinary placement period does not entitle the student to different disciplinary placement. The decision to reduce, revoke, or amend the disciplinary placement period is at the sole discretion of the school administration. Compliance with the agreement is required for the reduction to remain valid.

# Removal from the School Bus

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

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

# Formal Teacher Removal

A teacher may initiate a formal removal from class if:

1. A student's behavior repeatedly interferes with the teacher's ability to teach the class or with other students' ability to learn.

2. A student demonstrates behavior that is unruly, disruptive, or abusive toward the teacher, another adult, or another student in the classroom.

3. A student engages in conduct that constitutes bullying, as defined by Education Code 37.0832.0.

A teacher, CBC, or other appropriate administrator must notify a parent or person standing in parental relation to the student of the formal removal. A teacher may remove a student from class based on a single incident of behavior.

A teacher may initiate a formal removal from class if:

1. A student's behavior has been documented by the teacher as repeatedly interfering with the teacher's ability to teach the class or with other students' 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.

# Returning a Student to the Classroom

A student who has been formally removed from class by a teacher for conduct against the teacher containing the elements of assault, aggravated assault, sexual assault, or aggravated sexual assault may not be returned to the teacher's class without the teacher's written consent.

A student who has been formally removed by a teacher for any other conduct may not be returned to the teacher's class without the teacher's written consent unless the placement review committee determines that the teacher's class is the best or only alternative, and not later than the third class day after the day the student was removed from class, a conference in which the teacher was provided an opportunity to participate has been held. The student may not be returned to the teacher's class unless the teacher provides written consent for the student's return or a return to class plan has been prepared for that student.

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

A student who has been formally removed by a teacher for any other conduct 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.

# New: Appeals of Formal Teacher Removals

A student may appeal the teacher's removal of the student from class to the school's placement review committee or the campus's threat assessment and safe and supportive school team, in accordance with a district policy providing for such an appeal to be made to this team.

# New: ISS

## In-School Suspension

An in-school suspension is not subject to any time limit.

A school's principal or other appropriate administrator shall review the in-school suspension of a student at least once every 10 school days after the date of the suspension begins to evaluate the educational progress of the student and to determine if continued in-school suspension is appropriate.

During in-school suspension, a student shall receive appropriate behavioral support services and comparable educational services as the student would receive in the classroom. If the student receives special education services, the student must continue to receive special education and related services specified in the student's individualized education program (IEP) and continue to have an opportunity to progress in the general curriculum.

[See First-Time Offense of Possession or Use of Nicotine Delivery Product or E-Cigarette for limitations to the general rule.]

# New Process

Before being suspended, a student shall have an informal conference with the CBC or appropriate administrator, who shall inform the student of the alleged misconduct and give the student an opportunity to respond to the allegation before the administrator makes a decision.

The CBC shall determine the number of days of a student's suspension.

In deciding whether to order in-school suspension, the CBC 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.

# Out-of-School Suspension

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

The district shall not use out-of-school suspension for students below grade 3 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 sections 46.02 or 46.05;

· Conduct that threatens the immediate health and safety of other students in the classroom;

· Documented conduct that results in repeated or significant disruption to the classroom; 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.

Students may be suspended for behavior listed in the Code of Conduct 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 sections 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.

# New: Alternative Assignment for OSS

A parent or person standing in parental relation to the student may submit a written request to the principal or other appropriate administrator to reassign a student placed in out-of-school suspension. The parent or person standing in parental relation to the student must provide information and documentation that they are unable to provide suitable supervision for the student during school hours during the period of the suspension. It is the sole discretion of the principal or other appropriate administrator to reassign the student placed in out-of-school suspension.

# Misconduct Identified in State Law

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

· Engaging in bullying that encourages a student to die by suicide.

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

- Engaging in bullying that encourages a student to commit or attempt to commit suicide.

# New: Misconduct Identified in State Law

· Engages in conduct that contains the elements of the offense of disruptive activities under Education Code 37.123.

· Engages in conduct that contains the elements of the offense of disruption of classes under Education Code 37.124.

· Possesses or uses an e-cigarette, as defined by Section 161.081,Health and Safety Code, except that if a student who possesses or uses an e-cigarette is not placed in a disciplinary alternative education program for the first-time offense under Education Code 37.008, the student shall be placed in in-school suspension for a period of at least 10 school days. See First-Time Offense of Possession or Use of Nicotine Delivery Product or E-Cigarette for additional information.

# Misconduct Identified in State Law

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 engaged in conduct punishable as a felony 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. Aggravated robbery or felonies listed as offenses in Title 5 [see Glossary] of the Penal Code are punishable as mandatory expulsions.

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 engaged in conduct punishable as a felony 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.

# Mandatory Placement: Misconduct That Requires DAEP Placement

· Sells, gives, or delivers to another person an e-cigarette, as defined by Section 161.081, Health and Safety Code.

● Sells, gives, or delivers to another person **or possesses or uses** an e-cigarette.

# Discretionary Expulsion: Misconduct That May Result in Expulsion

A student **may** be expelled for:

· Engaging in bullying that encourages a student to die by suicide.

A student **may** be expelled for:

- Engaging in bullying that encourages a student to commit or attempt to commit suicide.

# New: Virtual Expulsion Program

In some circumstances, a student may be placed in a virtual expulsion program.

- The school must ensure students in the program have the necessary technology and internet and must provide it if needed.
- The virtual program must, as much as possible, meet the same requirements as an in-person disciplinary alternative education program (DAEP).
- The student's placement must be reviewed every 45 school days.
- If an in-person spot becomes available, the school should plan the student's return to in-person learning.
- If continued virtual placement is appropriate, the school must document the decision.

## Consideration of Virtual Education as Alternative to Expulsion

Before a school district may expel a student, the district must consider the appropriateness and feasibility of, as an alternative to expulsion, enrolling the student in a full-time hybrid program, full-time virtual program, full-time hybrid campus, or full-time virtual campus. This requirement does not apply to a student expelled under Education Code 37.0081 or 37.007(a), (d), or(e).

# Change

Cannot charge for cell phone confiscation

# MINERAL WELLS ISD
# STUDENT CODE OF CONDUCT
# 2025-26

# Table of Contents

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 ..... 4
Participating in Graduation Activities ..... 4
Unauthorized Persons ..... 4
Standards for Student Conduct ..... 6
General Conduct Violations ..... 7
Disregard for Authority ..... 7
Mistreatment of Others ..... 7
Property Offenses ..... 8
Possession of Prohibited Items ..... 8
Possession of Personal Communication Devices ..... 9
Illegal, Prescription, and Over-the-Counter Drugs ..... 9
Misuse of Technology Resources and the Internet ..... 10
Safety Transgressions ..... 11
Miscellaneous Offenses ..... 11
Discipline Management Techniques ..... 12
First-Time Offense of Possession or Use of Nicotine Delivery Product or E-Cigarette ..... 12
Students with Disabilities ..... 12
Techniques ..... 12
Prohibited Aversive Techniques ..... 14
Notification ..... 14
Parental Involvement ..... 15

Appeals..... 15
Removal from the School Bus..... 16
Removal from the Regular Educational Setting..... 17
Routine Referral..... 17
Formal Teacher Removal..... 17
Returning a Student to the Classroom..... 18
Appeals of Formal Teacher Removals..... 18
In-School Suspension..... 19
Process..... 19
Out-of-School Suspension..... 20
Misconduct..... 20
Process..... 20
Alternative Assignment..... 21
Coursework During Suspension..... 21
Disciplinary Alternative Education Program (DAEP) Placement..... 22
Discretionary Placement: Misconduct That May Result in DAEP Placement..... 22
Mandatory Placement: Misconduct That Requires DAEP Placement..... 23
Sexual Assault and Campus Assignments..... 25
Process..... 25
Length of Placement..... 27
Appeals..... 28
Restrictions During Placement..... 28
Placement Review..... 29
Additional Misconduct..... 29
Notice of Criminal Proceedings..... 29
Withdrawal During Process..... 30
Newly Enrolled Students..... 30
Emergency Placement Procedure..... 31
Transition Services..... 31
Placement and/or Expulsion for Certain Offenses..... 32
Registered Sex Offenders..... 32
Expulsion..... 34
Discretionary Expulsion: Misconduct That May Result in Expulsion..... 34

Mandatory Expulsion: Misconduct That Requires Expulsion..... 36
Under Age 10..... 37
Virtual Expulsion Program..... 37
Consideration of Virtual Education as Alternative to Expulsion.....37
Process..... 37
Length of Expulsion..... 39
Withdrawal During Process..... 39
Additional Misconduct..... 40
Restrictions During Expulsion..... 40
Newly Enrolled Students..... 40
Emergency Expulsion Procedures..... 41
DAEP Placement of Expelled Students.....41
Transition Services..... 41
Certain Felonies..... 41
Hearing and Required Findings.....42
Length of Placement..... 42
Placement Review.....42
Glossary..... 43

# Student Code of Conduct

## Accessibility

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

## Purpose

The Student Code of Conduct ("Code of Conduct"), as required by Chapter 37 of the Texas Education Code, provides methods and options for managing student behavior, preventing and intervening in student discipline problems, and imposing discipline.

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 Code of Conduct has been adopted by the Mineral Wells ISD board of trustees and developed with the advice of the district-level planning and decision-making committee. It provides information to parents and students regarding standards of conduct,

consequences of misconduct, and procedures for administering discipline. This Code of Conduct remains in effect during summer school and at all school-related events and activities outside the school year until the board adopts an updated version for the next school year.

In accordance with state law, the Code of Conduct shall be posted at each school campus or shall be available for review at the campus principal's office. Additionally, the Code of Conduct shall be available at the campus behavior coordinator's office 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.

Not later than the first day of the 2025-2026 school year, the Texas Education Agency (TEA) shall prepare and provide to each school district a report identifying each law relating to school discipline that was amended or added by the 89th Legislature, Regular Session, 2025. A school district shall provide to each student and the parent of or person standing in parental relation to the student the prepared report.

Because the Code of Conduct is adopted by the district's board of trustees, it has the force of policy. In the event of a conflict between the Code of Conduct and the Student Handbook, the Code of Conduct 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 district's authority 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;
2. While the student is traveling on district transportation;
3. During lunch periods in which a student is allowed to leave campus;
4. At any school-related activity, regardless of time or location;
5. For any school-related misconduct, regardless of time or location;
6. When retaliation against a school employee, board member, or volunteer occurs or is threatened, regardless of time or location;
7. When a student engages in cyberbullying, as defined by Education Code 37.0832;
8. When criminal mischief is committed on or off school property or at a school-related event;
9. For certain offenses committed within 300 feet of school property as measured from any point on the school's real property boundary line;
10. For certain offenses committed while on school property or while attending a school-sponsored or school-related activity of another district in Texas;
11. When the student commits a felony, as provided by Education Code 37.006, 37.007, or 37.0081; and
12. When the student is required to register as a sex offender.

## Campus Behavior Coordinator

As required by law, a single person at each campus must be designated to serve as the campus behavior coordinator (CBC). The designated person may be the principal, or any other campus administrator selected by the principal. Additional staff members may assist the CBC in the performance of the CBC's duties, provided that the CBC personally verifies that all aspects of Chapter 37, Subchapter A are appropriately implemented. The CBC is primarily responsible for maintaining student discipline. The CBC shall monitor disciplinary referrals and report the following behavior to the campus's threat assessment and safe and supportive school team:

- Conduct that contains the elements of the offense of terroristic threat under Penal Code 22.07;
- Conduct that contains the elements of the offense of unlawfully carrying weapons under Penal Code 46.02;

- Conduct that contains the elements of the offense of exhibiting, using, or threatening to exhibit or use a firearm under Education Code 37.125; and
- Any concerning student behaviors or behavioral trends that may pose a serious risk of violence to the student or others.

The district shall post on its website and in the Student Handbook, for each campus, the email address and telephone number of the person serving as CBC. Contact information may be found at www.mwisd.net.

### Threat Assessment and Safe and Supportive School Team

The CBC or other appropriate administrator will work closely with the campus threat assessment and 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 or CBC 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

The board utilizes school resource officers (SROs) and security personnel to ensure the security and protection of students, staff, and property. In accordance with law, the board has coordinated with the CBC and other district employees to ensure appropriate law enforcement duties are assigned to these persons. Provisions addressing the various types of security personnel can be found in the CKE policy series.

The law enforcement duties of school resource officers are: provide services consistent with the terms of the agreement (with the local law enforcement agency), 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 of Conduct.

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

Students eligible to give the opening and closing remarks at graduation shall be notified by the campus principal. Notwithstanding any other eligibility requirements, in order to be considered eligible, a student shall not have engaged in any misconduct that resulted in an out-of-school suspension, removal to a DAEP, or expulsion during the semester immediately preceding graduation.

The valedictorian and salutatorian may also have speaking roles at graduation. No student shall be eligible to have such a speaking role if he or she engaged in any misconduct that resulted in an out-of-school suspension, removal to a DAEP, or expulsion during the semester immediately preceding graduation.

### Unauthorized Persons

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

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

Appeals regarding refusal of entry or ejection from district property may be filed in accordance with policies FNG(LOCAL) or GF(LOCAL), 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 calendar days, unless the complaint is resolved before a board hearing.

[See 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.
- Exercise self-discipline.
- Attend all classes regularly and on time.
- Bring 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 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 In-School Suspension, Out-of-School Suspension, Disciplinary Alternative Education Program (DAEP) Placement, Placement and/or Expulsion for Certain Offenses, and Expulsion, those 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.

### Disregard for Authority

Students shall not:

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

### Mistreatment of Others

Students shall not:

- Use profanity or vulgar language or make obscene gestures.
- Fight or scuffle. [See Placement and/or Expulsion for Certain Offenses for assault.]
- Threaten a district student, employee, or volunteer, including off school property if the conduct causes a substantial disruption to the educational environment.
- Engage in any behavior that violates the Student Code of Conduct and is motivated by antisemitism. [See Glossary]
- 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 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]
- Coerce an individual to act through the use or threat of force.
- Commit extortion or blackmail.

- 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. [See Placement and/or Expulsion for Certain Offenses for felony criminal mischief.]
- 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. [See Placement and/or Expulsion for Certain Offenses for felony robbery, aggravated robbery, and theft.]
- Enter, without authorization, district facilities that are not open for operations.

### 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;
- A short barrel firearm;
- Ammunition;
- A hand instrument designed to cut or stab another by being thrown;
- A firearm silencer or suppressor;
- *A location-restricted knife;
- *A club;
- *A firearm;
- A stun gun;
- Knuckles;

- A pocketknife or any other small knife;
- Mace or pepper spray;
- Pornographic material;
- Tobacco products (including nicotine pouches), cigarettes, e-cigarettes, and any component, part, or accessory for an e-cigarette device;
- Matches or a lighter;
- A laser pointer, unless it is for 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.

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

### Possession of Personal Communication Devices

Students shall not:

- Use a personal communication device, including a cell phone, or other electronic device on school property during the school day and shall store the device in accordance with the method of storage established by the district. [See Glossary]
- The district may authorize the use of a personal communication device for the following reasons:
    - To implement an individualized education program (IEP) or for a plan created under Section 504, Rehabilitation Act of 1973 (29 U.S.C Section 794) or a similar program or plan;
    - With documented need based on a directive from a qualified physician; or
    - To comply with a health or safety requirement imposed by law or as part of the district's safety protocols.

Inappropriate use of a personal communication device during the school day will result in disciplinary action in accordance with this Code of Conduct.

### Illegal, Prescription, and Over-the-Counter Drugs

Students shall not:

- Possess, use, give, or sell alcohol or an illegal drug. [See Disciplinary Alternative Education Program (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 to body or mind. [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.
- Utilize artificial intelligence in a way that would constitute academic dishonesty or as a means of engaging in any other prohibited conduct.

### 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.

### Miscellaneous Offenses

Students shall not:

- Violate dress and grooming standards as communicated in the Student Handbook.
- Engage in academic dishonesty, which includes cheating or copying the work of another student, unauthorized use of artificial intelligence, plagiarism, and unauthorized communication between students during an examination.
- 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 of Conduct. These rules may be posted in classrooms or given to the student and may or may not constitute violations of the Code of Conduct.

## Discipline Management Techniques

Discipline shall be designed to improve conduct and encourage students to be responsible 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.

### First-Time Offense of Possession or Use of Nicotine Delivery Product or E-Cigarette

An appropriate administrator may place a student in a disciplinary alternative education program for the first-time offense of possession or use of a nicotine delivery product or e-cigarette, as defined by Section 161.081, Health and Safety Code.

If a student who possesses or uses an e-cigarette is not placed in a disciplinary alternative education program for the first-time offense under Education Code 37.008, the student shall be placed in in-school suspension for a period of at least 10 school days.

### Students with Disabilities

The discipline of students with disabilities is subject to applicable state and federal law in addition to the Code of Conduct. In the event of any conflict, 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 in a manner that results in a change to the student's educational placement for conduct meeting the definition of bullying, cyberbullying, harassment, or making hit lists [see Glossary] until an Admission, Review, and Dismissal (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 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, another assigned area, or to in-school suspension (ISS).
- 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 student organizations' extracurricular standards of behavior.
- Restriction or revocation of district transportation privileges.
- School-assessed and school-administered probation.
- In-school suspension, as specified in In-School Suspension.
- Out-of-school suspension, as specified in Out-of-School Suspension.
- Placement in a DAEP, as specified in Disciplinary Alternative Education Program (DAEP) Placement.
- Expulsion and/or placement 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, other than corporal punishment as permitted by district policy. [See policy FO(LOCAL)]
- Using techniques designed or likely to cause physical pain by electric shock or any procedure involving pressure points or joint locks.
- Directed release of noxious, toxic, or unpleasant spray, mist, or substance near a student's face.
- Denying adequate sleep, air, food, water, shelter, bedding, physical comfort, supervision, or access to a restroom facility.
- Ridiculing or demeaning a student in a manner that adversely affects or endangers the learning or mental health of the student or constitutes verbal abuse.
- Employing a device, material, or object that immobilizes all four of a student's extremities, including prone or supine floor restraint.
- Impairing the student's breathing, including applying pressure to the student's torso or neck or placing something in, on, or over the student's mouth or nose or covering the student's face.
- Restricting the student's circulation.
- Securing the student to a stationary object while the student is standing or sitting.
- Inhibiting, reducing, or hindering the student's ability to communicate.
- Using chemical restraints.
- Using time-out in a manner that prevents the student from being able to be involved in and progress appropriately in the required curriculum or any applicable individualized education program (IEP) goals, including isolating the student using 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 CBC 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 CBC shall also notify a student's parent if the student is taken into custody by a law enforcement officer under the disciplinary provisions of Education Code 37.0012(d).

A good-faith effort shall be made to provide written notice of the disciplinary action to the student, on the day the action was taken, for delivery to the student's parent. 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 CBC shall send written notification by U.S. Mail. If the CBC 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.

### Parental Involvement

The principal, campus behavior coordinator, or other appropriate administrator shall notify the parent of or person standing in parental relation to a student who has been placed in a disciplinary alternative education program (DAEP) or expelled of the parent's or person's right to request a behavioral agreement that specifies the responsibilities of the parent or person and student.

The behavioral agreement must specify the responsibilities of the student and parent/guardian. If followed, the agreement may result in a reduced disciplinary placement period, as outlined in the agreement. Reduction in the disciplinary placement period does not entitle the student to different disciplinary placement. The decision to reduce, revoke, or amend the disciplinary placement period is at the sole discretion of the school administration. Compliance with the agreement is required for the reduction to remain valid.

### Appeals

Questions from parents regarding disciplinary measures should be addressed to the teacher, campus administration, or CBC, 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 this policy may be obtained from the central administration office or online at mwisd.net

The district shall not delay a disciplinary consequence while a student or parent pursues a grievance. In the instance of a student who is accused of conduct that meets the definition of sexual harassment as defined by Title IX, the district will comply with applicable federal law, including the Title IX formal complaint process. [See policies FFH(LEGAL) and (LOCAL)]

## Removal from the School Bus

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

To transport students safely, the vehicle operator must focus on driving and not be distracted by student misbehavior. Therefore, when appropriate disciplinary management techniques fail to improve student behavior or when specific misconduct warrants immediate removal, the principal or the CBC 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 CBC's office as a discipline management technique. The CBC shall employ alternative discipline management techniques, including progressive interventions. A teacher or administrator may remove a student from class for behavior that violates this Code of Conduct to maintain effective discipline in the classroom.

### Formal Teacher Removal

A teacher may initiate a formal removal from class if:

1. A student's behavior repeatedly interferes with the teacher's ability to teach the class or with other students' ability to learn.
2. A student demonstrates behavior that is unruly, disruptive, or abusive toward the teacher, another adult, or another student in the classroom.
3. A student engages in conduct that constitutes bullying, as defined by Education Code 37.0832.0.

A teacher, CBC, or other appropriate administrator must notify a parent or person standing in parental relation to the student of the formal removal. A teacher may remove a student from class based on a single incident of behavior.

Within three school days of the formal removal, the CBC 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 CBC 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 CBC or other administrator may place the student in:

- Another appropriate classroom.
- ISS.
- 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

A student who has been formally removed from class by a teacher for conduct against the teacher containing the elements of assault, aggravated assault, sexual assault, or aggravated sexual assault may not be returned to the teacher's class without the teacher's written consent.

A student who has been formally removed by a teacher for any other conduct may not be returned to the teacher's class without the teacher's written consent unless the placement review committee determines that the teacher's class is the best or only alternative, and not later than the third class day after the day the student was removed from class, a conference in which the teacher was provided an opportunity to participate has been held. The student may not be returned to the teacher's class unless the teacher provides written consent for the student's return or a return to class plan has been prepared for that student.

### Appeals of Formal Teacher Removals

A student may appeal the teacher's removal of the student from class to the school's placement review committee or the campus's threat assessment and safe and supportive school team, in accordance with a district policy providing for such an appeal to be made to this team.

## In-School Suspension

An in-school suspension is not subject to any time limit.

A school's principal or other appropriate administrator shall review the in-school suspension of a student at least once every 10 school days after the date of the suspension begins to evaluate the educational progress of the student and to determine if continued in-school suspension is appropriate.

During in-school suspension, a student shall receive appropriate behavioral support services and comparable educational services as the student would receive in the classroom. If the student receives special education services, the student must continue to receive special education and related services specified in the student's individualized education program (IEP) and continue to have an opportunity to progress in the general curriculum.

[See First-Time Offense of Possession or Use of Nicotine Delivery Product or E-Cigarette for limitations to the general rule.]

### Process

Before being suspended, a student shall have an informal conference with the CBC or appropriate administrator, who shall inform the student of the alleged misconduct and give the student an opportunity to respond to the allegation before the administrator makes a decision.

The CBC shall determine the number of days of a student's suspension.

In deciding whether to order in-school suspension, the CBC 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.

## Out-of-School Suspension

### Misconduct

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

The district shall not use out-of-school suspension for students below grade 3 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 sections 46.02 or 46.05;
- Conduct that threatens the immediate health and safety of other students in the classroom;
- Documented conduct that results in repeated or significant disruption to the classroom; 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 assigned to out-of-school suspension 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 CBC or appropriate administrator, who shall inform the student of the alleged misconduct and give the student an opportunity to respond to the allegation before the administrator makes a decision.

The CBC 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 CBC 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.

### Alternative Assignment

A parent or person standing in parental relation to the student may submit a written request to the principal or other appropriate administrator to reassign a student placed in out-of-school suspension. The parent or person standing in parental relation to the student must provide information and documentation that they are unable to provide suitable supervision for the student during school hours during the period of the suspension. It is the sole discretion of the principal or other appropriate administrator to reassign the student placed in out-of-school suspension.

### 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 ISS or another setting, other than a DAEP, will have an opportunity before the beginning of the next school year to complete each course the student was enrolled in at the time of removal. 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 CBC 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 of Conduct.

#### Misconduct Identified in State Law

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

- Engaging in bullying that encourages a student to die by 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, or gang 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.
- Engages in conduct that contains the elements of the offense of disruptive activities under Education Code 37.123.
- Engages in conduct that contains the elements of the offense of disruption of classes under Education Code 37.124.
- Possesses or uses an e-cigarette, as defined by Section 161.081,Health and Safety Code, except that if a student who possesses or uses an e-cigarette is not placed in a disciplinary alternative education program for the first-time offense under Education Code 37.008, the student shall be placed in in-school suspension for a period of at least 10 school days. See First-Time Offense of Possession or Use of Nicotine Delivery Product or E-Cigarette for additional information.

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 engaged in conduct punishable as a felony 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. Aggravated robbery or felonies listed as offenses in Title 5 [see Glossary] of the Penal Code are punishable as mandatory expulsions.

The CBC **may** 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, 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).
    - Except as provided by Education Code 37.007(a)(3), sells, gives, or delivers to another person or possesses, uses, or is under the influence of a controlled substance or dangerous drug in an amount not constituting a felony offense. [School-related felony drug offenses are addressed in

Expulsion.] [See Glossary for "under the influence," "controlled substance," and "dangerous drug."]

- Sells, gives, or delivers to another person or possesses, uses, or is under the influence of marijuana or THC. 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.
- 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.
- Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
- Sells, gives, or delivers to another person an e-cigarette, as defined by Section 161.081, Health and Safety Code.
- 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 sections 42.07(a)(1), (2), (3), or (7).

- Engages in expellable conduct and is six to 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 under Penal Code 36.06 against any school employee or volunteer on or off school property.
- Engages in conduct that contains the elements of harassment under Penal Code 42.07 against any school employee or volunteer on or off of school property.

The student receives deferred prosecution [see Glossary], or a court or jury finds that the student has engaged in delinquent conduct [see Glossary], or the superintendent or designee has a reasonable belief [see Glossary] under Section 53.03, Family Code, for conduct defined as any of the following offenses under the Penal Code:

1. A felony offense under Title 5;
2. The offense of deadly conduct under Section 22.05;
3. The felony offense of aggravated robbery under Section 29.03;
4. The offense of disorderly conduct involving a firearm under Section 42.01(a)(7) or (8); or
5. The offense of unlawfully carrying weapons under Section 46.02, except for an offense punishable as a Class C misdemeanor under that section.

### Sexual Assault and Campus Assignments

A student shall be transferred to another campus if:

- The student has been convicted of continuous sexual abuse of a young child or disabled individual or convicted of or placed on deferred adjudication for sexual assault or aggravated sexual assault against another student on the same campus; and
- 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.

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 CBC.

### Conference

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

At the conference, the CBC or appropriate administrator shall provide the student:

- Information, orally or in writing, of the reasons for the removal;
- 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 CBC 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.

### Placement Order

After the conference, if the student is placed in a DAEP, the CBC shall write a placement order. A copy of the DAEP placement order and information for the parent or person standing in parental relation to the student regarding the process for requesting a full individual and initial evaluation of the student for purposes of special education services 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 a DAEP and the length of placement is inconsistent with the guidelines included in this Code of Conduct, the placement order shall give notice of the inconsistency.

### DAEP at Capacity

If a DAEP is at capacity at the time the CBC is deciding placement for conduct related to marijuana, THC, an e-cigarette, alcohol, or an abusable volatile chemical, the student shall be placed in ISS then transferred to a DAEP for the remainder of the period if space becomes available before the expiration of the period of the placement.

If a DAEP is at capacity at the time the CBC is deciding placement for a student who engaged in violent conduct, a student placed in a DAEP for conduct related to marijuana, THC, an e-cigarette, alcohol, or an abusable volatile chemical may be placed in ISS to make a position in the DAEP available for the student who engaged in violent conduct. If a position becomes available in a DAEP before the expiration of the period of the placement for the student removed, the student shall be returned to a DAEP for the remainder of the period.

### Coursework Notice

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

## Length of Placement

The CBC 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 are in a DAEP placement 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 CBC 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 of Conduct.

### 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 central administration office or online at www.mwisd.net

Appeals shall begin at Level One with the campus 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 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 CBC 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 CBC 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 of Conduct 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 CBC 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 CBC 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 including a district in another state.

When a student enrolls in the district with a DAEP placement from a district in another state, the district has the right to place the student in DAEP to the same extent as any other newly enrolled student if the behavior committed is a reason for DAEP placement in the receiving district.

State law requires the district to reduce a placement imposed by a district in another state that exceeds one year 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 if 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 student shall be placed in either DAEP or JJAEP for at least one semester.

If the student is not under any form of court supervision, the student may be placed in DAEP or JJAEP for one semester or placed in a regular classroom. The student may not be placed 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 Students

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.

## Expulsion

In deciding whether to order expulsion, regardless of whether the action is mandatory or discretionary, the CBC 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 Disciplinary Alternative Education Program (DAEP) Placement]

#### Any Location

A student **may** be expelled for:

- Engaging in bullying that encourages a student to die by 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.
- 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 any amount of marijuana, a controlled substance, or a dangerous drug, unless the conduct is 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.
- Engaging in conduct that contains the elements of an offense relating to abusable volatile chemicals.
- Engaging in deadly conduct. [see Glossary]

**Within 300 Feet of School**

A student may be expelled for possession of a firearm, as defined by federal law, while within 300 feet of school property, as measured from any point on the school's real property boundary line.

**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 a DAEP**

A student may be expelled for engaging in documented serious misbehavior that violates the district's Code of Conduct, 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 Penal Code 1.07; 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 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]
- Engages in conduct that contains the elements of the offense of exhibiting, using, or threatening to exhibit or use a firearm under Education Code 37.125.

- 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.
    - Kidnapping or aggravated kidnapping.
    - Burglary, robbery or aggravated robbery.
    - Manslaughter.
    - Criminally negligent homicide.
    - Continuous sexual abuse of a young child or disabled individual.
    - Behavior punishable as a felony that involves selling, giving, or delivering to another person or possessing, using, or being under the influence of a controlled substance or a dangerous drug.
    - Engaging in conduct that contains elements of assault against a school employee or volunteer.

### Under Age 10

When a student under the age of 10 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.

### Virtual Expulsion Program

In some circumstances, a student may be placed in a virtual expulsion program.

- The school must ensure students in the program have the necessary technology and internet and must provide it if needed.
- The virtual program must, as much as possible, meet the same requirements as an in-person disciplinary alternative education program (DAEP).
- The student's placement must be reviewed every 45 school days.
- If an in-person spot becomes available, the school should plan the student's return to in-person learning.
- If continued virtual placement is appropriate, the school must document the decision.

### Consideration of Virtual Education as Alternative to Expulsion

Before a school district may expel a student, the district must consider the appropriateness and feasibility of, as an alternative to expulsion, enrolling the student in

a full-time hybrid program, full-time virtual program, full-time hybrid campus, or full-time virtual campus. This requirement does not apply to a student expelled under Education Code 37.0081 or 37.007(a), (d), or(e).

### Process

If a student is believed to have committed an expellable offense, the CBC 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 CBC or other administrator may place the student in:

- Another appropriate classroom.
- ISS.
- 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.

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 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 consider and 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 CBC 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 his/her 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 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's conduct 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 CBC 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 CBC 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. Emergency expulsion may be ordered based on a single incident of behavior by the student. Within 10 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 10 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.

### Certain Felonies

Regardless of whether DAEP 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 CBC 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;
- 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;
- Been charged with engaging in conduct defined as aggravated robbery or a Title 5 felony offense;
- 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
- 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 this section is entitled to a review of his or her status, including academic status, by the CBC 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.

## 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.

**Antisemitism** is defined by Government Code section 448.001 as a certain perception of Jews that may be expressed as hatred toward Jews. The term includes rhetorical and physical acts of antisemitism directed toward Jewish or non-Jewish individuals or their property or toward Jewish community institutions and religious facilities. Examples of antisemitism are included with the International Holocaust Remembrance Alliance's "Working Definition of Antisemitism" adopted on May 26, 2016.

**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 a crime that involves:

1. 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. Recklessly starting a fire or causing an explosion while manufacturing or attempting to manufacture a controlled substance if the fire or explosion damages any building, habitation, or vehicle; or

3. Intentionally starting a fire or causing an explosion and in so doing:
    a. Recklessly damaging or destroying a building belonging to another; or
    b. Recklessly causing another person to suffer bodily injury or death.

**Assault** is defined in part by Penal Code 22.01 as intentionally, knowingly, or recklessly causing bodily injury to another; intentionally or knowingly threatening another with imminent bodily injury; or 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 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 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 by striking a person with the instrument, and includes but is not limited to a blackjack, nightstick, mace, and tomahawk.

**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, 1-B, 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 Education Code 37.0832 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 or a consumable liquid solution or other material aerosolized or vaporized during the use of an electronic cigarette or other device described by this provision. 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 silencer, defined as any device for silencing, muffling, or diminishing the report of a portable firearm; or
4. Any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade.

Such term does not include an antique 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 Education Code 37.001(b)(2); 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;
    d. Causing the telephone of another to ring repeatedly or making repeated telephone communications anonymously or in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another;
    e. Making a telephone call and intentionally failing to hang up or disengage the connection;
    f. Knowingly permitting a telephone under the person's control to be used by another to commit an offense under this section;
    g. Sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another;
    h. Publishing on an internet website, including a social media platform, repeated electronic communications in a manner reasonably likely to cause emotional distress, abuse, or torment to another person, unless the communications are made in connection with a matter of public concern, as defined by law; or

i. Making obscene, intimidating, or threatening telephone calls or other electronic communications from a temporary or disposable telephone number provided by an internet application or other technological means.

**Hazing** is defined by Education Code 37.151 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; or
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 Education Code 37.001(b)(3) 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.

**Personal Communication Device** means a telephone, cell phone such as a smartphone or flip phone, tablet, smartwatch, radio device, paging device, or any other electronic device capable of telecommunication or digital communication.

**Possession** means to have an item on one's person or in one's personal property, including, but not limited to:

1. Clothing, purse, or backpack;
2. 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;
3. Personal communication devices or electronic devices; or
4. 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; or
    b. A machine gun.
2. Armor-piercing ammunition;
3. A chemical dispensing device;
4. A zip gun;
5. A tire deflation device; or
6. An improvised explosive device.

**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, when the person 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 Education Code 37.121(d) 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 and must consider the information furnished in the notice of a student's arrest under Code of Criminal Procedure Article 15.27.

**Self-defense** is the use of force against another to the degree a person reasonably believes 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 Penal Code Section 1.07; 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 disabled individual 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 die by suicide under Section 22.08; and
- Tampering with a consumer product under Section 22.09.

**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 in-fluence" 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 that was not originally a firearm and is 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:** 8/11/25

**MEETING TYPE:**
- [x] Regular Meeting
- [ ] Special Meeting

**AGENDA ITEM TYPE:**
- [x] Action Item
- [ ] Non-Action Item

**BOARD GOALS (check all that apply)**

***Academic Goals***
- [x] Academic Competitiveness
  - [ ] Early Literacy (HB3)
  - [ ] Early Math (HB3)
  - [ ] Other
- [ ] Career Certifications (HB3)

***Operational Goals***
- [ ] Promote Community/School Partnerships
- [ ] Fiscal Responsibility
- [ ] Safe and Secure Schools

**TITLE:** Discuss, Consider, and take Any Necessary Action Regarding the Approval of Purchase of Texas Tech Credit By Exam Assessments

**RECOMMENDED ACTION:** It is recommended that the Board approve the purchase of Texas Tech Credit By Exam Assessments as presented to the Board.

**BOARD POLICY/STATE REGULATION/LAW REFERENCE (if applicable):** Texas Education Code (TEC), §28.023

**OVERVIEW:**

Credit by exam (CBE) is one method for students to demonstrate proficiency in grade level or course content. The Texas Education Code (TEC), §28.023, allows students to either accelerate a grade level or earn credit for a course based on credit by examination.

Credit-by-examination assessments (CBEs) must be approved by each local board of trustees for their district. CBEs are administered by the district or test provider in accordance with local district policy. Scores are reported directly to the school district and/or student. TEA does not have access to student results for CBE.

**FISCAL IMPACT:**

**ATTACHMENTS:** N/A

**DEPARTMENT(S) SUBMITTING FORM:** Student Services

**DEPARTMENT SIGNATURE/APPROVAL:**

# BOARD OF TRUSTEES
## Agenda Item

**MEETING DATE:** 8/11/25

**MEETING TYPE:**
- [x] Regular Meeting
- [ ] Special Meeting

**AGENDA ITEM TYPE:**
- [x] Action Item
- [ ] Non-Action Item

**BOARD GOALS (check all that apply)**

***Academic Goals***
- [ ] Academic Competitiveness
  - [ ] Early Literacy (HB3)
  - [ ] Early Math (HB3)
  - [ ] Other
- [ ] Career Certifications (HB3)

***Operational Goals***
- [x] Promote Community/School Partnerships
- [ ] Fiscal Responsibility
- [x] Safe and Secure Schools

**TITLE:** Discuss, Consider and Take Any Necessary Action Regarding 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:** $50/hour

**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 for the purposes and consideration as set out below.

WITNESSETH:

WHEREAS, MWISD desires the Fire Department of CITY and CITY EMTs to assist MWISD m 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 services and related activities:

Emergency Medical Services

2.1 Beginning August 19, 2025, two (2) Emergency Medical Technicians (EMTs) and an ambulance will be provided by CITY for emergency medical services at MWISD football games for 2025 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 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:

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 August 19, 2025, and shall continue for the 2024 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:

FIRE CHIEF
City of Mineral Wells
P.O. Box 460
Mineral Wells, TX
76086

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.

8.4 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 above written and effective from August ,19 2025.

**ATTEST:**

_____
Sharon McFadden, City Clerk

**CITY OF MINERAL WELLS, TEXAS**

_____
Regan Johnson, Mayor

**MINERAL WELLS INDEPENDENT SCHOOL DISTRICT**

_____
David Tarver, Superintendent

ATTACHMENT A

**Varsity:**
**Friday, August 29th 7:30 p.m.**
**Thursday, September 18th 7:00 p.m.**
**Friday, September 26th 7:00 p.m.**
**Friday, October 24th 7:00 p.m.**
**Friday, November 7th 7:00 p.m.**

**Fresh/JV:**
**Thursday, September 4th 5:00 p.m.**
**Wednesday, September 10th 5:00 p.m.**
**Wednesday, September 17th 5:00 p.m.**
**Thursday, October 9th 5:00 p.m.**
**Thursday, October 16th 5:00 p.m.**
**Thursday, October 30th 5:00 p.m.**

**7th/8th Grade:**
**Monday, September 8th 5:30 p.m.**
**Tuesday, September 16th 5:30 p.m.**
**Monday, September 22nd 5:30 p.m.**
**Monday, September 29th 5:30 p.m.**
**Tuesday, October 7th 5:30 p.m.**
**Monday, October 13th 5:30 p.m.**
**Tuesday, October 21st 5:30 p.m.**
**October 27/28 TBD**

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 for the purposes and consideration as set out below.

WITNESSETH:

WHEREAS, MWISD desires the Fire Department of CITY and CITY EMTs to assist MWISD m 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 services and related activities:

Emergency Medical Services

2.1 Beginning August 19, 2025, two (2) Emergency Medical Technicians (EMTs) and an ambulance will be provided by CITY for emergency medical services at MWISD football games for 2025 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 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:

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 August 19, 2025, and shall continue for the 2024 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:

FIRE CHIEF
City of Mineral Wells
P.O. Box 460
Mineral Wells, TX
76086

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.

8.4 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 above written and effective from August ,19 2025.

**ATTEST:**

Sharon McFadden, City Clerk

**CITY OF MINERAL WELLS, TEXAS**

Regan Johnson, Mayor

**MINERAL WELLS INDEPENDENT SCHOOL DISTRICT**

David Tarver, Superintendent

ATTACHMENT A

Varsity:
Friday, August 29th 7:30 p.m.
Thursday, September 18th 7:00 p.m.
Friday, September 26th 7:00 p.m.
Friday, October 24th 7:00 p.m.
Friday, November 7th 7:00 p.m.

Fresh/JV:
Thursday, September 4th 5:00 p.m.
Wednesday, September 10th 5:00 p.m.
Wednesday, September 17th 5:00 p.m.
Thursday, October 9th 5:00 p.m.
Thursday, October 16th 5:00 p.m.
Thursday, October 30th 5:00 p.m.

7th/8th Grade:
Monday, September 8th 5:30 p.m.
Tuesday, September 16th 5:30 p.m.
Monday, September 22nd 5:30 p.m.
Monday, September 29th 5:30 p.m.
Tuesday, October 7th 5:30 p.m.
Monday, October 13th 5:30 p.m.
Tuesday, October 21st 5:30 p.m.
October 27/28 TBD

# BOARD OF TRUSTEES
## Agenda Item

**MEETING DATE:** 8/11/25

**MEETING TYPE:**
- [x] Regular Meeting
- [ ] Special Meeting

**AGENDA ITEM TYPE:**
- [x] Action Item
- [ ] Non-Action Item

**BOARD GOALS (check all that apply)**

***Academic Goals***
- [ ] Academic Competitiveness
  - [ ] Early Literacy (HB3)
  - [ ] Early Math (HB3)
  - [ ] Other
- [ ] Career Certifications (HB3)

***Operational Goals***
- [x] 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 if 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, and club activities, with the exception of public performances.

Texas administrative Code, Title 19, Part 1 Chapter 76. Extracurricular Activities
Statutory Authority: The previsions of this Chapter 76 issued 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

TEXAS A&M AGRILIFE EXTENSION

July 7, 2025

Mr. David Tarver
Superintendent
Mineral Wells I.S.D.
906 S.W. 5th Ave.
Mineral Wells, TX 76067

Dear Mr. Tarver,

On behalf of the 4-H members of Palo Pinto County, we hereby respectfully request that the 4-H organization, by the attached resolution, 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,

Lynette Babcock

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

Jason Westbrook

Jason Westbrook
County Extension Agent
Agriculture & Natural Resources
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

*Educational programs of the Texas A&M AgriLife Extension Service are open to all people without regard to race, color, religion, sex, national origin, age, disability, genetic information or veteran status. The Texas A&M University System, U.S. Department of Agriculture, and the County Commissioners Courts of Texas Cooperating*

**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 the 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.

Texas A&M AgriLife Extension will request academic eligibility for all 4-H competitive activities, regardless if a school absence is or is not required, and for non-competitive purposes when an absence is required.

Approved this _____ day of _____, 2025.

_____
*(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 I.S.D.
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 3 Extension Administrator.

4. Adjunct faculty member shall receive all group insurance benefits, workman's compensation insurance benefits, unemployment insurance, and any/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 pursuant to the supervisory authority of the District Extension Administrator. Adjunct faculty member(s) 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 (j)(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 _____, 2025.

_____

*(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 2025-2026. 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<br>*Agriculture & Natural Resources* | Master of Science, Teaching Agricultural Education<br>Tarleton State University<br>1993<br><br>Bachelor of Science, General Agriculture<br>Tarleton State University<br>1992 |
| Lynette Babcock | County Extension Agent<br>*Family & Community Health* | Master of Science, Agriculture Science<br>Texas A&M University – Kingsville<br>August 2010<br><br>Bachelor of Science, Human Development & Family Studies<br>Texas Tech University<br>December 1992 |

# 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 I.S.D.
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 3 Extension Administrator.

4. Adjunct faculty member shall receive all group insurance benefits, workman's compensation insurance benefits, unemployment insurance, and any/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 pursuant to the supervisory authority of the District Extension Administrator. Adjunct faculty member(s) 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 (j)(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 11th day of August, 2025.

*(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 2025-2026. 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<br>*Agriculture & Natural Resources* | Master of Science, Teaching Agricultural Education<br>Tarleton State University<br>1993<br><br>Bachelor of Science, General Agriculture<br>Tarleton State University<br>1992 |
| Lynette Babcock | County Extension Agent<br>*Family & Community Health* | Master of Science, Agriculture Science<br>Texas A&M University – Kingsville<br>August 2010<br><br>Bachelor of Science, Human Development & Family Studies<br>Texas Tech University<br>December 1992 |

**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 the 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.

Texas A&M AgriLife Extension will request academic eligibility for all 4-H competitive activities, regardless if a school absence is or is not required, and for non-competitive purposes when an absence is required.

Approved this 11th day of August, 2025.

*(For the Board of Trustees)*

*(Superintendent)*

# BOARD OF TRUSTEES
## Agenda Item

**MEETING DATE:** 8/11/2025

**MEETING TYPE:**
- [x] Regular Meeting
- [ ] Special Meeting

**AGENDA ITEM TYPE:**
- [ ] Action Item
- [x] Non-Action Item

**BOARD GOALS (check all that apply)**

***Academic Goals***
- [x] Academic Competitiveness
  - [ ] Early Literacy (HB3)
  - [ ] Early Math (HB3)
  - [x] Other
- [ ] Career Certifications (HB3)

***Operational Goals***
- [x] Promote Community/School Partnerships
- [x] Fiscal Responsibility
- [x] Safe and Secure Schools

**TITLE:** Discuss, Consider, and Take Any Necessary Action in Regarding the Adoption of Localized Policy Update 125

**RECOMMENDED ACTION:** It is recommended that the Board approve the Localized Policy Manual Update 124 as presented to the Board

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

**OVERVIEW:**

Update 125 includes revisions to legal framework documents based on regulatory changes, including amendments to the Texas Administrative Code. Changes to local policies offered for consideration address the following topics:

- Election of board officers
- Board committees
- Advisory committees
- Partial academic credit
- School safety transfers
- Attendance for credit

**FISCAL IMPACT:** N/A

**ATTACHMENTS:** Explanatory Note, Update Packet, Local Update Packet, Local Policy Comparison Packet

**DEPARTMENT(S) SUBMITTING FORM:** Superintendent

**DEPARTMENT SIGNATURE/APPROVAL:**

# Explanatory Notes

# TASB Localized Policy Manual Update 125

## Mineral Wells ISD

**AIA(LEGAL) ACCOUNTABILITY: ACCREDITATION AND PERFORMANCE INDICATORS**

Revisions to 19 Administrative Code 97.1003(f)(3), effective February 10, 2025, prompted edits at Local Accountability Plan — Submission and Audit Standards.

**AIE(LEGAL) ACCOUNTABILITY: INVESTIGATIONS**

A citation to the Administrative Code has been adjusted at the end of the policy.

**B(LEGAL) LOCAL GOVERNANCE**

The Section B Table of Contents has been updated to reflect revised names for policies BDB, Board Committees, and BDF, Advisory Committees.

**BBD(LEGAL) BOARD MEMBERS: TRAINING AND ORIENTATION**

19 Administrative Code 61.1051 was repealed on December 6, 2024, but 19 Administrative Code 61.1(b)(7), which references the repealed rule, was not amended. The requirements in the repealed provision were moved to 19 Administrative Code 103.1401. A Note has been added at Identifying and Reporting Abuse to clarify the location of the requirements.

**BDAA(LOCAL) OFFICERS AND OFFICIALS: DUTIES AND REQUIREMENTS OF BOARD OFFICERS**

Revisions are recommended to this local policy on board officer duties and requirements. At Board Officers, the sentence indicating that the board may assign a district employee to provide clerical assistance is recommended for deletion since the superintendent, rather than the board, manages staff assignments, including providing support to the board. Under Terms and Duties — Vice President, the revised language clarifies that when the vice president automatically becomes president due to a vacancy, they then serve as president until the board reorganizes.

**BDB(LEGAL) BOARD INTERNAL ORGANIZATION: BOARD COMMITTEES**

To coordinate with the recommended changes to the local policy at this code, the subtopic has been changed from Internal Committees to Board Committees.

**BDB(LOCAL) BOARD INTERNAL ORGANIZATION: BOARD COMMITTEES**

This policy has been revised in coordination with BDF(LOCAL) to clarify the difference between board committees and advisory committees. Accordingly, the subtopic of this code has been changed from Internal Committees to Board Committees, and new provisions are recommended to establish how board committees are formed and outline their purpose. Text addressing Dissolution of board committees is also recommended for inclusion. The language previously at Special Committees has been moved to BDF(LOCAL).

**BDF(LEGAL) BOARD INTERNAL ORGANIZATION: ADVISORY COMMITTEES**

To coordinate with the recommended changes to the local policy at this code, the subtopic has been changed from Citizen Advisory Committees to Advisory Committees.

**BDF(LOCAL) BOARD INTERNAL ORGANIZATION: ADVISORY COMMITTEES**

This new local policy is recommended for inclusion to coordinate with the changes at BDB. The subtopic of this code has been changed from Citizen Advisory Committees to Advisory Committees. Language has been moved here from BDB(LOCAL) and updated to clarify how advisory committees are formed and the

## Mineral Wells ISD

parameters of their responsibilities. A section on Dissolution of the committees is also recommended for inclusion.

**BJB(LEGAL) SUPERINTENDENT: RECRUITMENT AND APPOINTMENT**

New rules at 19 Administrative Code 103.1213 regarding the Sentinel system were adopted on December 13, 2024, and a new section on required reporting in that system after a superintendent change has been added to this legal framework.

**CBA(LEGAL) STATE AND FEDERAL REVENUE SOURCES: STATE**

Revisions reflect amendments at 19 Administrative Code 61.1034, effective April 13, 2025, to clarify the criteria a district must meet to be eligible for the New Instructional Facility Allotment (NIFA). Additional information about NIFA has also been included to outline eligibility provisions and the application process. NIFA was created in 1999 for districts to provide for operational expenses associated with the opening of a new instructional facility and is available to all public school districts that meet the requirements of the statute and rule.

**CKA(LEGAL) SAFETY PROGRAM/RISK MANAGEMENT: SAFETY AND SECURITY AUDITS AND MONITORING**

New rules at 19 Administrative Code 103.1213, effective December 15, 2024, relating to the Sentinel system prompted revisions to this legal framework on safety and security audits and monitoring. A section on Reporting Through Sentinel has been added, and additional changes reflecting new reporting requirements for vulnerability assessments and intruder detection audits have been made.

**CKC(LEGAL) SAFETY PROGRAM/RISK MANAGEMENT: EMERGENCY PLANS**

The new rules regarding the Sentinel system necessitated additional language regarding the Texas School Safety Center's uploading of multihazard emergency operation plans to that system. The new rules became effective December 15, 2024, and are found at 19 Administrative Code 103.1213.

**CLA(LEGAL) BUILDINGS, GROUNDS, AND EQUIPMENT MANAGEMENT: SECURITY**

New requirements have been added at Human Trafficking Warning Signs to reflect a new rule adopted at 19 Administrative Code 103.1403, effective December 11, 2024.

**CMD(LEGAL) EQUIPMENT AND SUPPLIES MANAGEMENT: INSTRUCTIONAL MATERIALS CARE AND ACCOUNTING**

Changes at 19 Administrative Code 67.1315, effective December 15, 2024, prompted revisions relating to the requirement for districts to adopt an open education resource instructional materials plan unless otherwise exempt.

**CNB(LEGAL) TRANSPORTATION MANAGEMENT: DISTRICT VEHICLES**

A cross-reference to CNC has been added at School Bus Advertising for clarity regarding reporting requirements for crashes involving buses with advertising.

**CNC(LEGAL) TRANSPORTATION MANAGEMENT: TRANSPORTATION SAFETY**

At Annual Report to TEA, revisions to this legal framework were required after 19 Administrative Code 61.1028 was repealed and provisions moved to the new 19 Administrative Code 103.1231, effective March 10, 2025. Other revisions have been made for clarity.

## Mineral Wells ISD

**DEAB(LEGAL) COMPENSATION PLAN: WAGE AND HOUR LAWS**

At Exempt Employees — Academic Administrators, the salary/fee rate has been removed and replaced with a reference to the established weekly threshold to prevent the need for continuous updating as the Fair Labor Standards Act rules are amended over time.

**DMA(LEGAL) PROFESSIONAL DEVELOPMENT: REQUIRED STAFF DEVELOPMENT**

A citation change at Child Abuse, Trafficking, and Maltreatment reflects provisions from the Administrative Code that were repealed on December 11, 2024, and moved to 19 Administrative Code 103.1401. At Mental Health, provisions have been added to reflect the adoption of 19 Administrative Code 153.1015, effective December 2, 2024.

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

At Evaluation for Change in Eligibility, provisions have been removed to reflect amendments to 19 Administrative Code 89.1070, adopted November 1, 2024. A cross-reference to EIF has been added for clarity.

**EHBAD(LEGAL) SPECIAL EDUCATION: TRANSITION SERVICES**

Provisions at Graduation have been revised to reflect amendments to 19 Administrative Code 89.1070, adopted November 1, 2024.

**EHBAF(LEGAL) SPECIAL EDUCATION: VIDEO/AUDIO MONITORING**

19 Administrative Code 61.1051 was repealed on December 6, 2024, but 19 Administrative Code 103.1301, which references the repealed rule, was not amended. The requirements in the repealed provision were moved to 19 Administrative Code 103.1401. A Note has been added at Confidentiality — Duty to Report to clarify the location of the requirements.

**EHBE(LEGAL) SPECIAL PROGRAMS: BILINGUAL EDUCATION/ESL**

Extensive revisions throughout this legal framework reflect amendments to numerous Administrative Code rules, effective February 7, 2025, relating to bilingual and ESL programs.

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

Changes throughout this legal framework reflect amendments to the Administrative Code adopted on February 14, 2025.

**EI(LOCAL) ACADEMIC ACHIEVEMENT**

At Partial Credit, recommended revisions replace the phrase "combined grade for" with "average of" to more accurately reflect the determination of awarding credit when a student earns a passing grade in only half of a course.

**EIF(LEGAL) ACADEMIC ACHIEVEMENT: GRADUATION**

Revisions to this legal framework are a result of amendments to 19 Administrative Code 89.1070, adopted November 1, 2024.

**FDA(LEGAL) ADMISSIONS: INTERDISTRICT TRANSFERS**

A paragraph has been added at Discipline and Threat Assessment Records as a result of the new Sentinel rules found at 19 Administrative Code 103.1213, effective December 15, 2024.

## Mineral Wells ISD

### FDE(LOCAL) ADMISSIONS: SCHOOL SAFETY TRANSFERS

At Safe Schools Data, “bullying” is recommended for inclusion as an offense for which the district must collect and maintain data. The revision aligns with the Unsafe School Choice Option Guidance Handbook.

### FEC(LOCAL) ATTENDANCE: ATTENDANCE FOR CREDIT

This local policy has been impacted by the district’s innovation plan. Please contact your policy consultant to discuss your renewed or revised innovation plan and any potential policy revisions.

### FFAC(LEGAL) WELLNESS AND HEALTH SERVICES: MEDICAL TREATMENT

Extensive changes throughout this legal framework have been made for clarity and to reflect new Department of State Health Services rules on Maintenance and Administration of Medication for Respiratory Distress.

### FFAC(LOCAL) WELLNESS AND HEALTH SERVICES: MEDICAL TREATMENT

The revisions to the legal framework at this code reflect the new Department of State Health Services rules on unassigned medication for respiratory distress. If your district currently maintains medication that can be used when a person is experiencing respiratory distress, please contact your policy consultant for appropriate text to include in your local policy.

### FFB(LEGAL) STUDENT WELFARE: CRISIS INTERVENTION

A section on Use of Sentinel Assessment Instrument, Manual, and Field Guide has been added to reflect the new Sentinel rules found at 19 Administrative Code 103.1213, effective December 15, 2024.

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

Revisions to this legal framework at Determination of Violent Conduct reflect new language at 19 Administrative Code 103.1205, effective October 29, 2024.

### FOF(LEGAL) STUDENT DISCIPLINE: STUDENTS WITH DISABILITIES

A new section on Peace Officer or Security Personnel Use of Restraint or Taser has been added to reflect new language at 19 Administrative Code 89.1053, effective October 7, 2024.

# Localized Policy Manual Update 125

## 182903 Mineral Wells ISD

Update 125 contains local policies that require board action and adoption notification before we can incorporate the revisions into your district's Policy Online® manual. Local policies are completely within the control of each local school board. You may use the draft local policies provided, amend them, or write your own policy to meet your district's unique needs.

Please note that legal framework documents, which are not adopted by the board, will not be published on Policy Online until the board acts on the local policies or the district specifically requests earlier publication.

**What should I do to prepare for board adoption?**

1. Log in to Policy Online,[1] select **Local Manual Updates** from the **My Policy Manual** menu, click **Numbered Updates**, then click **UPDATE 125**.
2. Download and save the numbered update resource materials for Update 125.
3. Present the local policies to your board for adoption. Provide your board with the explanatory notes and encourage them to review those along with the local policies.

**How do I notify Policy Service that the board has adopted the update?**

1. Following board action, go to **Numbered Updates**,[2] select the appropriate numbered update, then click **Notify TASB of Board Action**.
2. Fill out and submit the electronic form so we can incorporate the adopted policies into your district's Policy Online manual.
3. If there are additional changes, submit the annotated changes with your adoption notification.

**Questions?**

- For questions about Policy Online, visit the User's Guide[3] or contact pol-support@tasb.org.
- For questions about policy text, contact your district's assigned policy consultant.[4]

---

[1] Policy Online: https://pol.tasb.org/
[2] Policy Online Numbered Updates: https://pol.tasb.org/Member/LocalManualUpdates
[3] Policy Online User's Guide: https://www.tasb.org/resources/policy-online-user-guide
[4] Policy Consultant contact information: https://pol.tasb.org/Member/PolicyConsultant/Details

# Localized Policy Manual Update 125

Mineral Wells ISD

You can download a PDF of this update packet, annotated copies of the local policies, editable local policy text, and more under Local Manual Updates on Policy Online®.[1]

Other materials, including an overview video of the local policy changes, are also available in Local Manual Updates.

**Need help?** Please contact your policy consultant,[2] or call Policy Service at 800-580-7529 or email policy.service@tasb.org.

## Overview

Update 125 includes revisions to legal framework documents based on regulatory changes, including amendments to the Texas Administrative Code. Changes to local policies offered for consideration address the following topics:

- Election of board officers
- Board committees
- Advisory committees
- Partial academic credit
- School safety transfers
- Attendance for credit

Please see the Explanatory Notes included in this update packet for a description of the specific changes for each policy.

Board action on the local policies included in the update must occur within a properly posted, open meeting of the board. Instructions for placing policy changes on the agenda for board action and keeping minutes are included with the Update 125 materials under Local Manual Updates[3] on Policy Online.

For more guidance on reviewing and adopting TASB numbered updates, including information on incorporating the update into the district's policy manual and maintaining a historical record of policies, please refer to *The Administrator's Guide to Policy Management*,[4] available in the Policy Online Governance and Management Library[5] (TASB login required).

## Scope of Work

Numbered updates involve timely monitoring of statutory sources and regulations, comprehensive review of affected policies, and revisions that are both substantive and related to format, to ensure the legal framework reflects current laws and regulations.

The legal framework documents are drafted and revised by TASB Policy and Legal Services, including attorneys who spend many hours monitoring, researching, analyzing, and drafting. Update 125 took more than 125 legal hours to complete. At a conservative cost of $250 per hour, this legal work provides an approximate value of $31,250. This estimate does not take into consideration the consulting, editing, and production hours that go into providing customized local policy recommendations.

The price of the update is calculated based on pages that are substantively edited, not on the total page count. When changes are made to correct typographical errors or style modifications, there is no charge. TASB Policy Service always endeavors to provide updates to you at the lowest cost possible while maintaining high-quality standards.

## (LEGAL) vs. (LOCAL): Remember the Difference

Legal framework documents:

- Reflect the ever-changing legal context for governance and management of the district
- Inform local decision making
- Are NOT adopted, but only reviewed

Local policies:

- Require close attention by the administration and the board
- Reflect the practices of the district and the intentions of the board
- Are changed only by board action (adopt, revise, or repeal)

## Keep Your Administrative Regulations Current

Inspect your district's administrative procedures and documents — including exhibits, regulations, handbooks, and guides — that may be affected by Update 125 policy changes. If you need to make changes to the regulations or exhibits contained in your board policy manual, please notify your policy consultant.

The *Regulations Resource Manual*[6] contains model regulations and forms and is available in the Governance and Management Library (TASB login required).

## Copyright and Disclaimer

© 2025 Texas Association of School Boards, Inc. All rights reserved.

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.

---

[1] Policy Online: https://pol.tasb.org/
[2] Policy Consultant contact information: https://pol.tasb.org/Member/PolicyConsultant/Details
[3] Local Manual Updates: https://pol.tasb.org/Member/LocalManualUpdates
[4] *The Administrator's Guide to Policy Management*: https://pol.tasb.org/Member/Collections/Details?id=10
[5] Governance and Management Library: https://pol.tasb.org/Member/Collections
[6] *TASB Regulations Resource Manual*: https://pol.tasb.org/Member/Collections/Details?id=21

# Instruction Sheet

# TASB Localized Policy Manual Update 125

**Mineral Wells ISD**

| Code | Type | Action To Be Taken | Note |
|---|---|---|---|
| AIA | (LEGAL) | Replace policy | Revised policy |
| AIE | (LEGAL) | Replace policy | Revised policy |
| B | (LEGAL) | Replace table of contents | Revised table of contents |
| BBD | (LEGAL) | Replace policy | Revised policy |
| BDAA | (LOCAL) | Replace policy | Revised policy |
| BDB | (LEGAL) | Replace policy | Revised policy |
| BDB | (LOCAL) | Replace policy | Revised policy |
| BDF | (LEGAL) | Replace policy | Revised policy |
| BDF | (LOCAL) | ADD policy | See explanatory note |
| BJB | (LEGAL) | Replace policy | Revised policy |
| CBA | (LEGAL) | Replace policy | Revised policy |
| CKA | (LEGAL) | Replace policy | Revised policy |
| CKC | (LEGAL) | Replace policy | Revised policy |
| CLA | (LEGAL) | Replace policy | Revised policy |
| CMD | (LEGAL) | Replace policy | Revised policy |
| CNB | (LEGAL) | Replace policy | Revised policy |
| CNC | (LEGAL) | Replace policy | Revised policy |
| DEAB | (LEGAL) | Replace policy | Revised policy |
| DMA | (LEGAL) | Replace policy | Revised policy |
| EHBAA | (LEGAL) | Replace policy | Revised policy |
| EHBAD | (LEGAL) | Replace policy | Revised policy |
| EHBAF | (LEGAL) | Replace policy | Revised policy |
| EHBE | (LEGAL) | Replace policy | Revised policy |
| EHDE | (LEGAL) | Replace policy | Revised policy |
| EI | (LOCAL) | Replace policy | Revised policy |
| EIF | (LEGAL) | Replace policy | Revised policy |
| FDA | (LEGAL) | Replace policy | Revised policy |
| FDE | (LOCAL) | Replace policy | Revised policy |
| FEC | (LOCAL) | No policy enclosed | See explanatory note |
| FFAC | (LEGAL) | Replace policy | Revised policy |
| FFAC | (LOCAL) | No policy enclosed | See explanatory note |
| FFB | (LEGAL) | Replace policy | Revised policy |
| FOC | (LEGAL) | Replace policy | Revised policy |
| FOF | (LEGAL) | Replace policy | Revised policy |

# Explanatory Notes

# TASB Localized Policy Manual Update 125

## Mineral Wells ISD

**AIA(LEGAL) ACCOUNTABILITY: ACCREDITATION AND PERFORMANCE INDICATORS**

Revisions to 19 Administrative Code 97.1003(f)(3), effective February 10, 2025, prompted edits at Local Accountability Plan — Submission and Audit Standards.

**AIE(LEGAL) ACCOUNTABILITY: INVESTIGATIONS**

A citation to the Administrative Code has been adjusted at the end of the policy.

**B(LEGAL) LOCAL GOVERNANCE**

The Section B Table of Contents has been updated to reflect revised names for policies BDB, Board Committees, and BDF, Advisory Committees.

**BBD(LEGAL) BOARD MEMBERS: TRAINING AND ORIENTATION**

19 Administrative Code 61.1051 was repealed on December 6, 2024, but 19 Administrative Code 61.1(b)(7), which references the repealed rule, was not amended. The requirements in the repealed provision were moved to 19 Administrative Code 103.1401. A Note has been added at Identifying and Reporting Abuse to clarify the location of the requirements.

**BDAA(LOCAL) OFFICERS AND OFFICIALS: DUTIES AND REQUIREMENTS OF BOARD OFFICERS**

Revisions are recommended to this local policy on board officer duties and requirements. At Board Officers, the sentence indicating that the board may assign a district employee to provide clerical assistance is recommended for deletion since the superintendent, rather than the board, manages staff assignments, including providing support to the board. Under Terms and Duties — Vice President, the revised language clarifies that when the vice president automatically becomes president due to a vacancy, they then serve as president until the board reorganizes.

**BDB(LEGAL) BOARD INTERNAL ORGANIZATION: BOARD COMMITTEES**

To coordinate with the recommended changes to the local policy at this code, the subtopic has been changed from Internal Committees to Board Committees.

**BDB(LOCAL) BOARD INTERNAL ORGANIZATION: BOARD COMMITTEES**

This policy has been revised in coordination with BDF(LOCAL) to clarify the difference between board committees and advisory committees. Accordingly, the subtopic of this code has been changed from Internal Committees to Board Committees, and new provisions are recommended to establish how board committees are formed and outline their purpose. Text addressing Dissolution of board committees is also recommended for inclusion. The language previously at Special Committees has been moved to BDF(LOCAL).

**BDF(LEGAL) BOARD INTERNAL ORGANIZATION: ADVISORY COMMITTEES**

To coordinate with the recommended changes to the local policy at this code, the subtopic has been changed from Citizen Advisory Committees to Advisory Committees.

**BDF(LOCAL) BOARD INTERNAL ORGANIZATION: ADVISORY COMMITTEES**

This new local policy is recommended for inclusion to coordinate with the changes at BDB. The subtopic of this code has been changed from Citizen Advisory Committees to Advisory Committees. Language has been moved here from BDB(LOCAL) and updated to clarify how advisory committees are formed and the

## Mineral Wells ISD

parameters of their responsibilities. A section on Dissolution of the committees is also recommended for inclusion.

**BJB(LEGAL) SUPERINTENDENT: RECRUITMENT AND APPOINTMENT**

New rules at 19 Administrative Code 103.1213 regarding the Sentinel system were adopted on December 13, 2024, and a new section on required reporting in that system after a superintendent change has been added to this legal framework.

**CBA(LEGAL) STATE AND FEDERAL REVENUE SOURCES: STATE**

Revisions reflect amendments at 19 Administrative Code 61.1034, effective April 13, 2025, to clarify the criteria a district must meet to be eligible for the New Instructional Facility Allotment (NIFA). Additional information about NIFA has also been included to outline eligibility provisions and the application process. NIFA was created in 1999 for districts to provide for operational expenses associated with the opening of a new instructional facility and is available to all public school districts that meet the requirements of the statute and rule.

**CKA(LEGAL) SAFETY PROGRAM/RISK MANAGEMENT: SAFETY AND SECURITY AUDITS AND MONITORING**

New rules at 19 Administrative Code 103.1213, effective December 15, 2024, relating to the Sentinel system prompted revisions to this legal framework on safety and security audits and monitoring. A section on Reporting Through Sentinel has been added, and additional changes reflecting new reporting requirements for vulnerability assessments and intruder detection audits have been made.

**CKC(LEGAL) SAFETY PROGRAM/RISK MANAGEMENT: EMERGENCY PLANS**

The new rules regarding the Sentinel system necessitated additional language regarding the Texas School Safety Center's uploading of multihazard emergency operation plans to that system. The new rules became effective December 15, 2024, and are found at 19 Administrative Code 103.1213.

**CLA(LEGAL) BUILDINGS, GROUNDS, AND EQUIPMENT MANAGEMENT: SECURITY**

New requirements have been added at Human Trafficking Warning Signs to reflect a new rule adopted at 19 Administrative Code 103.1403, effective December 11, 2024.

**CMD(LEGAL) EQUIPMENT AND SUPPLIES MANAGEMENT: INSTRUCTIONAL MATERIALS CARE AND ACCOUNTING**

Changes at 19 Administrative Code 67.1315, effective December 15, 2024, prompted revisions relating to the requirement for districts to adopt an open education resource instructional materials plan unless otherwise exempt.

**CNB(LEGAL) TRANSPORTATION MANAGEMENT: DISTRICT VEHICLES**

A cross-reference to CNC has been added at School Bus Advertising for clarity regarding reporting requirements for crashes involving buses with advertising.

**CNC(LEGAL) TRANSPORTATION MANAGEMENT: TRANSPORTATION SAFETY**

At Annual Report to TEA, revisions to this legal framework were required after 19 Administrative Code 61.1028 was repealed and provisions moved to the new 19 Administrative Code 103.1231, effective March 10, 2025. Other revisions have been made for clarity.

## Mineral Wells ISD

**DEAB(LEGAL) COMPENSATION PLAN: WAGE AND HOUR LAWS**

At Exempt Employees — Academic Administrators, the salary/fee rate has been removed and replaced with a reference to the established weekly threshold to prevent the need for continuous updating as the Fair Labor Standards Act rules are amended over time.

**DMA(LEGAL) PROFESSIONAL DEVELOPMENT: REQUIRED STAFF DEVELOPMENT**

A citation change at Child Abuse, Trafficking, and Maltreatment reflects provisions from the Administrative Code that were repealed on December 11, 2024, and moved to 19 Administrative Code 103.1401. At Mental Health, provisions have been added to reflect the adoption of 19 Administrative Code 153.1015, effective December 2, 2024.

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

At Evaluation for Change in Eligibility, provisions have been removed to reflect amendments to 19 Administrative Code 89.1070, adopted November 1, 2024. A cross-reference to EIF has been added for clarity.

**EHBAD(LEGAL) SPECIAL EDUCATION: TRANSITION SERVICES**

Provisions at Graduation have been revised to reflect amendments to 19 Administrative Code 89.1070, adopted November 1, 2024.

**EHBAF(LEGAL) SPECIAL EDUCATION: VIDEO/AUDIO MONITORING**

19 Administrative Code 61.1051 was repealed on December 6, 2024, but 19 Administrative Code 103.1301, which references the repealed rule, was not amended. The requirements in the repealed provision were moved to 19 Administrative Code 103.1401. A Note has been added at Confidentiality — Duty to Report to clarify the location of the requirements.

**EHBE(LEGAL) SPECIAL PROGRAMS: BILINGUAL EDUCATION/ESL**

Extensive revisions throughout this legal framework reflect amendments to numerous Administrative Code rules, effective February 7, 2025, relating to bilingual and ESL programs.

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

Changes throughout this legal framework reflect amendments to the Administrative Code adopted on February 14, 2025.

**EI(LOCAL) ACADEMIC ACHIEVEMENT**

At Partial Credit, recommended revisions replace the phrase "combined grade for" with "average of" to more accurately reflect the determination of awarding credit when a student earns a passing grade in only half of a course.

**EIF(LEGAL) ACADEMIC ACHIEVEMENT: GRADUATION**

Revisions to this legal framework are a result of amendments to 19 Administrative Code 89.1070, adopted November 1, 2024.

**FDA(LEGAL) ADMISSIONS: INTERDISTRICT TRANSFERS**

A paragraph has been added at Discipline and Threat Assessment Records as a result of the new Sentinel rules found at 19 Administrative Code 103.1213, effective December 15, 2024.

## Mineral Wells ISD

### FDE(LOCAL) ADMISSIONS: SCHOOL SAFETY TRANSFERS

At Safe Schools Data, “bullying” is recommended for inclusion as an offense for which the district must collect and maintain data. The revision aligns with the Unsafe School Choice Option Guidance Handbook.

### FEC(LOCAL) ATTENDANCE: ATTENDANCE FOR CREDIT

This local policy has been impacted by the district’s innovation plan. Please contact your policy consultant to discuss your renewed or revised innovation plan and any potential policy revisions.

### FFAC(LEGAL) WELLNESS AND HEALTH SERVICES: MEDICAL TREATMENT

Extensive changes throughout this legal framework have been made for clarity and to reflect new Department of State Health Services rules on Maintenance and Administration of Medication for Respiratory Distress.

### FFAC(LOCAL) WELLNESS AND HEALTH SERVICES: MEDICAL TREATMENT

The revisions to the legal framework at this code reflect the new Department of State Health Services rules on unassigned medication for respiratory distress. If your district currently maintains medication that can be used when a person is experiencing respiratory distress, please contact your policy consultant for appropriate text to include in your local policy.

### FFB(LEGAL) STUDENT WELFARE: CRISIS INTERVENTION

A section on Use of Sentinel Assessment Instrument, Manual, and Field Guide has been added to reflect the new Sentinel rules found at 19 Administrative Code 103.1213, effective December 15, 2024.

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

Revisions to this legal framework at Determination of Violent Conduct reflect new language at 19 Administrative Code 103.1205, effective October 29, 2024.

### FOF(LEGAL) STUDENT DISCIPLINE: STUDENTS WITH DISABILITIES

A new section on Peace Officer or Security Personnel Use of Restraint or Taser has been added to reflect new language at 19 Administrative Code 89.1053, effective October 7, 2024.

**Accreditation**

Each district must be accredited by Texas Education Agency (TEA). A district that is not accredited may not receive funds from TEA or hold itself out as operating a public school of this state. *Education Code 11.001, 39.052(f)*

District accreditation is determined in accordance with Education Code Chapter 39, Subchapter C and rules adopted by the commissioner of education at 19 Administrative Code, Chapter 97, Subchapter EE (Accreditation Status, Standards, and Sanctions). *Education Code 39.051*

Statuses

The commissioner shall determine criteria for the following accreditation statuses:

1. Accredited. Accredited means TEA recognizes the district as a public school of this state that meets the standards determined by the commissioner under Education Code 39.052(b) and (c), and specified in 19 Administrative Code 97.1059; and is not currently assigned an accreditation status of Accredited-Warned or Accredited-Probation;

2. Accredited-Warned. Accredited-Warned means the district exhibits deficiencies in performance, as specified in 19 Administrative Code 97.1055(b), that, if not addressed, will lead to probation or revocation of its accreditation status;

3. Accredited-Probation. Accredited-Probation means the district exhibits deficiencies in performance, as specified in 19 Administrative Code 97.1055(c), that must be addressed to avoid revocation of its accreditation status; and

4. Not Accredited-Revoked. Not Accredited-Revoked means TEA does not recognize the district as a Texas public school because the district's performance has failed to meet standards adopted by the commissioner under Education Code 39.052(b) and (c), and specified in 19 Administrative Code 97.1055(d).

*Education Code 39.051; 19 TAC 97.1055(a)(1)*

Annual Evaluation

Each year, the commissioner shall determine the accreditation status of each district. In determining the accreditation status of a district, the commissioner:

1. Shall evaluate and consider performance:

    a. On achievement indicators under Education Code 39.053 [see Performance Indicators, below]; and

b. Under the financial accountability rating system developed under Education Code, Chapter 39, Subchapter D [see CFA].

2. May evaluate and consider:

a. The district's compliance with statutory requirements and requirements imposed by rule of the commissioner or State Board of Education that relate to:

(1) Reporting data through the Public Education Information Management System (PEIMS) or other reports required by state or federal law or court order;

(2) High school graduation requirements; or

(3) Extracurricular activities, student health and safety, purchasing, elementary class size limits, removal of a disruptive student from the classroom, at-risk programs, and prekindergarten programs;

b. The effectiveness of the district's programs for special populations; and

c. The effectiveness of the district's career and technology program.

Based on a district's performance, the commissioner shall assign each district an accreditation status or revoke the accreditation of the district and order closure of the district.

A district's accreditation status may be raised or lowered based on the district's performance or may be lowered based on the performance of one or more campuses in the district that is below a standard required by Education Code Chapter 39, Subchapter C.

*Education Code 7.056(e)(3)(C)-(I), 39.052; 19 TAC 97.1055*

For additional information on the commissioner process for assigning accreditation status, see 19 Administrative Code 97.1055.

Notice of Status

The commissioner shall notify a district if the district has received an accreditation status of accredited-warned or accredited-probation, or a campus's performance is below standard. *Education Code 39.052(e)*

*To Parents and Property Owners*

A district assigned an accreditation status of accredited-warned, accredited-probation, or not accredited-revoked shall notify the parents of students enrolled in the district and property owners in the district as specified in 19 Administrative Code 97.1055. The district's notice must contain information about the accreditation status, the implications of such status, and the steps the district is tak-

ing to address the areas of deficiency identified by the commissioner. The district's notice shall use the format and language determined by the commissioner.

The district's notice must:

1. Not later than 30 calendar days after the accreditation status is assigned, appear on the home page of the district's website, with a link to the required notification, and remain until the district is assigned the accredited status; and

2. Appear in a newspaper of general circulation, as defined in 19 Administrative Code 97.1051 (Definitions), in the district for three consecutive days as follows:

   a. From Sunday through Tuesday of the second week following assignment of the status; or

   b. If the newspaper is not published from Sunday through Tuesday, then for three consecutive issues of the newspaper beginning the second week following assignment of the status; or

3. Not later than 30 calendar days after the status is assigned, be sent by first class mail addressed individually to each parent of a student enrolled in the district and each property owner in the district; or

4. Not later than 30 calendar days after the status is assigned, be presented as a discussion item in a public meeting of the board of trustees conducted at a time and location that allows parents of students enrolled in the district and property owners in the district to attend and provide public comment.

*To TEA*

A district required to act under this subsection shall send the following to TEA via certified mail, return receipt requested:

1. The universal resource locator (URL) for the link to the notification required above; and

2. Copies of the notice in the newspaper showing dates of publication, or a paid invoice showing the notice content and its dates of publication; or

3. Copies of the notice sent by mail and copies of all mailing lists and postage receipts; or

4. Copies of the notice presented at a public meeting and copies of the board of trustees meeting notice and minutes for the

board meeting in which the notice was presented and publicly discussed.

*19 TAC 97.1055(f)*

**Performance Indicators**

The commissioner shall adopt a set of indicators of the quality of learning and achievement, including three domains of achievement indicators. [See Achievement Indicators, below] *Education Code 39.053(a)*

The indicators must measure and evaluate districts and campuses with respect to:

1. Improving student preparedness for success in subsequent grade levels and entering the workforce, the military, or post-secondary education;
2. Reducing, with the goal of eliminating, student academic achievement differentials among students from different racial and ethnic groups and socioeconomic backgrounds; and
3. Informing parents and the community regarding campus and district performance.

*Education Code 39.053(a-1)*

*Achievement Indicators*

Districts and campuses must be evaluated based on indicators of achievement grouped in three domains:

1. Student achievement domain;
2. School progress domain; and
3. Closing the gaps domain.

*Education Code 39.053(c)*

Performance on the achievement indicators in the three domains shall be compared to state-established standards. The indicators must be based on information that is disaggregated by race, ethnicity, and socioeconomic status. *Education Code 39.053(b)*

Each school district shall submit the data required for the indicators to the commissioner. *Education Code 39.053(i)*

**A-F Performance Ratings**

Except when the commissioner determines the assignment of an overall performance rating would be inappropriate [see Assignment of Not Rated, below], the commissioner shall adopt rules to evaluate district and campus performance and assign each district and campus an overall performance rating of A, B, C, D, or F.

In addition to the overall performance rating, the commissioner shall assign each district and campus a separate domain perfor-

mance rating of A, B, C, D, or F for each domain under Education Code 39.053(c) [see Achievement Indicators, above].

An overall or domain performance rating of:

1. A reflects exemplary performance.
2. B reflects recognized performance.
3. C reflects acceptable performance.
4. D reflects performance that needs improvement.
5. F reflects unacceptable performance.

A district may not receive an overall or domain performance rating of A if the district includes any campus with a corresponding overall or domain performance rating of D or F.

For purposes of assigning districts and campuses an overall and a domain performance rating, the commissioner shall ensure that the method used to evaluate performance is implemented in a manner that provides the mathematical possibility that all districts and campuses receive an A rating.

Not later than August 15 of each year, the following information shall be made publicly available as provided by rules adopted by the commissioner:

1. The performance ratings for each district and campus; and
2. If applicable, the number of consecutive school years of unacceptable performance ratings for each district and campus.

*Education Code 39.054(a), (a-3), (b)*

Assignment of Not Rated

Notwithstanding any other law, the commissioner may assign a district or campus an overall performance rating of “Not Rated” if the commissioner determines that the assignment of a performance rating of A, B, C, D, or F would be inappropriate because:

1. The district or campus is located in an area that is subject to a declaration of a state of disaster under Government Code Chapter 418 and due to the disaster, performance indicators for the district or campus are difficult to measure or evaluate and would not accurately reflect quality of learning and achievement for the district or campus;
2. The district or campus has experienced breaches or other failures in data integrity to the extent that accurate analysis of data regarding performance indicators is not possible;

3. The number of students enrolled in the district or campus is insufficient to accurately evaluate the performance of the district or campus; or

4. For other reasons outside the control of the district or campus, the performance indicators would not accurately reflect quality of learning and achievement for the district or campus.

*Education Code 39.054(a-4)*

Calculating Consecutive Years

Notwithstanding any other law, an overall performance rating of "Not Rated" is not included in calculating consecutive school years of unacceptable performance ratings and is not considered a break in consecutive school years of unacceptable performance ratings for purposes of any provision of the Education Code. *Education Code 39.054(a-5)*

Acceptable Performance

A reference in law to an acceptable performance rating or acceptable performance includes an overall or domain performance rating of A, B, or C or performance that is exemplary, recognized, or acceptable. A reference in law to an unacceptable performance rating or unacceptable performance includes an overall or domain performance rating of F. For the purposes of public reporting requirements, an overall or domain performance rating of D shall be referred to as performance that needs improvement. *Education Code 39.0543(a)*

D Rating

A reference in law to an acceptable performance rating or acceptable performance for a district or campus includes an overall performance rating of D if, since previously receiving an overall performance rating of C or higher, the district or campus has not previously received more than one overall performance rating of D or has not received an overall performance rating of F. *Education Code 39.0543(b)*

**Local Accountability System**

The local accountability system standards established by the commissioner under Education Code 39.0544 shall be used by districts to develop a plan to locally evaluate the performance of their campuses. *19 TAC 97.1003(a)*

Local Accountability Plan

A local accountability plan created by a district must include domain performance ratings assigned by the commissioner under Education Code 39.054, and performance ratings based on locally developed domains or sets of accountability measures. *19 TAC 97.1003(b)*

A district must create its local accountability plan based on school type. The four school types are elementary school, middle school, high school, and kindergarten-grade 12. The plan must include all campuses within a school type. The district may also request to

identify an additional school group within a school type for which to customize its local accountability plan. Otherwise, all campuses within a school type must be evaluated on a common set of components determined by the district. A district may also request to identify a campus rated under alternative education accountability provisions as a unique school type. *19 TAC 97.1003(b)(4)*

*Plan Components*

A locally developed domain or set of accountability measures is referred to as a plan component. Plan components must describe each item and the reason for its inclusion in the plan. A district must assign each component to one of the following five domains: academics, culture and climate, extra- and co-curricular, future-ready learning, and locally determined. The weight of all plan components must equal 100 percent. *19 TAC 97.1003(b)(1)*

A district may assign weights to each plan component, as determined by the district, provided that the plan components must in the aggregate account for no more than 50 percent of the combined overall performance rating. A local accountability plan may include no fewer than two and no more than 10 components weighted between 5 percent and 60 percent. *19 TAC 97.1003(c)*

Each plan component must contain levels of performance that allow for differentiation, with assigned standards for achieving the differentiated levels that are aligned to a letter grade of A, B, C, D, or F and meet the requirements of 19 Administrative Code 97.1003(d)(1)-(3). *19 TAC 97.1003(d)*

Each plan component measure must meet standards for reliability and validity as required by 19 Administrative Code 97.1003(e)(1)-(3). *19 TAC 97.1003(e)*

Campuses without STAAR or State Ratings

For the purposes of assigning state accountability ratings, a campus that does not serve any grade level for which a State of Texas Assessments of Academic Readiness (STAAR) examination is administered is paired with a campus in its district that serves grade levels for which STAAR examinations are administered.

A campus not rated under the state accountability system is not eligible to combine state and local ratings. Local accountability data for a campus without state ratings may be displayed on TEA, district, and campus websites but will not be combined with state accountability data. The state accountability manual adopted under 19 Administrative Code 97.1001 (Accountability Rating System) provides information about campus ratings and eligibility for applicable years.

*19 TAC 97.1003(b)(3)*

Campus Performance Ratings

A district authorized to assign campus performance ratings shall evaluate the performance of each campus and assign each campus a performance rating of A, B, C, D, or F for overall performance and for each locally developed domain or set of accountability measures. Not later than a date established by the commissioner, the district shall:

1. Report the performance ratings to the agency; and
2. Make the performance ratings available to the public as provided by commissioner rule.

*Education Code 39.0544(e)*

Each campus with an approved district plan is eligible to receive a local accountability rating. A campus with an overall state accountability rating of C or higher based on ratings derived from student performance at the campus is eligible to combine an overall local accountability rating with the overall state accountability rating to determine the combined rating. *19 TAC 97.1003(b)(2); Education Code 39.054(a)*

Submission and Audit Standards

Calculations for each plan component and overall performance ratings must be capable of being audited by a third party.

A district must use a one-to-one correspondence when converting campus grades based on plan component measures to a standard scale of 30-100 where A=90-100, B=80-89, C=70-79, D=60-69, and F=30-59.

Categorical data, or data not on a continuous scale, must be converted to the standard scale of A=90-100, B=80-89, C=70-79, D=60-69, and F=30-59 by assigning the maximum value for each scaled score interval with the corresponding category used in the campus rating scale.

A district is required to submit a local accountability plan that includes components, domains, and overall scaled scores and ratings to TEA on a timeline determined by the commissioner. The timeline will be published on the TEA website.

All scaled scores and letter grades submitted by a school district are subject to audit. Any data discrepancies or any indication that data have been compromised may result in verification and audit of district and campus data used to assign local accountability ratings. The audit process may include requests for data used for campus-level calculation of component and domain scaled scores.

On an annual basis, TEA will randomly select districts for local accountability audits, and, for each such audit, TEA will randomly se-

lect components for review. Selected districts must submit the requested data for review within the timeframe specified. A district must maintain documentation of its local accountability plan, along with all associated data used to assign campus ratings, for two years after the end of the plan implementation period.

Responsibility for the accuracy and quality of data used to determine local accountability ratings rests with each district. Superintendent certification of data accuracy during the ratings submission process shall include an assurance that calculations have been verified to ensure that all data were included as appropriate for all components.

*19 TAC 97.1003(f)(1)-(6)*

Scorecard and Website

A district must produce a campus scorecard and make available on the district website an explanation of the methodology used to assign local accountability performance ratings. The campus scorecard shall include, at a minimum, the scaled score and rating for each component and domain along with the overall rating. A link to the local accountability ratings posted by the district must be provided to TEA and may be included on the agency-developed school report card. *19 TAC 97.1003(g)*

Appeal and Revision

An appeal of a local accountability rating may be submitted by the superintendent once ratings are released. The local accountability appeals timeline follows the appeal deadline dates and processes as described in the state accountability manual adopted under 19 Administrative Code 97.1001 of this title for the applicable year. *19 TAC 97.1003(f)(7)*

Ratings may be revised as a result of investigative activities by the commissioner as authorized under Education Code 39.057(d) and (e) (redesignated to Education Code 39.003). *19 TAC 97.1003(h)*

**Distinction Designations for Outstanding Performance**

The commissioner shall award distinction designations for outstanding performance. A distinction designation awarded to a district or campus shall be referenced directly in connection with the performance rating assigned to the district or campus and made publicly available together with the A-F performance ratings.

A district or campus may not be awarded a distinction designation unless the district or campus has acceptable performance under the A-F performance ratings.

*Education Code 39.201*

Academic Distinction

The commissioner shall establish an academic distinction designation for districts and campuses for outstanding performance in at-

tainment of postsecondary readiness based on the commissioner's adopted criteria. *Education Code 39.202*

Campus Distinction

The commissioner shall award a campus a distinction designation for outstanding performance in:

1. Improvement in student achievement;
2. Closing student achievement differentials; and
3. Academic achievement in English language arts, mathematics, science, or social studies.

*Education Code 39.203*

The commissioner may award a distinction designation for outstanding performance in advanced middle or junior high school student achievement. *Education Code 39.203(d)*

**Excellence Exemptions**

Except as listed below, a district or campus that is rated A (exemplary) is exempt from requirements and prohibitions imposed under the Education Code, including regulations adopted under the Education Code.

An exemplary campus or district is not exempt from:

1. A prohibition on conduct that constitutes a criminal offense;
2. Requirements imposed by federal law or rule, including requirements for special education or bilingual education programs;
3. A requirement, restriction, or prohibition relating to:
    a. Curriculum essential knowledge and skills or high school graduation requirements;
    b. Public school accountability;
    c. Extracurricular activities;
    d. Health and safety;
    e. Purchasing;
    f. Elementary class size limits;
    g. Removal of a disruptive student from the classroom;
    h. At-risk programs;
    i. Prekindergarten programs;
    j. Rights and benefits of school employees;

k. Special education programs; or

l. Bilingual education programs.

The commissioner may exempt an exemplary campus from class size limits if the campus submits a written plan showing steps that will be taken to ensure that the exemption will not be harmful to the academic achievement of the students on the school campus. If granted, the exemption remains in effect until the commissioner determines that achievement levels of the campus have declined.

*Education Code 39.232*

**Special Investigations**

The commissioner may authorize a special investigation:

1. When excessive numbers of absences of students eligible to be tested on state assessment instruments are determined;
2. When excessive numbers of allowable exemptions from the required state assessment are determined;
3. In response to complaints to the Texas Education Agency (TEA) of alleged violations of civil rights or other requirements imposed on the state by federal law or court order;
4. In response to established compliance reviews of the district's financial accounting practices and state and federal reporting requirements;
5. When extraordinary numbers of student placements in disciplinary alternative education programs, other than placements under Education Code 37.006 and 37.007, are determined;
6. In response to an allegation involving a conflict between members of the board or between the board and the district administration if it appears that the conflict involves a violation of a role or duty of the board members or the administration clearly defined by the Education Code. If TEA's findings indicate the board has observed a lawfully adopted policy, TEA may not substitute its judgment for that of the board;
7. When excessive numbers of students in special education programs are assessed through modified assessment instruments;
8. In response to an allegation regarding, or an analysis using a statistical method result indicating, a possible violation of an assessment instrument security procedure;
9. When a significant pattern of decreased academic performance has developed as a result of the promotion in the preceding two school years of students who did not perform satisfactorily on the state assessments;
10. When excessive numbers of students eligible to enroll fail to complete an Algebra II course or any other advanced course as determined by the commissioner;
11. When resource allocation practices indicate a potential for significant improvement in resource allocation;
12. When a disproportionate number of students of a particular demographic group is graduating with a particular endorsement;

13. When an excessive number of students is graduating with a particular endorsement;

14. When a school district for any reason fails to produce, at the request of TEA, evidence or an investigation report relating to an educator who is under investigation by the State Board for Educator Certification;

15. When 10 percent or more of the students graduating in a particular school year from a particular high school campus are awarded a diploma based on the determination of an individual graduation committee under Education Code 28.0258;

16. In response to a complaint with respect to alleged inaccurate data that is reported through PEIMS or through other reports required by state or federal law or rule or court order and that is used by TEA to make a determination relating to public school accountability, including accreditation, under Education Code Chapter 39;

17. In response to repeated complaints submitted to TEA concerning imposition of excessive paperwork requirements on classroom teachers; or

18. As the commissioner otherwise determines necessary.

*Education Code 39.003(a), (c)*

TEA shall adopt written procedures for conducting special investigations, including procedures that allow TEA to obtain information from district employees in a manner that prevents a district or campus from screening the information. *Education Code 39.004(a)*

---

***Note:*** The procedures for conducting a special investigation, holding a hearing following an investigation, the process for commissioner determinations, and judicial appeal are described in Education Code 39.004-.007.

---

Commissioner Action

Based on the results of a special investigation, the commissioner may:

1. Take appropriate action under Education Code Chapter 39A, [see AIC];

2. Lower the district's accreditation status or a district's or campus's performance rating; or

3. Take action under both items 1 and 2 above.

*Education Code 39.003(d)*

At any time before issuing a report with the TEA's final findings, the commissioner may defer taking the above action until:

1. A person who is a third party, selected by the commissioner, has reviewed programs or other subjects of a special investigation and submitted a report identifying problems and proposing solutions;
2. A district completes a corrective action plan developed by the commissioner; or
3. The completion of actions under both items 1 and 2 above.

*Education Code 39.003(e)*

Based on the results of an action taken above, the commissioner may decline to take the deferred action. *Education Code 39.003(f)*

---

***Note:*** The procedures for an informal review or hearing following an investigation are described in 19 Administrative Code Chapter 157, Subchapter EE.

---

**Monitoring Reviews**

In accordance with Education Code 7.028(a), TEA may monitor compliance with requirements applicable to a process or program provided by a district, campus, or program, only as necessary to ensure:

1. Compliance with federal law and regulations;
2. Financial accountability, including compliance with grant requirements;
3. Data integrity for purposes of:
    a. The Public Education Information Management System (PEIMS); and
    b. Accountability under Education Code Chapter 39 and 39A; and
4. Qualification for funding under Education Code Chapter 48.

The board has primary responsibility for ensuring that the district complies with all applicable requirements of state educational programs.

*Education Code 7.028*

**Compliance Monitoring Activities**

Districts are subject to general supervision and monitoring activities for compliance with state law and federal regulation, implemented by TEA under 34 C.F.R. 300.600-.609 [see Supervision

Under IDEA, below], and review of program implementation and effectiveness within certain special populations of students.

Activities may include:

1. Random, targeted, or cyclical reviews authorized under Education Code 39.056 (monitoring reviews), conducted remotely or on-site to identify problems implementing state and federal requirements and to provide support for development of reasonable and appropriate strategies to address identified problems; and/or

2. Intensive or special investigative remote or on-site reviews authorized under Education Code 39.003 and 39.004.

Activities described above are applicable for compliance with requirements for reading diagnosis in Education Code 28.006 [see EKC], dyslexia and related disorders in Education Code 38.003 and 19 Administrative Code 74.28 [see EHB], and program effectiveness for emergent bilingual students in Education Code 29.062.

*19 TAC 97.1071(b)-(d)*

**Notice**

TEA shall give written notice to the superintendent and the board of trustees of any impending monitoring review. *Education Code 39.056(d)*

**Conducting the Review**

A monitoring review may include desk reviews and on-site visits, including random on-site visits. In conducting a monitoring review, TEA may obtain information from administrators, other district employees, parents of students enrolled in the district, and other persons as necessary. *Education Code 39.056(c), (g)*

**Converting to a Special Investigation**

The commissioner may at any time convert a monitoring review to a special investigation under Education Code 39.003, provided the commissioner promptly notifies the district of the conversion. *Education Code 39.056(h)*

**Improvements**

TEA shall report in writing to the superintendent and president of the board and shall make recommendations concerning any necessary improvements or sources of aid such as regional education service centers. A district that takes action with regard to the recommendations provided by TEA shall make a reasonable effort to seek assistance from a third party in developing an action plan to improve district performance using improvement techniques that are goal-oriented and research-based. *Education Code 39.056(e)-(f)*

**Appeals**

A decision by the commissioner under Education Code Chapter 39 or 39A is final and may not be appealed unless an applicable provision of Chapter 39 or 39A provides otherwise. *Education Code 39A.906* [See AIC]

**Compliance Investigation**

A compliance investigation is an investigation by TEA of a state education grant recipient to determine compliance with the statutory or rule requirements of a state education program. A compliance investigation is not a special investigation subject to Education Code 39.003 and 39.004 (above). *19 TAC 102.1401(a)(1)*

**Supervision Under IDEA**

In exercising its general supervision authority under 34 C.F.R. sections 300.149 and 300.600, TEA has established a process that provides for the investigation and issuance of findings regarding credible allegations of violations of the Individuals with Disabilities Education Act (IDEA), Part B, or a state statute or administrative rule created to implement IDEA, that arise from an area of concern. The following guidelines shall apply to this process.

Definitions

"Area of concern" means that TEA has been made aware of an allegation regarding a violation of, or noncompliance with, a requirement of IDEA, Part B, or a state special education law or administrative rule.

"Credible allegation" means that TEA has determined that an allegation arising from an area of concern is credible enough to investigate further to determine if a violation or noncompliance has occurred.

Credibility Determination

Information and awareness of an area of concern may arise directly from TEA or from external sources.

TEA will engage in a process to determine if an area of concern is determined to be a credible allegation, and, if determined credible, TEA will initiate an investigation to determine if findings of noncompliance will be issued.

TEA will generally not engage in the process described below to determine if an area of concern is a credible allegation if it is a media report, social media post, or an anonymous report, unless TEA receives corroborating information and facts that a specific violation of state or federal law or rule has occurred if the allegation were to be confirmed true.

When an individual or organization reports a special education area of concern, TEA may direct the individual or organization to the established dispute resolution processes. Depending on the frequency or specificity of the type of allegation made, TEA may engage in a process to determine credibility of the allegation.

Process

The process to determine if an area of concern is a credible allegation may include one or more of the following actions:

1. Reviewing existing citations of noncompliance or any noncompliance identified within the last two school years on the same or similar alleged violation;
2. Reviewing filed state complaints that are in process of being investigated or that have been substantiated within the last two school years on the same or similar alleged violation;
3. Reviewing due process hearing decisions issued within the last two years in which the hearing officer's final written decision contains a finding of noncompliance on the same or similar alleged violation;
4. Gathering evidence from groups that represent or advocate for families and communities served by the district;
5. Reviewing and analyzing available student- or district-level data that relate to the alleged violation;
6. Reviewing and analyzing fiscal and program information, such as grant applications, contracts, self-assessments, and other special education documents submitted to TEA by the district; and
7. Any other activity or measure used to gather evidence within TEA's general supervision and monitoring authority.

The investigation to determine if a credible allegation will result in the issuance of findings will include contacting the school district that is the subject of the allegation and requesting a response from the school district. Additional investigative actions may include one or more of the following:

1. Conducting interviews with the district, staff, parents, or students;
2. A referral for review or investigation by any other appropriate unit or division within TEA;
3. Utilizing the review and analysis of the activities conducted during the review process in this provision to determine if noncompliance is found; and
4. Any other activity or measure within TEA's general supervision and monitoring authority.

| | |
|---|---|
| Intervention and Sanction | TEA may apply any intervention or sanction within its authority if noncompliance or a violation is substantiated, including those described in 19 Administrative Code 89.1076 [see AIC].<br><br>*19 TAC 97.1071(l)* |

***Please Note:*** *This manual does not have policies in all codes. The coding structure is common to all TASB manuals and is designed to accommodate expansion of both (LEGAL) and (LOCAL) policy topics and administrative regulations.*

# SECTION B: LOCAL GOVERNANCE

| | |
|---|---|
| BA | BOARD LEGAL STATUS |
| BAA | Powers and Duties |
| BB | BOARD MEMBERS |
| BBA | Eligibility/Qualifications |
| BBB | Elections |
| BBBA | Conducting Elections |
| BBBB | Post-election Procedures |
| BBBC | Campaign Finance |
| BBBD | Campaign Ethics |
| BBC | Vacancies and Removal from Office |
| BBD | Training and Orientation |
| BBE | Authority |
| BBF | Ethics |
| BBFA | Conflict of Interest Disclosures |
| BBFB | Prohibited Practices |
| BBG | Compensation and Expenses |
| BBH | Conventions, Conferences, and Workshops |
| BBI | Technology Resources and Electronic Communications |
| BC | BOARD MEMBERSHIPS |
| BD | BOARD INTERNAL ORGANIZATION |
| BDA | Officers and Officials |
| BDAA | Duties and Requirements of Board Officers |
| BDAE | Duties and Requirements of Depository |
| BDB | Board Committees |
| BDD | Attorney |
| BDE | Consultants |
| BDF | Advisory Committees |
| BE | BOARD MEETINGS |
| BEC | Closed Meetings |
| BED | Public Participation |
| BEE | News Coverage |
| BEF | Staff Participation |
| BF | BOARD POLICIES |
| BG | BOARD SELF-EVALUATION |
| BI | ADMINISTRATIVE GOALS AND OBJECTIVES |

***Please Note:*** *This manual does not have policies in all codes. The coding structure is common to all TASB manuals and is designed to accommodate expansion of both (LEGAL) and (LOCAL) policy topics and administrative regulations.*

# SECTION B: LOCAL GOVERNANCE

| | |
|---|---|
| BJ | SUPERINTENDENT |
| BJA | Qualifications and Duties |
| BJB | Recruitment and Appointment |
| BJC | Contract |
| BJCA | Travel |
| BJCB | Professional Development |
| BJCC | Consulting |
| BJCD | Evaluation |
| BJCE | Suspension/Termination During Contract |
| BJCF | Nonrenewal |
| BJCG | Resignation |
| BK | ADMINISTRATIVE ORGANIZATION |
| BKA | Organization Charts |
| BKB | Line and Staff Relations |
| BM | ADMINISTRATIVE COUNCILS, CABINETS, AND COMMITTEES |
| BP | ADMINISTRATIVE REGULATIONS |
| BQ | PLANNING AND DECISION-MAKING PROCESS |
| BQA | District-Level |
| BQB | Campus-Level |
| BR | REPORTS |

**Open Meetings Act Training**

Not later than the 90th day after taking the oath of office, each board member shall complete training of not less than one and not more than two hours regarding the responsibilities of the board and its members under Government Code Chapter 551 (Open Meetings Act).

The attorney general may provide the training and may also approve other acceptable sources of training.

The board shall maintain and make available for public inspection the record of its members' completion of the training. The failure of one or more members of the board to complete the training does not affect the validity of an action taken by the board.

*Gov't Code 551.005*

**Public Information Act Training**

Not later than the 90th day after taking the oath of office, each board member shall complete training of not less than one and not more than two hours regarding the responsibilities of the board and its officers and employees under Government Code Chapter 552 (Public Information Act [PIA]). A board member may designate a public information coordinator to satisfy the training for the board member if the public information coordinator is primarily responsible for administering the responsibilities of the board member or board under the PIA. The attorney general may require a board member to complete the course of training if the attorney general determines that the district has failed to comply with a requirement of the PIA. *Gov't Code 552.012(b), (b-1), (c)* [See GBAA regarding public information coordinator training.]

**SBOE-Required Training**

A trustee must complete any training required by the State Board of Education (SBOE). *Education Code 11.159*

The SBOE's framework for governance leadership [see BBD(EXHIBIT)] shall be distributed annually by the board president to all current board members and the superintendent. *19 TAC 61.1(a)*

The continuing education required under Education Code 11.159 applies to each member of the board. To the extent possible, an entire board shall participate in continuing education programs together. *19 TAC 61.1(b), (i)*

No continuing education shall take place during a board meeting unless that meeting is called expressly for the delivery of board member continuing education. Continuing education may take place prior to or after a legally called board meeting in accordance with Government Code 551.001(4) (definition of "meeting"). *19 TAC 61.1(e)*

A regional education service center (ESC) board member continuing education program shall be open to any interested person, including a current or prospective board member. A district is not responsible for any costs associated with individuals who are not current board members. *19 TAC 61.1(f)*

Annually, the SBOE shall commend those board-superintendent teams that complete at least eight hours of the continuing education specified at Team Building and Additional Continuing Education, below, as an entire board-superintendent team.

Annually, the SBOE shall commend board-superintendent teams that effectively implement the commissioner of education's trustee improvement and evaluation tool developed under Education Code 11.182 [see BG] or any other tool approved by the commissioner.

*19 TAC 61.1(k), (l)*

Verification

For each training described below, the provider of continuing education shall provide verification of completion of board member continuing education to the individual participant and to the participant's school district. The verification must include the provider's authorization or registration number. *19 TAC 61.1(h)*

Reporting

At the last regular board meeting before an election of trustees, the board president shall announce the name of each board member who has completed the required continuing education, who has exceeded the required hours of continuing education, and who is deficient in meeting the required continuing education as of the anniversary of the date of each board member's election or appointment to the board or two-year anniversary of his or her previous training, as applicable. The announcement shall state that completing the required continuing education is a basic obligation and expectation of any board member under SBOE rule. The minutes of the last regular board meeting held before an election of trustees must reflect whether each trustee has met or is deficient in meeting the training required for the trustee as of the first anniversary of the date of the trustee's election or appointment or two-year anniversary of his or her previous training, as applicable. The president shall cause the minutes to reflect the announcement and, if the minutes reflect that a trustee is deficient in training as of the anniversary of his or her joining the board, the district shall post the minutes on the district's internet website within 10 business days of the meeting and maintain the posting until the trustee meets the requirements. *19 TAC 61.1(j); Education Code 11.159(b)*

Local District Orientation

Each board member shall complete a local district orientation session. The purpose of the local orientation is to familiarize new

board members with local board policies and procedures and district goals and priorities.

A candidate for school board may complete the training up to one year before he or she is elected or appointed. A newly elected or appointed board member who did not complete this training in the year preceding his or her election or appointment must complete the training within 120 calendar days after election or appointment.

The orientation shall:

1. Be at least three hours in length.
2. Address local district practices in the following, in addition to topics chosen by the local district:
    a. Curriculum and instruction;
    b. Business and finance operations;
    c. District operations;
    d. Superintendent evaluation; and
    e. Board member roles and responsibilities.

Each board member should be made aware of the continuing education requirements of 19 Administrative Code 61.1 and those of the following:

1. Open meetings act in Government Code 551.005 [see Open Meetings Act Training above];
2. Public information act in Government Code 552.012 [see Public Information Act Training above]; and
3. Cybersecurity in Government Code 2054.5191 [see CQB].

The orientation shall be open to any board member who chooses to attend.

*19 TAC 61.1(b)(1)*

Education Code Orientation

Each board member shall complete a basic orientation to the Education Code and relevant legal obligations. The orientation shall have special, but not exclusive, emphasis on statutory provisions related to governing Texas school districts.

A candidate for school board may complete the training up to one year before he or she is elected or appointed. A newly elected or appointed board member who did not complete this training in the year preceding his or her election or appointment must complete the training within 120 calendar days after election or appointment.

The orientation shall be at least three hours in length. Topics shall include, but not be limited to, Education Code Chapter 26 (Parental Rights and Responsibilities) and Education Code 28.004 (Local School Health Advisory Council and Health Education Instruction).

The orientation shall:

1. Be provided by an ESC.

2. Be open to any board member who chooses to attend.

The continuing education may be fulfilled through online instruction, provided that the training incorporates interactive activities that assess learning and provide feedback to the learner and offers an opportunity for interaction with the instructor.

*19 TAC 61.1(b)(2)*

Legislative Update

After each session of the Texas Legislature, including each regular session and called session related to education, each board member shall complete an update to the basic orientation to the Education Code.

The update session shall be of sufficient length to familiarize board members with major changes in statute and other relevant legal developments related to school governance.

The update shall be provided by an ESC or a registered provider [see Registered Provider, below].

A board member who has attended an ESC basic orientation session described at Education Code Orientation, above, that incorporated the most recent legislative changes is not required to attend an update.

The continuing education may be fulfilled through online instruction, provided that the training is designed and offered by a registered provider, incorporates interactive activities that assess learning and provide feedback to the learner, and offers an opportunity for interaction with the instructor.

*19 TAC 61.1(b)(3)*

Team Building

The entire board shall participate with their superintendent in a team-building session.

The purpose of the team-building session is to enhance the effectiveness of the board-superintendent team and to assess the continuing education needs of the board-superintendent team.

The session shall be held annually and shall be at least three hours in length.

The session shall include a review of the roles, rights, and responsibilities of the board as outlined in the framework for governance leadership. [See BBD(EXHIBIT)] The assessment of needs shall be based on the framework for governance leadership and shall be used to plan continuing education activities for the year for the governance leadership team.

The team-building session shall be provided by an ESC or a registered provider [see Registered Provider and Authorized Provider, below].

*19 TAC 61.1(b)(4)*

Additional Continuing Education (Based on Assessed Needs)

In addition to the continuing education requirements set out above, each board member shall complete additional continuing education based on the framework for governance leadership. [See BBD(EXHIBIT)]

The purpose of continuing education is to address the continuing education needs referenced at Team Building above.

The continuing education shall be completed annually.

At least 50 percent of the continuing education shall be designed and delivered by persons not employed or affiliated with the board member's school district. No more than one hour of the required continuing education that is delivered by the district may use self-instructional materials.

The continuing education shall be provided by an ESC or a registered provider [see Registered Provider, below].

The continuing education may be fulfilled through online instruction, provided that the training is designed and offered by a registered provider, incorporates interactive activities that assess learning and provide feedback to the learner, and offers an opportunity for interaction with the instructor.

*First Year*

In a board member's first year of service, he or she shall complete at least 10 hours of continuing education in fulfillment of assessed needs.

*Subsequent Years*

Following a board member's first year of service, he or she shall complete at least five hours of continuing education annually in fulfillment of assessed needs.

*Board President*

A board president shall complete continuing education related to leadership duties of a board president as some portion of the annual requirement.

*19 TAC 61.1(b)(5)*

Evaluating Student Academic Performance

Each board member shall complete continuing education on evaluating student academic performance and setting individual campus goals for early childhood literacy and mathematics and college, career, and military readiness.

The purpose of the training on evaluating student academic performance is to provide research-based information to board members that is designed to support the oversight role of the board of trustees outlined in Education Code 11.1515. [See BAA]

The purpose of the continuing education on setting individual campus goals for early childhood literacy and mathematics and college, career, and military readiness is to facilitate boards meeting the requirements of Education Code 11.185 and 11.186.

A candidate for school board may complete the training up to one year before he or she is elected or appointed. A newly elected or appointed board member who did not complete this training in the year preceding his or her election or appointment must complete the training within 120 calendar days after election or appointment.

The continuing education shall be completed every two years and shall be at least three hours in length.

The continuing education required by this provision shall include, at a minimum:

1. Instruction in school board behaviors correlated with improved student outcomes with emphasis on:
    a. Setting specific, quantifiable student outcome goals; and
    b. Adopting plans to improve early literacy and numeracy and college, career, and military readiness for applicable student groups evaluated in the Closing the Gaps domain of the state accountability system established under Education Code Chapter 39;
2. Instruction in progress monitoring practices to improve student outcomes; and
3. Instruction in state accountability with emphasis on the Texas Essential Knowledge and Skills, state assessment instruments administered under Education Code Chapter 39, and the state accountability system established under Chapter 39.

The continuing education shall be provided by an authorized provider [see Authorized Provider, below].

If the training is attended by an entire board and its superintendent, includes a review of local school district data on student achieve-

ment, and otherwise meets the requirements described at Team Building above, the training may serve to meet a board member's obligation to complete training described at Team Building and at Evaluating Student Academic Performance, above, as long as the training complies with the Open Meetings Act.

*19 TAC 61.1(b)(6)*

Identifying and Reporting Abuse

Each board member shall complete continuing education on identifying and reporting potential victims of sexual abuse, human trafficking, and other maltreatment of children in accordance with Education Code 11.159(c)(2).

A candidate for school board may complete the training up to one year before he or she is elected or appointed. A newly elected or appointed board member who did not complete this training in the year preceding his or her election or appointment must complete the training within 120 calendar days after election or appointment.

The training shall be completed every two years and shall be at least one hour in length.

The training must familiarize board members with the requirements of Education Code 38.004 and 38.0041, and 19 Administrative Code 61.1051 (relating to Reporting Child Abuse or Neglect, Including Trafficking of a Child).

---

***Note:*** 19 Administrative Code 61.1051 was repealed and the requirements were recodified at 19 Administrative Code 103.1401.

---

The training required by this provision shall include, at a minimum:

1. Instruction in best practices of identifying potential victims of child abuse, human trafficking, and other maltreatment of children;

2. Instruction in legal requirements to report potential victims of child abuse, human trafficking, and other maltreatment of children; and

3. Instruction in resources and organizations that help support victims and prevent child abuse, human trafficking, and other maltreatment of children.

The training sessions shall be provided by a registered provider [see Registered Provider, below].

This training may be completed online, provided that the training is designed and offered by a registered provider, incorporates inter-

active activities that assess learning and provide feedback to the learner, and offers an opportunity for interaction with the instructor.

*19 TAC 61.1(b)(7)*

School Safety

The SBOE shall require a trustee to complete training on school safety. *Education Code 11.159(b-1)*

The continuing education required under Education Code 11.159(b-1) applies to each member of an independent school district board of trustees.

Each member shall complete the training on school safety adopted by the SBOE. The training requirement shall be fulfilled by completing the online course adopted by the SBOE and made available by the commissioner of education. The training shall be completed every two years.

A candidate for school board may complete the training up to one year before he or she is elected or appointed. A newly elected or appointed trustee who did not complete the training in the year preceding his or her election or appointment must complete the training within 120 calendar days after election or appointment.

A district shall maintain verification of completion for each trustee.

*19 TAC 61.3*

Training Provider

*Registered Provider*

For the purposes of 19 Administrative Code 61.1, a registered provider has demonstrated proficiency in the content required for a specific training. A private or professional organization, school district, government agency, college/university, or private consultant shall register with the Texas Education Agency (TEA) to provide the board member continuing education required by 19 Administrative Code 61.1(b)(3), (5), and (7) [see Legislative Update, Additional Continuing Education, and Identifying and Reporting Abuse, above].

A district that provides continuing education exclusively for its own board members is not required to register under 19 Administrative Code 61.1(c)(1)-(2).

*19 TAC 61.1(c)*

*Authorized Provider*

An authorized provider meets all the requirements of a registered provider and has demonstrated proficiency in the content required by 19 Administrative Code 61.1(b)(4) and (6). Proficiency may be demonstrated in accordance with 19 Administrative Code 61.1(d).

A private or professional organization, school district, government agency, college/university, or private consultant may be authorized

by TEA to provide the board member training required in 19 Administrative Code 61.1(b)(4) and (6).

An ESC shall be authorized by TEA to provide the board member training required in 19 Administrative Code 61.1(b)(4) and (6).

*19 TAC 61.1(d)*

[See above for 19 Administrative Code 61.1(b)(4) on Team Building and (b)(6) on Evaluating Student Academic Performance.]

---

***Note:*** For cybersecurity training requirements, see CQB(LEGAL).

---

**Board Officers** The Board shall elect a President, a Vice President, and a Secretary who shall be members of the Board. Officers shall be elected by majority vote of the members present and voting.

Vacancy A vacancy among officers of the Board, other than the President, shall be filled by majority action of the Board.

**Term and Duties** Board officers shall serve for a term of one year or until a successor is elected. Officers may succeed themselves in office. Each officer shall perform any legal duties of the office and other duties as required by action of the Board.

President In addition to the duties required by law, the President of the Board shall:

1. Preside at all Board meetings unless unable to attend.
2. Have the right to discuss, make motions, propose resolutions, and vote on all matters coming before the Board.

Vice President The Vice President of the Board shall:

1. Act in the capacity and perform the duties of the President of the Board in the event of the absence or incapacity of the President.
2. Automatically become President of the Board if a vacancy in that office occurs and serve in this role until the Board reorganizes.

Secretary The Secretary of the Board shall:

1. Ensure that an accurate record is kept of the proceedings of each Board meeting.
2. Ensure that notices of Board meetings are posted and sent as required by law.
3. In the absence of the President and Vice President, call the meeting to order and act as presiding officer.
4. Sign or countersign documents as directed by action of the Board.

Government Code Chapter 551 (Open Meetings Act) applies to board committee meetings if:

1. At least a quorum of the board is on the committee;

2. A quorum of the board is present at the committee meeting, even though less than a quorum is actually on the committee; or

3. Less than a quorum of the board is on the committee, but the committee is authorized to make final decisions or control or supervise public business.

A committee that includes less than a quorum of board members is not subject to the Open Meetings Act if it serves a purely advisory function, with no power to supervise or control public business.

*Atty. Gen. Op. Nos. GA-0957 (2012), JC-0060 (1999), JH-0994 (1977); Willmann v. City of San Antonio, 123 S.W.3d 469 (Tex. App.—San Antonio 2003, pet. denied)* [See BE]

***Note***: For advisory committees that include staff, parents, community members, or students, see BDF.

**Board Committees**

For purposes of this policy, a Board committee is a committee composed only of current Board members.

Formation of a Board committee shall be by Board action. When establishing a Board committee, the Board action shall, at a minimum, specify the:

- Number of Board members on the committee;
- Process to appoint Board members to the committee;
- Term of committee membership; and
- Responsibilities of the committee.

A Board committee shall be fact-finding, deliberative, and advisory, and shall make recommendations in the areas of their responsibility. Board committees shall report their findings and recommendations to the Board and shall not assume administrative duties or responsibilities.

Transacting Business

Unless specified by the Board, a Board committee shall not have final decision-making authority. Board committee recommendations must be reported to the Board at a regular or special meeting. The Board shall not accept a Board committee's recommendation without due consideration of the matter.

Dissolution

A Board committee shall be dissolved upon Board action.

**School Health Advisory Council**

The board shall establish a local school health advisory council (SHAC) to assist the district in ensuring that local community values are reflected in the district's health education instruction. *Education Code 28.004(a)* [See EHAA regarding duties of the SHAC.]

Meetings

The SHAC shall meet at least four times each year. For each meeting the SHAC shall:

1. At least 72 hours before the meeting post notice of the date, hour, place, and subject of the meeting on a bulletin board in the central administrative office of each campus in the district; and ensure that the required notice is posted on the district's internet website, if the district has an internet website;
2. Prepare and maintain minutes of the meeting that state the subject and content of each deliberation and each vote, order, decision, or other action taken by the council during the meeting;
3. Make an audio or video recording of the meeting; and
4. Not later than the tenth day after the meeting, submit the minutes and audio or video recording of the meeting to the district.

As soon as practicable after receipt of the minutes and audio or video recording, the district shall post the minutes and audio or video recording on the district's internet website, if the district has an internet website.

*Education Code 28.004(d-1), (d-2)*

Composition

The board shall appoint at least five members to the SHAC. A majority of members must be persons who are parents of students enrolled in the district and who are not employed by the district. One of those members shall serve as chair or co-chair of the SHAC.

The board also may appoint one or more persons from each of the following groups or a representative from a group other than a group specified:

1. Classroom teachers employed by the district;
2. School counselors certified under Education Code Chapter 21, Subchapter B, employed by the district;
3. School administrators employed by the district;
4. District students;
5. Health-care professionals licensed or certified to practice in this state, including medical or mental health professionals;

6. The business community;
7. Law enforcement;
8. Senior citizens;
9. The clergy;
10. Nonprofit health organizations; and
11. Local domestic violence programs.

*Education Code 28.004(d)*

Physical Activity and Fitness Planning Subcommittee

The SHAC shall establish a physical activity and fitness planning subcommittee to consider issues relating to student physical activity and fitness and make policy recommendations to increase physical activity and improve fitness among students. *Education Code 28.004(l-1)*

Annual Report

In addition to its other duties, the SHAC shall submit to the board, at least annually, a written report that includes:

1. Any SHAC recommendation concerning the district's health education curriculum and instruction or related matters that the SHAC has not previously submitted to the board;
2. Any suggested modification to a SHAC recommendation previously submitted to the board;
3. A detailed explanation of the SHAC's activities during the period between the date of the current report and the date of the last prior written report; and
4. Any recommendations made by the physical activity and fitness planning subcommittee.

*Education Code 28.004(m)*

**Public Statement**

A district shall publish in the student handbook and post on the district's internet website, if the district has an internet website, a statement of:

1. The policies and procedures adopted to promote the physical health and mental health of students, the physical health and mental health resources available at each campus, contact information for the nearest providers of essential public health services under Health and Safety Code Chapter 121, and the contact information for the nearest local mental health authority;
2. The policies adopted to ensure that elementary school, middle school, and junior high school students engage in at least

the amount and level of physical activity required by Education Code 28.002(l) [see EHAB and EHAC];

3. The number of times during the preceding year the SHAC has met;

4. Whether the district has adopted and enforces policies to ensure that district campuses comply with the Texas Education Agency's vending machine and food service guidelines for restricting student access to vending machines;

5. Whether the district has adopted and enforces policies and procedures that prescribe penalties for the use of e-cigarettes, as defined by Education Code 38.006, and tobacco products by students and others on school campuses or at school-sponsored or school-related activities [see DH and GKA];

6. Notice to parents that they can request in writing their child's physical fitness assessment results at the end of the school year [see FFAA]; and

7. Whether each campus in the district has a full-time nurse or full-time school counselor.

*Education Code 28.004(k)*

***Note***: For committees composed only of current Board members, see BDB.

**Advisory Committees**

For purposes of this policy, an advisory committee is a committee composed primarily of District staff, parents, other community members, and/or students. An advisory committee may also include Board members in numbers less than a quorum of the Board.

Formation of an advisory committee shall be by Board action. When establishing an advisory committee, the Board action shall, at a minimum, specify the:

- Number of members on the committee;
- Process to appoint members to the committee;
- Term of committee membership; and
- Responsibilities of the committee.

An advisory committee shall be fact-finding, deliberative, and advisory and shall not assume administrative duties or responsibilities. Advisory committees shall report their findings and recommendations to the Board.

Transacting Business

An advisory committee may transact business only within the specific authority granted by the Board. To be binding, all such committee recommendations must be reported to the Board at a regular or special meeting for approval and entry into the minutes as a public record.

Dissolution

An advisory committee shall be dissolved upon completion of the assigned task or Board action.

**Vacancy Posting**

A district's employment policy must provide for notice to each current district employee of a vacant position for which a certificate is required. Notice must be provided not later than the 10th school day before the date on which a district fills the position. Notice shall be posted on:

1. A bulletin board at:
    a. A place convenient to the public in the district's central administrative office, and
    b. The central administrative office of each campus during any time the office is open; or
2. The district's internet website, if the district has a website.

A district shall provide each current district employee a reasonable opportunity to apply for the position.

*Education Code 11.1513(d)*

**Names of Applicants**

The name of an applicant for superintendent is excepted from disclosure under Chapter 552, Government Code (Public Information Act). However, a board must give public notice of the name or names of the finalists being considered for superintendent at least 21 days before the date of the meeting at which a final action or vote is to be taken on the employment of the person. *Gov't Code 552.126*

**Required Reporting After Superintendent Change**

Subsequent to a school system superintendent change, the direct contact information of the superintendent (or person acting in that capacity) must be updated in Sentinel within three business days of a corresponding board meeting. *19 TAC 103.1213(e)(3)(F)* [See CKA]

**Available School Fund**

The available school fund is apportioned annually to Texas counties according to the scholastic population of each. *Education Code 43.001(b)*

**Foundation School Program**

The purposes of the Foundation School Program (FSP) set forth in Education Code Chapter 48 are to guarantee that each district in the state has:

1. Adequate resources to provide each eligible student a basic instructional program and facilities suitable to the student's educational needs; and
2. Access to a substantially equalized program of financing in excess of basic costs for certain services, as provided by that chapter.

The FSP consists of:

1. Two tiers that in combination provide for:
    a. Sufficient financing for all school districts to provide a basic program of education that is rated acceptable or higher under Education Code 39.054 and meets other applicable legal standards; and
    b. Substantially equal access to funds to provide an enriched program; and
2. A facilities component as provided by Education Code Chapter 46. [See CCA]

*Education Code 48.002*

The cost of the FSP for a district is the total sum of:

1. The sum of the tier one allotments and other funding as follows:
    a. The basic allotment under Education Code Chapter 48, Subchapter B;
    b. The student-based allotments under Education Code Chapter 48, Subchapter C; and
    c. The additional funding under Education Code Chapter 48, Subchapter D (including the transportation allotment [see CNA] and the new instructional facility allotment below); and
2. The tier two allotment under Education Code Chapter 48, Subchapter E.

The sum of the FSP maintenance and operations costs for all accredited school districts in this state constitutes the total maintenance and operations cost of the FSP.

The FSP shall be financed by:

1. State available school funds distributed in accordance with the law;
2. Ad valorem tax revenue generated by local school district effort [see CCG series]; and
3. State funds appropriated for the purposes of public school education and allocated to each district in an amount sufficient to finance the cost of each district's FSP not covered by other funds specified.

*Education Code 48.251*

**PEIMS**

A district shall participate in the Public Education Information Management System (PEIMS) and shall provide through that system information required for the administration of Education Code Chapter 48 (Foundation School Program) and of other appropriate provisions of the Education Code. Data standards, established by the commissioner of education, shall be used by a district to submit required information. *Education Code 48.008; 19 TAC 61.1025(b)*

**New Instructional Facility Allotment (NIFA)**

A district is entitled to an additional allotment as provided by Education Code 48.152 for operational expenses associated with opening a new instructional facility. A district entitled to an allotment may use funds from the district's allotment to renovate an existing instructional facility to serve as a dedicated cybersecurity computer laboratory. *Education Code 48.152*

Definitions

“Instructional facility” means real property, an improvement to real property, or a necessary fixture of an improvement to real property that is used predominantly for teaching the curriculum required by Education Code 28.002. *Education Code 46.001, 48.152(a)(1); 19 TAC 61.1034(a)(2)* [See CCA for the Instructional Facilities Allotment]

“New instructional facility” is a facility that includes:

1. A newly constructed instructional facility, which is a new instructional campus built from the ground up;
2. A repurposed instructional facility, which is a facility that has been renovated to become an instructional facility for the first time for the applying school district; or

3. A leased facility operating for the first time as an instructional facility with a minimum lease term of not less than 10 years. The lease must not be a continuation of or renegotiation of an existing lease for an instructional facility.

*Education Code 48.152(a)(2); 19 TAC 61.1034(a)(3)*

Eligibility

The following eligibility criteria apply to the NIFA in accordance with Education Code 48.152.

1. The facility for which NIFA funds are requested must meet the following requirements:

   a. The facility must qualify as an instructional campus and a new instructional facility used for teaching the curriculum required by Education Code Chapter 28.

   b. To qualify for first-year funding, a new facility must not have been occupied in the prior school year. To qualify for follow-up funding, the facility must have been occupied for the first time in the prior school year and funded for the NIFA for that first year. If an instructional facility qualifies as a new instructional facility but did not receive the allotment in the first year of eligibility due to a failure to apply, the school district or open-enrollment charter school may still apply for and receive funding for the average daily attendance (ADA) earned only during the second year of occupation in the new instructional facility.

   c. With the exception of a covered walkway connecting the new facility to another building, the new facility must be physically separate from other existing school structures.

   d. Career and technical education (CTE) campuses must report each CTE campus student’s ADA when the ADA for that student is reported at the student's home campus.

2. Expansion or renovation of existing instructional facilities, as well as portable and temporary structures, are not eligible for the NIFA.

3. All instructional buildings on the campus must be newly constructed as new instructional facilities, except for an existing gymnasium that remains on the campus and will be utilized on the instructional campus.

Application Process

To apply for the NIFA, a district must complete the Texas Education Agency's (TEA) online application process requesting funding pursuant to the NIFA.

The initial (first-year) application, or an application for one-year funding only, must be submitted electronically no later than July 15. The application must include the following:

1. The electronic submission of TEA's online application for initial funding; and
2. The electronic submission of the following materials:
    a. A brief description and photograph of the newly constructed, repurposed, or leased instructional facility;
    b. A copy of a legal document that clearly describes the nature and dates of the new or repurposed construction or a copy of the applicable lease;
    c. A site plan;
    d. A floor plan; and
    e. If applicable, a demolition plan.

Second-year applications require only the electronic submission of TEA's online application for follow-up funding no later than July 15 of the year preceding the applicable school year.

Survey on Days of Instruction

In the fall of the school year after a school year for which an applicant received NIFA funds, the district that received the funds must complete an online survey on the number of instructional days held in the new facility and submit the completed survey electronically. TEA will use submitted survey information in determining the final (settle-up) amount earned by each eligible school district, as described by 19 Administrative Code 61.1034(e)(6).

Costs and Payments

The costs and payments for the NIFA are determined by the commissioner.

The allotment for the NIFA is a part of the cost of the first tier of the FSP. This allotment is not counted in the calculation of weighted average daily attendance for the second tier of the FSP.

If, for all eligible applicants combined, the total cost of the NIFA exceeds the amount appropriated, each allotment is reduced so that the total amount to be distributed equals the amount appropriated. Reductions to allotments are made by applying the same percentage adjustment to each school district.

Allocations will be made in conjunction with allotments for the FSP in accordance with the school district's payment class. For school districts that are subject to the excess local revenue provisions under Education Code 48.257, and do not receive payments from the Foundation School Fund, NIFA distributions will be reflected as reduced recapture payments.

For school districts that are subject to the excess local revenue provisions under Education Code 48.257, NIFA distributions increase the amount of the FSP entitlement and so will automatically reduce any excess local revenue and reduce the requirement to send recapture to the state in the amount of the NIFA allocation.

For all school districts receiving the NIFA, a final (settle-up) amount earned is determined by the commissioner when information reported through the survey described above is available in the fall of the school year after the school year for which NIFA funds were received. [See Survey on Days of Instruction, above] The final amount earned is determined using the submitted survey information and final counts of ADA for the school year for which NIFA funds were received, as reported through PEIMS.

The amount of funds to be distributed for the NIFA to a school district is in addition to any other state aid entitlements.

*19 TAC 61.1034(b)-(e)*

**Safety and Security Audit**

At least once every three years, each district shall conduct a safety and security audit of the district's facilities. A district, or a person included in the registry of persons providing school safety or security consulting services established by the Texas School Safety Center (TxSSC) who is engaged by the district to conduct a safety and security audit, shall follow safety and security audit procedures developed by the TxSSC in coordination with the commissioner of education.

A district must confirm that a person is included in the registry before the district may engage the person to provide school safety or security consulting services to the district.

In a district's safety and security audit, the district must certify that the district used the funds provided through the school safety allotment only for the purposes provided by Education Code 48.115.

A district shall report the results of the safety and security audit to the board and, in the manner required by the TxSSC, to the TxSSC. The report provided to the TxSSC must be signed by the board and the superintendent.

*Education Code 37.108(b), (b-1), (c), 37.2091(b-1)*

In addition to a review of a district's multihazard emergency operations plan under Education Code 37.2071 [see CKC], the TxSSC may require a district to submit its plan for immediate review if the district's audit results indicate that the district is not complying with applicable standards. *Education Code 37.207(c)*

Failure to Report Audit Results

If a district fails to report the results of its audit, the TxSSC shall provide the district with written notice that the district has failed to report its audit results and must immediately report the results to the center.

If three months after the date of the initial notification the district has still not reported the results of its audit to the TxSSC, the TxSSC shall notify the Texas Education Agency (TEA) and the district of the district's requirement to conduct a public hearing under Education Code 37.1081. [See CKC]

*Education Code 37.207(d)-(e)*

Disclosure

Except as provided by Education Code 37.108(c-2) [see CKC], any document or information collected, developed, or produced during a safety and security audit is not subject to disclosure under Government Code Chapter 552 (Public Information Act). *Education Code 37.108(c-1)*

**TEA Monitoring of Safety and Security Requirements**

TEA shall monitor the implementation and operation of requirements related to school district safety and security, including school district multihazard emergency operations plans [see CKC] and safety and security audits [see above].

Office of School Safety and Security

TEA shall establish an office of school safety and security to coordinate monitoring and, in coordination with the TxSSC and relevant local law enforcement agencies, provide technical assistance to school districts to support the implementation and operation of safety and security requirements.

Vulnerability Assessments

As part of the technical assistance, TEA shall conduct a detailed vulnerability assessment of each school district on a random basis once every four years. Any documentation requested by TEA for a vulnerability assessment must be uploaded to Sentinel [see below at Reporting Through Sentinel].

On completion of a vulnerability assessment TEA shall provide to the superintendent and school safety and security committee [see CK] for the applicable school district a report on the results of the assessment that includes recommendations and required corrective actions to address any deficiencies in campus security identified by the agency.

District Information and Records

Each school district shall submit information requested by TEA in TEA's efforts to monitor the implementation and operation of school district safety and security requirements, including notice of an event requiring a district's emergency response including the discovery of a firearm on a campus and information regarding the district's response and use of emergency operations procedures during such an event [see below at Reporting Through Sentinel].

TEA may review school district records as necessary to ensure compliance with Education Code Subchapter D (Protection of Building and Grounds) and Subchapter G (Texas School Safety Center).

Any document or information collected, identified, developed, or produced relating to the monitoring of school district safety and security requirements is confidential under Government Code 418.177 and 418.181 (Texas Disaster Act), and not subject to disclosure under Government Code Chapter 552.

*Education Code 37.1083; 19 TAC 103.1213(a), (e)(2)(B)*

Reporting Through Sentinel

Sentinel is TEA's formal school safety system designed to collect, process, store, and distribute school safety and security information. Sentinel serves as a repository for all safety and security-related data submitted to TEA. Each school district shall report information to TEA through Sentinel, including:

1. On or before June 30th of each year, a district shall input its upcoming school year calendar into Sentinel. Any changes to the school year calendar shall be updated in Sentinel within three business days after approval by district leadership.
2. On or before June 30th of each year, a district must verify that all district facilities listed in Sentinel reflect the correct address and campus emergency contact information.
3. If a district closes for a localized emergency, closure information must be immediately recorded in Sentinel.
4. School districts shall submit information related to events requiring an emergency response, including the discovery of a firearm on a campus [see above] in the Sentinel portal. This is inclusive of notifications regarding a bomb threat or terroristic threat [see CKC]. Submission of information in the Sentinel portal does not substitute the requirement for local law enforcement notification of certain activities [see GRAA].

[For additional requirements for reporting through Sentinel, see BJB for reporting a superintendent change, CKC for TxSSC uploading of multihazard emergency operations plans, FDA for transfer of threat assessments between districts, and FFB for application to behavioral threat assessments.]

*19 TAC 103.1213(a), (b)(3), (c), (e)(3)(A)-(D)*

**Intruder Detection Audits**

TEA's office of school safety and security shall establish a school safety review team in each region served by a regional education service center, which shall annually conduct on-site general intruder detection audits of school district campuses in the team's region.

Notice to Superintendent

In conducting an intruder detection audit, a safety review team must notify the superintendent of the district in which the campus being audited is located not later than the seventh day before the date of a scheduled audit.

Documentation

Any documentation requested by TEA for an intruder detection audit must be uploaded to Sentinel [see above at Reporting Through Sentinel].

Report

On completion of the audit, a safety review team must provide to the superintendent and school safety and security committee for the school district in which the campus is located a report on the results of the audit that includes recommendations and required corrective actions to address any deficiencies in campus security identified by the team.

A report produced by a safety review team is confidential and not subject to disclosure under Government Code Chapter 552.

*Education Code 37.1084; 19 TAC 103.1213(e)(4)(B)*

**Assignment of Conservator for Noncompliance**

The commissioner may assign a conservator under Education Code Chapter 39A if a school district fails to:

1. Submit to any required monitoring, assessment, or audit under Education Code 37.1083 or 37.1084 [see above];
2. Comply with applicable safety and security requirements; or
3. Address in a reasonable time period, as determined by commissioner rule, issues raised by TEA's monitoring, assessment, or audit of the district under Education Code 37.1083 or 37.1084.

A conservator may exercise the powers and duties of a conservator under Education Code 39A.003 [see AIC] only to correct a failure identified above. TEA may not assign a conservator for a district's failure to comply with Education Code 37.0814 (Armed Security Officer Required) or a good cause exception claimed under that section. [See CKE]

*Education Code 37.1085*

**Notice of Bomb Threat or Terroristic Threat**

A district that receives a bomb threat or terroristic threat relating to a campus or other district facility at which students are present shall provide notification of the threat as soon as possible to the parent or guardian of or other person standing in parental relation to each student who is assigned to the campus or who regularly uses the facility, as applicable. *Education Code 37.113*

**Notice Regarding Violent Activity**

The Texas Education Agency (TEA) shall develop model standards for providing notice regarding violent activity that has occurred or is being investigated at a district campus or other district facility or at a district-sponsored activity to parents, guardians, and other persons standing in parental relation to students who are assigned to the campus, regularly use the facility, or are attending the activity, as applicable. A district shall adopt a policy for providing this notice in a manner that meets TEA standards. *Education Code 37.1131*

**Emergency Response Map and Walk-Through**

A district shall provide to the Department of Public Safety (DPS) and all appropriate local law enforcement agencies and emergency first responders:

1. An accurate map of each district campus and school building that is developed and documented in accordance with the standards described by Education Code 37.351 related to developing site and floor plans, access control, and exterior door numbering; and
2. An opportunity to conduct a walk-through of each district campus and school building using the map.

*Education Code 37.117*

**Emergency Operations Plan**

Each district shall adopt and implement a multihazard emergency operations plan for use in the district's facilities. The plan must address prevention, mitigation, preparedness, response, and recovery as defined by the Texas School Safety Center (TxSSC) in conjunction with the governor's office of homeland security and the commissioner. The plan must provide for:

1. Training in responding to an emergency for district employees, including substitute teachers;
2. Measures to ensure district employees, including substitute teachers, have classroom access to a telephone, including a cellular telephone, or another electronic communication device allowing for immediate contact with district emergency services or emergency services agencies, law enforcement agencies, health departments, and fire departments;

3. Measures to ensure district communications technology and infrastructure are adequate to allow for communication during an emergency;

4. Mandatory school drills and exercises, including drills required under Education Code 37.114 (emergency evacuations), to prepare district students and employees for responding to an emergency [see CKB];

5. Measures to ensure coordination with the Texas Department of State Health Services (TDSHS) and local emergency management agencies, law enforcement, health departments, and fire departments in the event of an emergency;

6. The implementation of a required safety and security audit [see CKA]; and

7. Any other requirements established by the TxSSC in consultation with TEA and relevant local law enforcement agencies.

*Education Code 37.108(a)*

A district shall include in its multihazard emergency operations plan:

1. A chain of command that designates the individual responsible for making final decisions during a disaster or emergency situation and identifies other individuals responsible for making those decisions if the designated person is unavailable;

2. Provisions that address physical and psychological safety for responding to a natural disaster, active shooter, and any other dangerous scenario identified for purposes of these provisions by TEA or TxSSC;

3. Provisions for ensuring the safety of students in portable buildings;

4. Provisions for ensuring that students and district personnel with disabilities are provided equal access to safety during a disaster or emergency situation;

5. Provisions for providing immediate notification to parents, guardians, and other persons standing in parental relation in circumstances involving a significant threat to the health or safety of students, including identification of the individual with responsibility for overseeing the notification;

6. Provisions for supporting the psychological safety of students, district personnel, and the community during the response

and recovery phase following a disaster or emergency situation that:

a. Are aligned with best practice-based programs and research-based practices recommended under Education Code 38.351;

b. Include strategies for ensuring any required professional development training for suicide prevention and grief-informed and trauma-informed care is provided to appropriate school personnel;

c. Include training on integrating psychological safety and suicide prevention strategies into the district's plan, such as psychological first aid for schools training, from an approved list of recommended training established by the commissioner and TxSSC for:

(1) Members of the district's school safety and security committee [see CK];

(2) District school counselors and mental health professionals; and

(3) Educators and other district personnel as determined by the district;

d. Include strategies and procedures for integrating and supporting physical and psychological safety that align with the provisions described by item 2, above; and

e. Implement trauma-informed policies;

7. A policy for providing a substitute teacher access to school campus buildings and materials necessary for the substitute teacher to carry out the duties of a district employee during an emergency or a mandatory emergency drill;

8. The name of each individual on the district's school safety and security committee and the date of each committee meeting during the preceding year [see CK]; and

9. Certification that the district is in compliance with Education Code 37.117 [see Emergency Response Map, above].

*Education Code 37.108(f)*

Guidelines for Individuals with Disabilities or Impairments

TEA shall establish guidelines for the provisions in a district's multihazard emergency operations plan to ensure the safety of students and district personnel with disabilities or impairments during a disaster or emergency situation. A district must follow the guidelines

established by TEA in adopting and implementing the district's multihazard emergency operations plan. *Education Code 37.1086*

Active Shooter Emergency

A district shall include in its multihazard emergency operations plan a policy for responding to an active shooter emergency. The district may use any available community resources in developing the policy. *Education Code 37.108(g)*

Train Derailment

A district shall include in its multihazard emergency operations plan a policy for responding to a train derailment near a district school. A district is only required to adopt the policy if a district facility is located within 1,000 yards of a railroad track, as measured from any point on the school's real property boundary line. A district may use any available community resources in developing the policy. *Education Code 37.108(d)*

Polling Place Security

A district shall include in its multihazard emergency operations plan a policy for district property selected for use as a polling place under Election Code 43.031. In developing the policy, the board may consult with the local law enforcement agency with jurisdiction over the district property selected as a polling place regarding reasonable security accommodations that may be made to the property. This requirement may not be interpreted to require the board to obtain or contract for the presence of law enforcement or security personnel for the purpose of securing a polling place located on district property. Failure to comply with this subsection does not affect the requirement of the board to make a school facility available for use as a polling place under Election Code 43.031. *Education Code 37.108(e)* [See GKD]

Disclosure

A document relating to a district's multihazard emergency operations plan is subject to disclosure if the document enables a person to:

1. Verify that the district has established a plan and determine the agencies involved in the development of the plan and the agencies coordinating with the district to respond to an emergency, including TDSHS, local emergency services agencies, law enforcement agencies, health departments, and fire departments;
2. Verify that the district's plan was reviewed within the last 12 months and determine the specific review dates;
3. Verify that the plan addresses the five phases of emergency management listed above at Emergency Operations Plan;
4. Verify that district employees have been trained to respond to an emergency and determine the types of training, the num-

ber of employees trained, and the person conducting the training;

5. Verify that each campus in the district has conducted mandatory emergency drills and exercises in accordance with the plan and determine the frequency of the drills;

6. Verify that the district has established a plan for responding to a train derailment if required [see Train Derailment, above];

7. Verify that the district has completed a safety and security audit and determine the date the audit was conducted, the person conducting the audit, and the date the district presented the results of the audit to the board [see CKA];

8. Verify that the district has addressed any recommendations by the board for improvement of the plan and determine the district's progress within the last 12 months; and

9. Verify that the district has established a visitor policy and identify the provisions governing access to a district building or other district property.

*Education Code 37.108(c-2)*

[See GRC for emergency management training requirements and response to requests from other governmental entities for mutual aid.]

Plan Review

A district shall submit its multihazard emergency operations plan to the TxSSC not later than the 30th day after the date the TxSSC requests the submission and in accordance with the review cycle developed under Education Code 37.2071(a).

Any document or information collected, developed, or produced during the review and verification of multihazard emergency operations plans is not subject to disclosure under Government Code Chapter 552 (Public Information Act).

Upon completed review of a district's multihazard emergency operations plan, the TxSSC may upload a copy of that plan, including all required appendices, to the Sentinel portal. [See CKA] *19 TAC 103.1213(e)(3)(E)*

*Failure to Submit Plan*

If a district fails to submit its multihazard emergency operations plan to the TxSSC for review following a notification by the TxSSC that the district has failed to submit the district's plan, the TxSSC shall provide the district with written notice stating that the district must hold a public hearing as outlined at Public Hearing on Noncompliance, below. The notice must state that the commissioner is

authorized to appoint a conservator under Education Code 37.1082.

*Notice of Plan Deficiencies*

The TxSSC shall review each district's multihazard emergency operations plan and verify the plan meets the requirements or provide the district with written notice describing the plan's deficiencies, including specific recommendations to correct the deficiencies, and stating that the district must correct the deficiencies in its plan and resubmit the revised plan to the TxSSC.

The TxSSC may approve a district multihazard emergency operations plan that has deficiencies if the district submits a revised plan that the center determines will correct the deficiencies.

*Failure to Correct Deficiencies*

If one month after the date of initial notification of a plan's deficiencies outlined above a district has not corrected the plan deficiencies, the TxSSC shall provide written notice to the district and TEA that the district has not complied with the requirements and must comply immediately.

If a district still has not corrected the plan deficiencies three months after the date of initial notification, the TxSSC shall provide written notice to the district stating that the district must hold a public hearing as outlined at Public Hearing on Noncompliance, below.

*Education Code 37.2071*

Public Hearing on Noncompliance

If the board receives notice of noncompliance under Education Code 37.207(e) [see CKA], 37.2071(d) [see Failure to Submit Plan, above] or 37.2071(g) [see Failure to Correct Deficiencies, above], the board shall hold a public hearing to notify the public of:

1. The district's failure to submit or correct deficiencies in a multihazard emergency operations plan or report the results of a safety and security audit to the TxSSC as required by law;
2. The dates during which the district has not been in compliance; and
3. The names of each member of the board and the superintendent serving in that capacity during the dates the district was not in compliance. The district shall provide this information in writing to each person at the hearing.

The board shall give members of the public a reasonable opportunity to appear before the board and to speak on the issue of the district's failure to submit or correct deficiencies in a multihazard emergency operations plan or report the results of a safety and security audit during a hearing held under this provision. A district re-

quired to hold a public hearing shall provide written confirmation to the TxSSC that the district held the hearing.

*Education Code 37.1081*

**Safe Firearm Storage**

The TxSSC, in collaboration with DPS, shall provide to each district information and other resources regarding the safe storage of firearms for distribution by the district including information on the offense of making a firearm accessible to a child under Penal Code 46.13 and ways in which parents and guardians can effectively prevent children from accessing firearms.

A district shall provide the information and other resources to the parent or guardian of each student enrolled in the district or school.

*Education Code 37.222*

**Confidential Information under the Texas Disaster Act**

Information is confidential if the information is collected, assembled, or maintained by or for a district for the purpose of preventing, detecting, responding to, or investigating an act of terrorism or related criminal activity and:

Emergency Response Provider Information

1. Relates to the staffing requirements of an emergency response provider, including a law enforcement agency, a firefighting agency, or an emergency services agency;
2. Relates to a tactical plan of the provider; or
3. Consists of a list or compilation of pager or telephone numbers, including mobile and cellular telephone numbers, of the provider.

*Gov't Code 418.176*

Risk or Vulnerability Assessment

Information is confidential if the information:

1. Is collected, assembled, or maintained by or for a district for the purpose of preventing, detecting, or investigating an act of terrorism or related criminal activity; and
2. Relates to an assessment by or for a district, or an assessment that is maintained by a district, of the risk or vulnerability of persons or property, including critical infrastructure, to an act of terrorism or related criminal activity.

*Gov't Code 418.177*

Information, other than financial information, in the possession of a district is confidential if the information:

1. Is part of a report to an agency of the United States;
2. Relates to an act of terrorism or related criminal activity; and

3. Is specifically required to be kept confidential:

    a. Under the Public Information Act, Government Code 552.101, because of a federal statute or regulation;

    b. To participate in a state-federal information sharing agreement; or

    c. To obtain federal funding.

Security Systems

Financial information in the possession of a district that relates to the expenditure of funds by a district for a security system is public information that is not excepted from required disclosure under the Public Information Act. [See GBA]

Information, including access codes and passwords, in the possession of a district that relates to the specifications, operating procedures, or location of a security system used to protect public or private property from an act of terrorism or related criminal activity is confidential.

*Gov't Code 418.182*

Disaster Disclosure Exception

At any time during a state of disaster, the superintendent may voluntarily disclose or otherwise make available all or part of the information that is confidential under Government Code 418.175-.182 to another person or another entity if the superintendent believes that the other person or entity has a legitimate need for the information. The disclosure or making available of confidential information under this provision does not waive or affect the confidentiality of the information. *Gov't Code 418.183(b), (e)*

***Note:*** For information regarding the district's ability to request identification, refuse entry, or eject persons from district property, see GKA and GKC.

**Safety Rules**

The board may adopt rules for the safety and welfare of students, employees, and property and other rules it considers necessary to carry out Education Code Chapter 37, Subchapter D (Protection of Buildings and Grounds) and the governance of the district, including rules providing for the operation and parking of vehicles on school property. *Education Code 37.102(a)* [See also CLC]

**Human Trafficking Warning Signs**

Each public primary or secondary school shall post warning signs of the increased penalties for trafficking of persons under Penal Code 20A.02(b-1)(2) in a conspicuous place reasonably likely to be viewed by all school employees and visitors.

Each warning sign must:

1. Describe the offense of trafficking in persons as provided under Penal Code 20A.02(a). The sign must emphasize that an offense under Penal Code 20A.02, is a felony of the first degree punishable by imprisonment in the Texas Department of Criminal Justice for life or for a term of not more than 99 years or less than 25 years if it is shown on the trial of the offense that the actor committed the offense in a location that was:
    a. On the premises of or within 1,000 feet of the premises of:
        (1) A school;
        (2) A juvenile detention facility;
        (3) A post-adjudication secure correctional facility;
        (4) A shelter or facility operating as a residential treatment center that serves runaway youth, foster children, people who are homeless, or persons subjected to human trafficking, domestic violence, or sexual assault;
        (5) A community center offering youth services and programs;
        (6) A child-care facility, as defined by Human Resources Code 42.002; or
        (7) An institution of higher education or private or independent institution of higher education, as defined by Education Code 61.003; or

b. On premises or within 1,000 feet of premises where:

(1) An official school function was taking place; or

(2) An event sponsored or sanctioned by the University Interscholastic League was taking place;

2. Be written in English and Spanish; and

3. Be at least 8.5 by 11 inches in size.

*Education Code 37.086; 19 TAC 103.1403(c)*

***Note:*** For provisions regarding selection and adoption of instructional materials, see EFA.

**Instructional Materials and Technology**

Instructional materials selected for use in the public schools shall be furnished without cost to the students attending those schools. Except as provided by Education Code 31.104(d), a district may not charge a student for instructional material or technological equipment purchased by the district with the district's technology and instructional materials allotment. *Education Code 31.001*

Each instructional material, including electronic instructional material only to the extent of any applicable licensing agreement, purchased as provided by Education Code Chapter 31 for a district is the property of the district. *Education Code 31.102(a)-(b)*

**Allotment**

A district is entitled to an allotment each biennium from the state instructional materials and technology fund for each student enrolled in the district on a date during the last year of the preceding biennium specified by the commissioner of education. The commissioner shall determine the amount of the allotment per student each biennium on the basis of the amount of money available in the state instructional materials and technology fund to fund the allotment. The allotment shall be transferred from the state instructional materials and technology fund to the credit of the district's instructional materials and technology account as provided by Education Code 31.0212. *Education Code 31.0211(a)*

The commissioner shall, as early as practicable during each biennium, notify each district of the estimated amount to which the district will be entitled during the next fiscal biennium. *Education Code 31.0215(a)*

Additional State Aid

*State-Approved Instructional Materials*

For each student enrolled in the district, a school district is entitled to additional state aid for each school year in an amount equal to $40, or a greater amount provided by appropriation, to procure instructional material that has been reviewed by the Texas Education Agency (TEA); placed on the State Board of Education (SBOE) list of approved instructional materials; designated by the SBOE as being included or capable of being included in an instructional materials parent portal; and acquired from a publisher, manufacturer, or other entity that has not been found to violate Education Code 31.151. *Education Code 48.307(a)*

*Open Education Resource Instructional Materials*

Subject to Education Code 31.0751 (Open Education Resource [OER] transition plan), a district is entitled to additional state aid for each school year in an amount not to exceed $20 for each student for the costs incurred or for which the district is obligated to pay during the school year in which the aid is provided for the printing

and shipping of OER instructional material made available under Education Code Chapter 31, Subchapter B-1. *Education Code 48.308(a)*

Allotment Adjustment

*Change in Enrollment*

Not later than May 31 of each school year, a district may request that the commissioner adjust the number of students for which the district is entitled to receive an allotment on the grounds that the number of students attending school in the district will increase or decrease during the school year for which the allotment is provided. The commissioner may also adjust the number of students for which a district is entitled to receive an allotment, without a request by the district, if the commissioner determines a different number of students is a more accurate reflection of students who will be attending school in the district. The commissioner's determination is final. *Education Code 31.0211(e)*

*High Enrollment Growth*

Each year the commissioner shall adjust the instructional materials and technology allotment of districts experiencing high enrollment growth. *Education Code 31.0214(a)*

Permitted Expenditures

The allotment funds may be used to purchase or pay for:

1. Instructional materials, regardless of whether the instructional materials are on the list of approved instructional materials maintained by the SBOE under Education Code 31.022;
2. Consumable instructional materials;
3. Instructional materials for use in bilingual education classes, as provided by Education Code 31.029;
4. Instructional materials for use in college preparatory courses under Education Code 28.014, as provided by Education Code 31.031;
5. Supplemental instructional materials;
6. OER instructional materials, as provided by Education Code Chapter 31, Subchapter B-1;
7. Instructional materials and technological equipment under any continuing contracts of the district in effect on September 1, 2011;
8. Technological equipment necessary to support the use of any instructional materials purchased with an allotment under this provision;
9. Inventory software or systems for storing, managing, and accessing instructional materials and analyzing the usage and effectiveness of instructional materials;

10. Services, equipment, and technology infrastructure necessary to ensure internet connectivity and adequate bandwidth;

11. Training educational personnel directly involved in student learning in the appropriate use of instructional materials and for providing for access to technological equipment for instructional use;

12. Training personnel in the electronic administration of assessment instruments;

13. The salary and other expenses of an employee who provides technical support for the use of technological equipment directly involved in student learning; and

14. Costs associated with distance learning, including services, equipment, and technology such as Wi-Fi, internet access hotspots, wireless network service, broadband service, and other services and technological equipment necessary to facilitate internet access.

The allotment funds may not be used to purchase instructional material that contains obscene or harmful content or would otherwise cause the district to which the funds were allotted to be unable to submit the certification required under Education Code 31.1011(a)(1)(B) [see Certification of Instructional Materials, below].

*Education Code 31.0211(c), (f)*

*Technological Equipment*

In purchasing technological equipment, a district shall:

1. Secure technological solutions that meet the varying and unique needs of students and teachers in the district; and

2. Consider both the long-term cost of ownership of the technological equipment and flexibility for innovation.

*Education Code 31.0211(d)*

**Instructional Materials and Technology Account**

The commissioner shall maintain an instructional materials and technology account for each district. In the first year of each biennium, the commissioner shall deposit the district's allotment in the account. The commissioner shall pay the cost of instructional materials requisitioned by a district under Education Code 31.103 using funds from the district's instructional materials and technology account.

Money deposited in a district's instructional materials and technology account during each state fiscal biennium remains in the account and available for use by the district for the entire biennium.

At the end of each biennium, a district with unused money in the district's account may carry forward any remaining balance to the next biennium.

A district shall provide to TEA the title and publication information for any instructional materials requisitioned or purchased by the district with the district's instructional materials and technology allotment.

*Education Code 31.0212(a)-(d)*

**Purchasing Method**

A district is not required to use a method provided by Education Code 44.031(a) to purchase instructional materials that have been reviewed by TEA and included on the list of approved instructional materials maintained by the SBOE. *Education Code 31.102(d)*

**Requisitions, Use, and Distribution**

Delegation of Authority

The board may delegate to an employee the authority to requisition, distribute, and manage the inventory of instructional materials, consistent with Education Code Chapter 31 and rules adopted under that chapter. *Education Code 31.104(a)*

Local Funds

A district may use local funds to purchase any instructional materials in addition to those selected under Education Code Chapter 31. *Education Code 31.106*

Online Requisition Program

A district shall make a requisition for instructional materials using the online requisition program maintained by the commissioner. A district may requisition instructional materials for grades above the grade level in which a student is enrolled. *Education Code 31.103(b)-(c)*

Distribution

The board shall distribute printed instructional materials to students in the manner that the board determines is most effective and economical. *Education Code 31.102(c)*

OER Instructional Materials

A district may adopt OER instructional material at any time. Except as otherwise provided by the Education Code, the commissioner may not require a district to adopt or use an OER instructional material. A district may not be charged for a cost associated with the selection of an OER instructional material, except for the cost of printing copies of the material. *Education Code 31.073(a), (c)-(d)*

OER Transition Plan

To qualify for additional state aid under Education Code 48.308, the board must adopt an OER instructional material transition plan to assist classroom teachers in the district who will be using an OER instructional material in a specific subject or grade level for which the teacher has not previously used an OER instructional material.

The plan must ensure that OER instructional materials are used in a manner that maintains the instructional flexibility of a classroom teacher to address the needs of each student.

A district that participates in the program developed and maintained by TEA under Education Code 31.0752 is not required to adopt a transition plan under this provision. [See OER Instructional Material Support Program, below]

*Education Code 31.0751*

The OER instructional material transition plan shall be submitted in a format determined by the commissioner.

A district is required to have a locally maintained OER transition plan that complies with 19 Administrative Code 67.1315 to access funding allotted under Education Code 48.308.

A district is required to submit an OER instructional material transition plan only when:

1. First adopting an SBOE-approved OER product for a grade level or subject/course; or
2. Expanding implementation of an SBOE-approved OER product to additional campuses and/or grade levels.

The OER instructional material transition plan adopted by the board of trustees shall include the plan of the district to ensure the following:

1. Clear communication and stakeholder change management plans and timelines;
2. Timely access to print materials and related manipulatives through OER procurement and distribution;
3. Sufficient planning and instructional time evidenced by instructional calendars and master schedules aligned to the requirements of the materials;
4. Clear expectations for the implementation of:
    a. Instructional materials;
    b. Internalization and student work analysis protocols; and
    c. Curriculum-embedded assessments;
5. Processes for stakeholder communication and public posting, as outlined in Education Code 26.006, if materials have been modified by the district;

6. The maintenance of instructional flexibility through clear guidance for acceptable teacher modifications to instructional pacing, sequencing, and lesson content to address the needs of each student; and

7. Sufficient professional learning and development for school leaders, instructional coaches, and teachers, including:

    a. Pre-service product onboarding and orientation; and

    b. Ongoing, job-embedded, curriculum-based professional learning, including cycles of observation and feedback.

The commissioner may request and review OER instructional material transition plans before funding is released and reject a plan subsequent to review.

*19 TAC 67.1315*

OER Instructional Material Support Program

TEA shall develop and maintain a program to assist school districts in adopting and using OER instructional material, including by assisting districts to:

1. Maintain the instructional flexibility of classroom teachers to address the needs of each student; and

2. Schedule instructional periods in a manner that allows classroom teachers sufficient time to effectively prepare and present instructional material within the teacher's normal work day.

*Education Code 31.0752*

Requisition

A district that selects OER instructional material shall requisition a sufficient number of printed copies for use by students unable to access the instructional material electronically unless the district provides to each student:

1. Electronic access to the instructional material at no cost to the student; or

2. Printed copies of the portion of the instructional material that will be used in the course.

*Education Code 31.103(d)*

**Parent Portal**

An entity that hosts an instructional materials parent portal must comply with requests regarding parental access to the portal made by a district in compliance with Education Code 31.154 or Education Code 26.006 [see EFA]. *Education Code 31.154(e)*

[For more information regarding the requirements for certain entities that supply instructional materials to host a parent portal, see Education Code 31.154.]

**Bilingual Instructional Materials**

A district shall purchase with its allotment or otherwise acquire instructional materials for use in bilingual education classes. *Education Code 31.029*

**Certification of Instructional Materials**

Prior to the beginning of each school year, a district shall submit to the SBOE and commissioner certification that the district:

1. For each subject in the required curriculum under Education Code 28.002, other than physical education, and each grade level:
    a. Provides each student with instructional materials that cover all elements of the essential knowledge and skills adopted by the SBOE for that subject and grade level; and
    b. In the provision of instructional materials, the district protects students from obscene or harmful content as necessary for compliance with the Children's Internet Protection Act (Pub. L. No. 106-554) [see CQ], Education Code 28.0022 [see EMB], Penal Code 43.22, and any other law or regulation that protects students from obscene or harmful content [see EFA]; and
2. The district used money allocated to the district or school under the instructional materials and technology allotment only for purposes allowed under Education Code 31.0211.

To determine whether each student has instructional materials that cover all elements of the essential knowledge and skills, a district may consider:

1. Instructional materials adopted by the SBOE;
2. Instructional materials developed, purchased, or otherwise acquired by the district; and
3. OER instructional materials and other electronic instructional materials included in the repository under Education Code 31.0722.

*Education Code 31.1011*

**Annual Report**

Each district shall annually report to TEA information regarding the instructional materials used by the district during the previous school year, including the cost of each material. *Education Code 31.1012*

**Ownership**

Except as otherwise provided, a student must return all instructional materials to the teacher at the end of the school year or when the student withdraws from school. At the end of the school year for which OER instructional material that a district does not intend to use for another student is distributed, the printed copy of the OER instructional material becomes the property of the student to whom it is distributed.

This provision does not apply to an electronic copy of OER instructional material.

*Education Code 31.104(c), (g)-(h)*

**Responsibility for Instructional Materials and Equipment**

Each student or the student's parent or guardian is responsible for all instructional material and technological equipment not returned in an acceptable condition by the student. A student who fails to return in an acceptable condition all instructional materials and technological equipment forfeits the right to free instructional materials and technological equipment until all instructional materials and technological equipment previously issued but not returned in an acceptable condition are paid for by the student, parent, or guardian.

As provided by board policy, a district may waive or reduce the payment required if the student is from a low-income family. [See FP] The district shall allow the student to use instructional materials and technological equipment at school during each school day.

If instructional materials or technological equipment is not returned in an acceptable condition or paid for, a district may withhold the student's records. A district may not prevent the student from graduating, participating in a graduation ceremony, or receiving a diploma. [See FL and GBA regarding student and parental right to access records; and FD, FFAB, and FL regarding a district's duties to provide records to another district]

The board may not require an employee of the district who acts in good faith to pay for instructional materials or technological equipment that is stolen, misplaced, or not returned by a student. [See DG]

These provisions do not apply to an electronic copy of OER instructional material.

*Education Code 31.104(d), (e), (h)* [See also EFA]

Acceptable Condition

Printed instructional materials are considered to be in acceptable condition if:

1. The cover, binding, pages, spine, and all integral components of the instructional materials are wholly intact and the instructional materials are fully usable by students; and

2. No component of the instructional materials is soiled, torn, or damaged (whether intentionally or by lack of appropriate care) to the extent that any portion of the content is too disfigured or obscured to be fully accessible to other students.

Electronic instructional materials are considered to be in acceptable condition if:

1. All components or applications that are a part of the electronic instructional materials are returned;

2. The electronic materials perform as they did when they were new;

3. The electronic instructional materials do not contain computer code (e.g., bug, virus, worm, or similar malicious software) that has been designed to self-replicate, damage, change, or otherwise hinder the performance of any computer's memory, file system, or software; and

4. The electronic instructional materials have not been installed with plug-ins, snap-ins, or add-ins without the prior approval of the district.

Technological equipment is considered to be in acceptable condition if:

1. The equipment is returned with the software and hardware in their original condition unless the district authorized changes; and

2. The physical condition of the equipment is fully usable as it was originally intended to be used.

*19 TAC 66.1310*

Lost or Damaged Instructional Materials

A district may order replacements for instructional materials that have been lost or damaged directly from the publisher of the instructional materials or any source for a printed copy of OER instructional material. *Education Code 31.104(b)*

**Sale or Disposal**

The board shall determine how the district will dispose of discontinued printed instructional materials, electronic instructional materials, and technological equipment.

Sale

The board may sell printed instructional materials on the date the instructional material is discontinued for use in the public schools by the SBOE or the commissioner. The board may also sell elec-

tronic instructional materials and technological equipment owned by the district.

*Use of Proceeds* Any funds received by a district from a sale must be used to purchase instructional materials and technological equipment allowed under Education Code 31.0211.

Disposal The board may dispose of printed instructional material before the date the instructional material is discontinued for use in the public schools by the SBOE if the board determines that the instructional material is not needed by the district and the board does not reasonably expect that the instructional material will be needed. A district must notify the commissioner of any instructional material the district disposes of under this provision.

*Education Code 31.105*

***Note:*** For additional legal requirements applicable to purchases with federal funds, see CBB.

**Authorization to Purchase or Lease Vehicles**

A district may purchase school motor vehicles through the comptroller or through competitive bidding under Education Code Chapter 44, Subchapter B. *Education Code 34.001(a)* [See CH]

Each contract proposed to be made by a district for the purchase or lease of one or more school buses, including a lease with an option to purchase, must be submitted to competitive bidding when the contract is valued at $20,000 or more. *Education Code 44.031(l)*

When a contract for the purchase of school buses is valued at $20,000 or more, the contract must be made either through competitive bidding or by purchasing the buses through the comptroller. *Atty. Gen. Op. LO-98-063 (1998)*

Payment

A district financially unable to pay for a vehicle the district purchases may, as prescribed by Education Code 34.005, issue interest-bearing time warrants in amounts sufficient to make the purchase. *Education Code 34.005(a)*

A board may issue bonds to purchase new school buses. *Education Code 45.001(a)(1)(D)* [See CCA]

New Van Purchases or Leases

A school system may not purchase or lease a new 15-passenger van if it will be used significantly by, or on behalf of, the school system to transport preprimary, primary, or secondary school students to or from school or an event related to school, unless the 15-passenger van complies with the motor vehicle standards prescribed for school buses and multi-function school activity buses under United States Code Title 49. This provision does not apply in some limited circumstances, including the purchase or lease of a 15-passenger van under a contract executed before August 10, 2005, the date of enactment of this provision. *49 U.S.C. 30112*

**Contracts for School Bus Use, Acquisition, or Lease**

A board may contract with any person for use, acquisition, or lease with option to purchase a school bus if the board determines the contract to be economically advantageous to the district. Such a contract may have any lawful term of not less than two or more than 10 years. The competitive bidding requirements of Education Code Chapter 44, Subchapter B apply to a contract under this provision. A school bus that is leased or leased with an option to purchase must meet or exceed safety standards set out in Education Code 34.002. *Education Code 34.009* [See CH]

**Registration**

District-owned vehicles used exclusively in the service of a district are exempt from the state registration fee. The Department of Motor Vehicles (DMV) must approve an application for registration before exempt license plates are issued. *Transp. Code 502.451, .453*

**Identification**

The DMV may not issue exempt license plates unless the applicant for registration certifies in writing that the name of a district is printed on each side of the vehicle, in letters that are at least two inches high or in an emblem that is at least 100 square inches in size. The letters or emblem must be of a color sufficiently different from the body of the vehicle to be clearly legible from a distance of 100 feet. *Transp. Code 502.452(a)*

**Maintenance**

District vehicles are subject to inspection pursuant to Transportation Code Chapter 548.

**School Bus Advertising**

The exterior of a school bus may not bear advertising or another paid announcement directed at the public if the advertising or announcement distracts from the effectiveness of required safety-warning equipment. A school bus that violates this provision or rules adopted under this provision shall be placed out of service until it complies. *Transp. Code 547.701(d)*

Advertising Rules

A district may allow advertisements on school buses in accordance with rules. The rules adopted by the Texas Department of Public Safety (DPS) at 37 Administrative Code 14.61-14.65 apply to all school buses used to transport preprimary, primary, and secondary public school students. *37 TAC 14.61*

"Advertisement"

For purposes of this policy, "advertisement" means any communication brought to the attention of the public by paid announcement or in return for public recognition in connection with an event or offer or sale of a product or service, except for a single-line listing of a district name and/or school or manufacturer logo approved by DPS. *37 TAC 14.1(1)*

Material and Location

Advertisements must be of a material and in a location specified in the rules. *37 TAC 14.62-.64*

Annual Notice

By September 1 of each year, districts involved in an advertising program shall provide the School Bus Transportation Program at DPS written notification of the number of buses operated by or for the district that display exterior advertising or another paid announcement. *37 TAC 14.65(a)(1), (b)* [See CNC for required reporting of crashes involving buses with advertising]

*Delivery of Notice*

Notices to DPS shall be delivered by facsimile at (512) 424-2238, electronic mail at sbt@txdps.state.tx.us, or mailed to School Bus Transportation, Texas Department of Public Safety, P.O. Box 4087, Austin, TX 78773-0525. *37 TAC 14.65(d)*

**Nonschool Use** A board may contract with nonschool organizations for use of school buses. The board may provide services relating to the maintenance and operation of the buses in accordance with the contract. *Education Code 34.010*

**Sale of Buses** At the request of a district, the comptroller shall dispose of a school bus. A district is not required to dispose of a bus through the comptroller. *Education Code 34.006*

**Safety Standards**

A district shall meet or exceed the safety standards for school buses established by the Department of Public Safety (DPS), with the advice of the Texas Education Agency (TEA). A district that fails or refuses to meet these safety standards for school buses is ineligible to share in the transportation allotment until the first anniversary of the date the district begins complying with the safety standards. *Education Code 34.002; Transp. Code 547.102; 37 TAC 14.51-.52*

**Student Safety**

Prohibitions

A district may not require or allow a child to stand on a moving bus or passenger van. *Education Code 34.004*

An operator of a school bus, while operating the bus, shall prohibit a passenger from:

1. Standing in the bus; or
2. Sitting:
    a. On the floor of the bus, or
    b. In any location on the bus that is not designed as a seat.

*Transp. Code 545.426*

Seat Belts

*Required on Buses*

A bus, including a school bus, a school activity bus, multifunction school activity bus, or school-chartered bus, operated by or contracted for use by a district for the transportation of schoolchildren shall be equipped with a three-point seat belt for each passenger, including the operator. This requirement does not apply to:

1. A bus purchased by a school district that is a model year 2017 or earlier; or
2. A bus purchased by a school district that is a model year 2018 or later if the board:
    a. Determines that the district's budget does not permit the district to purchase a bus that is equipped with the required seat belts; and
    b. Votes to approve that determination in a public meeting.

*Transp. Code 547.701(e)*

*Student Requirement*

A district shall require a student riding a bus operated by or contracted for operation by the district to wear a seat belt if the bus is equipped with seat belts for all passengers on the bus. A school district may implement a disciplinary policy to enforce the use of seat belts by students. *Education Code 34.013*

*Donations*

A board shall consider any offer made by a person to donate three-point seat belts or money for the purchase of three-point seat belts for a district's school buses. A board may accept or decline the offer after adequate consideration.

A board may acknowledge a person who donates three-point seat belts or money for the purchase of three-point seat belts for a school bus by displaying a small, discreet sign on the side or back of the bus recognizing the person who made the donation. The sign may not serve as an advertisement for the person who made the donation.

*Education Code 34.014*

Use of Warning Signals

When a school bus is being stopped or is stopped on a highway to permit students to board or exit the bus, the operator of the bus shall activate all flashing warning signal lights and other equipment on the bus designed to warn other drivers that the bus is stopping to load or unload children.

A person may not operate a light or other equipment described above except when a school bus is being stopped or is stopped on a highway to:

1. Permit a student to board or exit the bus; or
2. Distribute to a student or the parent or guardian of a student:
    a. Food; or
    b. Technological equipment for use by the student for educational purposes.

*Transp. Code 547.701(c), (c-1)*

**Wireless Communication Devices**

An operator commits an offense if the operator uses a portable wireless communication device to read, write, or send an electronic message while operating a motor vehicle unless the vehicle is stopped. *Transp. Code 545.4251(b)*

General Rule

School Property

An operator may not use a wireless communication device while operating a motor vehicle within a school crossing zone or on the property of a public elementary, middle, junior high, or high school served by a school crossing zone, during the time a reduced speed limit is in effect for the school crossing zone, unless:

1. The vehicle is stopped; or
2. The wireless communication device is used with a hands-free device.

*Transp. Code 545.4252*

An operator may not use a wireless communication device while operating a school bus or passenger bus with a minor passenger on the bus unless the bus is stopped. This provision does not apply to an operator of a school bus or passenger bus using a wireless communication device in the performance of the operator's duties as a bus driver and in a manner similar to using a two-way radio. *Transp. Code 545.425(c), (e-1)*

Definitions

"Hands-free device" means speakerphone capability, a telephone attachment, or another function or other piece of equipment, regardless of whether permanently installed in or on a wireless communication device or in a motor vehicle, that allows use of the wireless communication device without use of either of the operator's hands, except to activate or deactivate a function of the wireless communication device or hands-free device. The term includes voice-operated technology and a push-to-talk function. *Transp. Code 545.425(a)(1)*

"Electronic message" means data that is read from or entered into a wireless communication device for the purpose of communicating with another person. *Transp. Code 545.4251(a)(1)*

**Disruption of Transportation**

Any person other than a primary or secondary grade student who intentionally disrupts, prevents, or interferes with the lawful transportation of students to and from school on a vehicle owned or operated by a district or to or from activities sponsored by a school on a vehicle owned and/or operated by a district shall be guilty of a misdemeanor. It is an exception to the application of the offense that, at the time the person engaged in the prohibited conduct, the person was younger than 12 years of age. *Education Code 37.126*

**Exhibition of Firearm**

For information regarding offenses pertaining to firearms on buses, see GKA(LEGAL).

**Collision Reports**

Notice to DPS for Buses With Advertising

A district shall provide DPS written notification of any collision directly or indirectly involving a school bus operated by or for the district that bears advertising or another paid announcement. *37 TAC 14.65(a)(2)* [See CNB for rules related to school bus advertising.]

Notice must be received not more than five days from the date of the collision and shall include the following:

1. The name and address of the owner of the school bus;
2. The name and driver's license number of the school bus operator;
3. The date of the collision;
4. The city or county where the collision occurred; and

5. The investigating police agency.

*37 TAC 14.65(c)*

Notices to DPS may be delivered by facsimile, electronic mail, or mailed to School Bus Transportation, Texas Department of Public Safety, P.O. Box 4087, Austin, TX 78773-0525. *37 TAC 14.65(d)*

Annual Report to TEA

A district shall report annually to TEA the number of collisions in which its buses were involved in the past year in a manner prescribed by the commissioner of education. A district shall file annual collision reports to TEA only in the period beginning July 1 and ending July 31 and shall include the following information in the report:

1. The total number of bus collisions;
2. The date each collision occurred;
3. The type of bus, as specified in 19 Administrative Code 103.1231(a), involved in each collision;
4. Whether the bus involved in each collision was equipped with seat belts and, if so, the type of seat belts;
5. The number of students and adults involved in each collision;
6. The number and types of injuries that were sustained by the bus passengers in each collision; and
7. Whether the injured passengers in each collision were wearing seat belts at the time of the collision and, if so, the type of seat belts.

A school district shall report a bus collision involving a school bus, a multifunction school activity bus, a school activity bus, or a motor bus if:

1. The bus is owned, leased, contracted, or chartered by a school district and was transporting school district personnel, students, or a combination of personnel and students; or
2. The bus was driven by a school district employee or by an employee of the school district's bus contractor with no passengers on board and the collision involved a pedestrian.

*Exceptions*

A school district shall not report a bus collision involving a school bus, a multifunction school activity bus, a school activity bus, or a motor bus if:

1. The bus was driven by a school district employee or by an employee of the school district's bus contractor, the collision

occurred when no passenger other than the school district's driver or bus contractor's driver was on board the bus, and the collision did not involve a pedestrian; or

2. The collision involved a bus chartered by a school district for a school activity trip and no school district personnel or students were on board the bus at the time of the collision.

A school district shall not report a collision that occurred in a vehicle that is owned, contracted, or chartered by a school district and is not a school bus, a multifunction school activity bus, a school activity bus, or a motor bus.

*Education Code 34.015(b); 19 TAC 103.1231(b)*

**Fair Labor Standards Act**

Minimum Wage and Overtime

Unless an exemption applies, a district shall pay each of its employees not less than minimum wage for all hours worked. *29 U.S.C. 206(a)(1)*

Unless an exemption applies, a district shall pay an employee not less than one and one-half times the employee's regular rate of pay for all hours worked in excess of 40 in any workweek. *29 U.S.C. 207(a)(1); 29 C.F.R. pt. 778*

Breaks for Nonexempt Employees

Rest periods of up to 20 minutes must be counted as hours worked. Coffee breaks or time for snacks are rest periods, not meal periods. *29 C.F.R. 785.18*

Bona fide meal periods of 30 minutes or more are not counted as hours worked if the employee is completely relieved from duty. The employee is not relieved from duty if the employee is required to perform any duties, whether active or inactive, while eating. For example, an office employee who is required to eat at his or her desk is working while eating. It is not necessary that an employee be permitted to leave the premises if the employee is otherwise completely freed from duties during the meal period. *29 C.F.R. 785.19*

Compensatory Time

*Accrual*

Nonexempt employees may receive, in lieu of overtime compensation, compensatory time off at a rate of not less than one and one-half hours for each hour of overtime work, pursuant to an agreement or understanding arrived at between the employer and employee before the performance of the work. Such agreement or understanding may be informal, such as when an employee works overtime knowing that the employer rewards overtime with compensatory time.

An employee may accrue not more than 240 hours of compensatory time. If the employee's overtime work included a public safety activity, an emergency response activity, or a seasonal activity, the employee may accrue not more than 480 hours of compensatory time. After the employee has reached these limits, the employee shall be paid overtime compensation for additional overtime work.

*Payment for Accrued Time*

Compensation paid to an employee for accrued compensatory time shall be paid at the regular rate earned by the employee at the time of payment. An employee who has accrued compensatory time off shall be paid for any unused compensatory time upon separation from employment at the rates set forth at 29 U.S.C. 207(o)(4).

*Use*

An employee who has requested the use of compensatory time shall be permitted to use such time within a reasonable period after making the request if the use of the compensatory time does not unduly disrupt the operations of the district.

The Fair Labor Standards Act (FLSA) does not prohibit a district from compelling the use of accrued compensatory time.

*29 U.S.C. 207(o); Christensen v. Harris Cnty., 529 U.S. 576 (2000); Houston Police Officers' Union v. City of Houston, 330 F.3d 298 (5th Cir. 2003)*

Exempt Employees

The minimum wage and overtime provisions do not apply to any employee employed in a bona fide executive, administrative, or professional capacity. *29 U.S.C. 213(a)(1)*

*Academic Administrators*

The term ''employee employed in a bona fide administrative capacity'' includes an employee:

1. Compensated on a salary or fee basis at the established weekly threshold, exclusive of board, lodging, or other facilities; or on a salary basis which is at least equal to the entrance salary for teachers in the district by which employed; and

2. Whose primary duty is performing administrative functions directly related to academic instruction or training in a district or department or subdivision thereof.

"Performing administrative functions directly related to academic instruction or training'' means work related to the academic operations and functions in a school rather than to administration along the lines of general business operations. Such academic administrative functions include operations directly in the field of education. Jobs relating to areas outside the educational field are not within the definition of academic administration.

Employees engaged in academic administrative functions include:

1. The superintendent or other head of an elementary or secondary school system, and any assistants, responsible for administration of such matters as curriculum, quality and methods of instructing, measuring and testing the learning potential and achievement of students, establishing and maintaining academic and grading standards, and other aspects of the teaching program;

2. The principal and any vice principals responsible for the operation of an elementary or secondary school;

3. Academic counselors who perform work such as administering school testing programs, assisting students with academic problems and advising students concerning degree requirements; and

4. Other employees with similar responsibilities.

Jobs relating to building management and maintenance, jobs relating to the health of the students, and academic staff such as social workers, psychologists, lunchroom managers, or dietitians do not perform academic administrative functions, although such employees may qualify for another exemption.

*29 C.F.R. 541.204*

*Salary Basis*

To qualify as an exempt executive, administrative, or professional employee, the employee must be compensated on a salary basis, unless the employee is a teacher. Subject to the exceptions listed in the rule, an employee must receive the full salary for any week in which the employee performs any work, without regard to the number of days or hours worked. A district that makes improper deductions from salary shall lose the exemption if the facts demonstrate that the district did not intend to pay exempt employees on a salary basis. *29 C.F.R. 541.600, .602(a), .603*

Partial-Day Deductions

A district employee who otherwise meets the salary basis requirements shall not be disqualified from exemption on the basis that the employee is paid according to a pay system established by statute, ordinance, or regulation, or by a policy or practice established pursuant to principles of public accountability, under which the employee accrues personal leave and sick leave and which requires the employee's pay to be reduced or the employee to be placed on leave without pay for absences for personal reasons or because of illness or injury of less than one workday when accrued leave is not used by an employee because:

1. Permission for its use has not been sought or has been sought and denied;
2. Accrued leave has been exhausted; or
3. The employee chooses to use leave without pay.

Deductions from the pay of a district employee for absences due to a budget-required furlough shall not disqualify the employee from being paid on a salary basis except in the workweek in which the furlough occurs and for which the employee's pay is accordingly reduced.

*29 C.F.R. 541.710*

*Safe Harbor Policy*

If a district has a clearly communicated policy that prohibits improper pay deductions and includes a complaint mechanism, reimburses employees for any improper deductions, and makes a good faith commitment to comply in the future, the district will not lose the exemption unless the district willfully violates the policy by con-

tinuing to make improper deductions after receiving employee complaints.

The best evidence of a clearly communicated policy is a written policy that was distributed to employees before the improper pay deductions by, for example, providing a copy of the policy to employees upon hire, publishing the policy in an employee handbook, or publishing the policy on a district's intranet.

*29 C.F.R. 541.603(d)*

*Teachers*

The term ''employee employed in a bona fide professional capacity'' includes any employee with a primary duty of teaching, tutoring, instructing, or lecturing in the activity of imparting knowledge and who is employed and engaged in this activity as a teacher in an elementary or secondary school system by which the employee is employed. The salary basis requirements do not apply to teaching professionals.

Exempt teachers include:

1. Regular academic teachers;
2. Teachers of kindergarten or nursery school pupils;
3. Teachers of gifted or disabled children;
4. Teachers of skilled and semi-skilled trades and occupations;
5. Teachers engaged in automobile driving instruction;
6. Home economics teachers; and
7. Vocal or instrumental music instructors.

Those faculty members who are engaged as teachers but also spend a considerable amount of their time in extracurricular activities such as coaching athletic teams or acting as moderators or advisors in such areas as drama, speech, debate, or journalism are engaged in teaching. Such activities are a recognized part of the schools' responsibility in contributing to the educational development of the student.

The possession of an elementary or secondary teacher's certificate provides a clear means of identifying the individuals contemplated as being within the scope of the exemption for teaching professionals. Teachers who possess a teaching certificate qualify for the exemption regardless of the terminology (e.g., permanent, conditional, standard, provisional, temporary, emergency, or unlimited) used by the state to refer to different kinds of certificates. However, a teacher who is not certified may be considered for

| | |
|---|---|
| | exemption, provided that such individual is employed as a teacher by the employing school or school system.<br><br>*29 C.F.R. 541.303* |
| Wage and Hour Records | A district shall maintain and preserve payroll or other records for nonexempt employees containing the information required by the regulations under the FLSA. *29 C.F.R. 516.2(a)* |
| **Payday Law Exemption** | The Texas Payday Law does not apply to the state or a political subdivision. *Labor Code 61.003* |

**Staff Development**

Educator

The staff development provided by a district to an educator other than a principal must be conducted in accordance with standards developed by the district and designed to improve education in the district.

Principal

The staff development provided by a district to a principal shall be governed by Education Code 21.3541 and rules adopted under that section. [See DNB]

*Education Code 21.451(a), (a-1)*

Professional Development Policy

A board shall annually review the SBEC continuing education and training clearinghouse published under Education Code 21.4514 and adopt a professional development policy that must:

1. Be guided by the recommendations for training in the clearinghouse;
2. Note any differences in the policy adopted by the district or school from the recommendations in the clearinghouse; and
3. Include a schedule of all training required for educators or other school personnel at the district or school.

To the extent of any conflict, a frequency requirement for the completion of training provided by statute prevails over a frequency requirement for that training included in the professional development policy.

*Education Code 21.4515(a), (b)*

**Requirements for Training**

In designing staff development for educators other than principals, a district must use procedures that, to the greatest extent possible, ensure the training included in the staff development:

1. Incorporates proactive instructional planning techniques using a framework that:
    a. Provides flexibility in the ways:
        (1) Information is presented;
        (2) Students respond or demonstrate knowledge and skills; and
        (3) Students are engaged;
    b. Reduces barriers in instruction;
    c. Provides appropriate accommodations, supports, and challenges; and

d. Maintains high achievement expectations for all students, including students with disabilities and students of limited English proficiency; and

2. Integrates inclusive and evidence-based instructional practices for all students, including students with disabilities.

Staff development shall be predominantly campus-based, related to achieving campus performance objectives, and developed and approved by the campus-level committee.

A district may use district-wide staff development that has been developed and approved through the district-level decision process. [See BQA and BQB, as appropriate]

*Education Code 21.451(a-2), (b), (c)*

Optional Training

Staff development may include training in:

1. Technology and digital learning; and

2. Positive behavior intervention and support strategies, including classroom management, district discipline policies, and the Student Code of Conduct.

Technology and digital learning training must:

1. Discuss basic technology proficiency expectations and methods to increase an educator's digital literacy; and

2. Assist an educator in the use of digital technology in learning activities that improve teaching, assessment, and instructional practices.

Staff development may include instruction as to what is permissible under law, including opinions of the United States Supreme Court, regarding prayer in public school.

*Education Code 21.451(d)(1), (d-3), (g)*

Required Training

Staff development must include training on:

1. Suicide prevention;

2. Strategies for establishing and maintaining positive relationships among students, including conflict resolution; and

3. Preventing, identifying, responding to, and reporting incidents of bullying.

Required training above must be provided in accordance with the board’s professional development policy and use a best practice-based program recommended by the Health and Human Services

Commission under Education Code 38.351 [see FFEB]. Required training may include two or more topics listed together.

*Education Code 21.451(d)(3), (d-1)*

*Instruction of Students with Disabilities*

Definition

"Student with a disability" means a student who is:

1. Eligible to participate in a school district's special education program under Education Code 29.003;
2. Covered by Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794); or
3. Covered by the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.).

*Education Code 21.001(3-a)*

Requirements

Staff development must include training that is evidence-based, as defined by Section 8101, Every Student Succeeds Act (20 USC 7801), and that:

1. Relates to the instruction of students with disabilities, including students with disabilities who also have other intellectual or mental health conditions; and
2. Is designed for educators who work primarily outside the area of special education.

A district is required to provide the training to an educator who works primarily outside the area of special education only if the educator does not possess the knowledge and skills necessary to implement the individualized education program developed for a student receiving instruction from the educator. A district may determine the time and place at which the training is delivered.

In developing or maintaining the training, a district must consult with persons with expertise in research-based practices for students with disabilities, including colleges, universities, private and nonprofit organizations, regional education service centers, qualified district personnel, and any other persons identified as qualified by the district, regardless of whether the training is provided at the campus or district level.

*Education Code 21.451(d)(2), (e)-(f)*

*Suicide Prevention*

The required suicide prevention training may be satisfied through independent review of suicide prevention training material that complies with the guidelines developed by the Texas Education Agency (TEA) and is offered online. *Education Code 21.451(d-2); 19 TAC 153.1013(d)*

Suicide prevention programs on TEA's list of recommended best practice-based programs [see FFEB] must include components that provide for training school counselors, teachers, nurses, administrators, and other staff, as well as law enforcement officers and social workers who regularly interact with students, to:

1. Recognize students at risk of attempting suicide, including students who are or may be the victims of or who engage in bullying;

2. Recognize students displaying early warning signs and a possible need for early mental health or substance abuse intervention, which warning signs may include declining academic performance, depression, anxiety, isolation, unexplained changes in sleep or eating habits, and destructive behavior toward self and others;

3. Intervene effectively with students described above by providing notice and referral to a parent or guardian so appropriate action, such as seeking mental health or substance abuse services, may be taken by a parent or guardian; and

4. Assist students in returning to school following treatment of a mental health concern or suicide attempt.

A district shall provide training described in the components above for teachers, school counselors, principals, and all other appropriate personnel. A district is required to provide the training at an elementary school campus only to the extent that sufficient funding and programs are available. A school district may implement a program on TEA's list of recommended best practice-based programs [see FFEB] to satisfy this training requirement.

If a district provides the training, a district shall require completion in accordance with the district's professional development policy and maintain records that include district employees who participated in the training.

A district may satisfy a requirement to implement a program in the area of substance abuse prevention and intervention by providing instruction related to youth substance use and abuse education under Education Code 38.040. [See EHAC]

*Education Code 38.351(e), (g), (g-1), (h); 19 TAC 153.1013*

Staff Development Account

A district that receives resources from the commissioner of education's staff development account must pay to the commissioner for deposit in the account an amount equal to one-half of the cost of the resources provided to the district. *Education Code 21.453(c)*

**Child Abuse, Trafficking, and Maltreatment**

A district's methods for increasing awareness of issues regarding sexual abuse, sex trafficking, and other maltreatment of children [see District Improvement Plan at BQ and Sexual Abuse, Trafficking, and Maltreatment Policies and Programs at FFG] must include training concerning prevention techniques for and recognition of sexual abuse, sex trafficking, and all other maltreatment of children, including the sexual abuse, sex trafficking, and other maltreatment of children with significant cognitive disabilities.

The training must be provided in accordance with the district's professional development policy and as part of new employee orientation to all new employees.

The training must include:

1. Factors indicating a child is at risk for sexual abuse, trafficking, or other maltreatment;
2. Warning signs indicating a child may be a victim of sexual abuse, trafficking, or other maltreatment;
3. Internal procedures for seeking assistance for a child who is at risk for sexual abuse, trafficking, or other maltreatment, including referral to a school counselor, a social worker, or another mental health professional;
4. Techniques for reducing a child's risk of sexual abuse, trafficking, or other maltreatment; and
5. Information on community organizations that have relevant research-based programs and that are able to provide training or other education for district staff, students, and parents.

A district must maintain records that include staff members who participated in the training.

To the extent that resources are not yet available from TEA or the commissioner of education, districts shall implement the policies and trainings with existing or publicly available resources. The district may also work in conjunction with a community organization to provide the training at no cost to the district.

*Education Code 38.0041(c)-(f); 19 TAC 103.1401(d)*

**Trauma-Informed Care**

A district's efforts to increase awareness and implementation of trauma-informed care must include training to new and existing employees in accordance with the district's professional development policy. [See BQ, FFBA] *Education Code 38.036(c)*

**Mental Health**

A district shall require each district employee who regularly interacts with students enrolled at the district to complete an evidence-

based mental health training program designed to provide instruction to participants regarding the recognition and support of children and youth who experience a mental health or substance use issue that may pose a threat to school safety.

A district may not require a district employee who has previously completed mental health training offered by a local mental health authority under Health and Safety Code 1001.203 to complete the required training.

*Education Code 22.904*

To complete the required evidence-based mental health training program, personnel who regularly interact with students shall participate and complete the general training program, participate and complete the training program related to local school district practices and procedures, and submit and maintain supporting documentation of completion. *19 TAC 153.1015(b)*

Records

School districts shall require each district employee to provide the certificate of completion of the general training program to the school district.

Documentation of the training program related to local school district practices and procedures may be satisfied when the employee submits to the district an acknowledgement form signed by the employee who received the current training and a copy of the local procedures and practices that are published in the district handbook and/or district improvement plan.

Documentation of training for the mental health training program must be kept by the school district and made available to TEA upon request, which may include a reporting process, for the duration of the employee's employment with the district.

*19 TAC 153.1015(f)(1)-(3)*

**Student Discipline**

Each principal or other appropriate administrator who oversees student discipline shall, at least once every three school years, attend professional development training regarding Education Code Chapter 37, Subchapter G. The professional development shall include training relating to the distinction between a discipline management technique used at the principal's discretion under Education Code 37.002(a) and the discretionary authority of a teacher to remove a disruptive student under Education Code 37.002(b) [see FOA].

The professional development training may be provided in coordination with an education service center through the use of distance

learning methods, such as telecommunications networks, and using available TEA resources.

*Education Code 37.0181*

**Test Administration**

The commissioner may require training for district employees involved in the administration of assessment instruments. The commissioner may only require the employee at each district campus who oversees the administration of the assessment instruments to annually receive the training. The district employee who oversees test administration on a district campus may, with discretion, require other district employees involved in the administration of assessment instruments to repeat the training. *Education Code 39.0304(a), (b-1), (b-2)*

**Cybersecurity**

Employees identified by the district with access to a district computer system or database and who use a computer to perform at least 25 percent of the employee's required duties must complete a cybersecurity training program selected by the board. The district, in consultation with its cybersecurity coordinator, shall determine how frequently employees must complete the training. [See CQB] *Gov't Code 2054.5191(a-1); Education Code 11.175(h-1)*

**Special Programs**

A district shall ensure that:

Teacher Literacy Achievement Academies (Reading Academies)

1. Not later than the 2022-23 school year, each classroom teacher in kindergarten or first, second, or third grade and each principal at a campus with kindergarten or first, second, or third grade has attended a teacher literacy achievement academy developed under Education Code 21.4552; and

2. Each classroom teacher and each principal initially employed in a grade level or at a campus described above for the 2022-23 school year or a subsequent school year has attended a teacher literacy achievement academy developed under Education Code 21.4552 by the end of the teacher's or principal's first year of placement in that grade level or campus.

*Education Code 28.0062(a)(2)*

[See EHAB for kindergarten-grade 3 reading standards.]

Gifted and Talented Education

A district shall ensure that:

1. Prior to assignment in the program or within one semester of assignment, teachers who provide instruction and services that are a part of the program for gifted/talented students [see EHBB] have a minimum of 30 hours of professional learning that includes nature and needs of gifted/talented students, as-

sessing student needs, and curriculum and instruction for gifted/talented students;

2. Teachers who provide instruction and services that are a part of the program for gifted/talented students receive a minimum of six hours annually of professional learning in gifted/talented education; and

3. Administrators and counselors who have authority for program decisions have a minimum of six hours of professional learning that includes nature and needs of gifted/talented students and program options with an update after legislative sessions.

*19 TAC 89.2*

Elective Bible Course

A teacher of an elective Bible course offered under Education Code 28.011 [see EMI] must hold a certificate in language arts, social studies, or history that qualifies the teacher to teach at the grade level at which the course is offered with, where practical, a minor in religious or biblical studies. The teacher must successfully complete staff development training developed by the commissioner for elective Bible courses. An elective Bible course may be taught only by a teacher who has successfully completed the commissioner's training under Education Code 21.459. *Education Code 28.011(f)*

Texas English Language Proficiency Assessment System Training

The employee assigned to oversee the administration of the Texas English Language Proficiency Assessment System (TELPAS) at a district campus may, with discretion, require other district employees involved in administering the TELPAS to complete training or online calibration activities described by Education Code 21.4571(a). An employee may not be required to complete a training or online calibration activity in one sitting. *Education Code 21.4571(b), (c)*

**Automated External Defibrillators**

A district shall, in accordance with its professional development policy, make available to employees and volunteers instruction in the principles and techniques of cardiopulmonary resuscitation and the use of an automated external defibrillator (AED).

Each school nurse, assistant school nurse, athletic coach or sponsor, physical education instructor, marching band director, cheerleading coach, and any other employee specified by the commissioner, and each student who serves as an athletic trainer, must:

1. Participate in the instruction; and

2. Receive and maintain certification in the use of an AED from the American Heart Association, the American Red Cross, or a similar nationally recognized association.

*Education Code 22.902*

**Extracurricular Activity Safety**

The following persons must satisfactorily complete an extracurricular activity safety training program in accordance with the district's professional development policy:

1. A coach, trainer, or sponsor for an extracurricular athletic activity; and

2. A director responsible for a school marching band.

The safety training program must include:

1. Certification of participants by the American Red Cross, the American Heart Association, or a similar organization or by the University Interscholastic League;

2. Current training in:

   a. Emergency action planning;

   b. Communicating effectively with 9-1-1 emergency service operators and other emergency personnel; and

   c. Recognizing symptoms of potentially catastrophic injuries, including head and neck injuries, concussions, injuries related to second impact syndrome, asthma attacks, heatstroke, cardiac arrest, and injuries requiring use of a defibrillator; and

3. A safety drill that incorporates the training and simulates various injuries described above.

*Education Code 33.202(b), (c); 19 TAC 76.1003*

Records

A superintendent shall maintain complete and accurate records of the district's compliance and the district shall make available to the public proof of compliance for each person employed by or volunteering for the district who is required to receive safety training.

A campus that is determined by a superintendent to be out of compliance with the safety training requirements shall be subject to the range of penalties determined by the UIL.

*Education Code 33.206; 19 TAC 76.1003(e)*

**Steroids**

A district shall require that each employee who serves as an athletic coach at or above the seventh grade level for an extracurricular athletic activity sponsored or sanctioned by the UIL complete:

1. The educational program developed by the UIL regarding the health effects of steroids; or
2. A comparable program developed by the district or a private entity with relevant expertise.

*Education Code 33.091(c-1)*

**Concussions**

At least once every two years, the following employees shall take a training course from an authorized provider:

1. A coach of an interscholastic athletic activity shall take a course approved by the UIL that provides for not less than two hours of training in the subject matter of concussions, including evaluation, prevention, symptoms, risks, and long-term effects.
2. An athletic trainer who serves as a member of a district's concussion oversight team shall take a course concerning the subject matter of concussions that meets the requirements set by the Texas Department of Licensing and Regulation (TDLR).
3. A school nurse or licensed health-care professional, other than an athletic trainer, who serves as a member of a district's concussion oversight team shall take a course approved by the UIL for coaches or that meets the requirements set by TDLR for athletic trainers, or a course concerning the subject matter of concussions that has been approved for continuing education credit by the appropriate licensing authority for the profession.

The employee must submit proof of timely completion of an approved course to the superintendent or designee. A school nurse or licensed health-care professional who is not in compliance with these training requirements may not serve on a concussion oversight team in any capacity. [See FM]

*Education Code 38.158*

**Seizure Recognition and Related First Aid**

A school nurse employed by a district must complete a TEA-approved online course of instruction for school nurses regarding managing students with seizure disorders that includes information about seizure recognition and related first aid.

A district employee, other than a school nurse, whose duties at the school include regular contact with students must complete a TEA-approved online course of instruction for school personnel regard-

ing awareness of students with seizure disorders that includes information about seizure recognition and related first aid.

*Education Code 38.033(a), (b)*

[See FFAF for information about a seizure management and treatment plan.]

**Identification**

Child Find

A district shall ensure that all children residing within the district who have disabilities, regardless of the severity of their disabilities, and who are in need of special education and related services are identified, located, and evaluated. This requirement applies to:

1. Homeless children;
2. Children who are wards of the state;
3. Children attending private schools;
4. Highly mobile children (including migrant children); and
5. Children who are suspected of being in need of special education but who are advancing from grade to grade.

*20 U.S.C. 1412(a)(3)(A); 34 C.F.R. 300.111(a)(1)(i), (c)*

*Private School Students*

A district shall conduct a timely and meaningful consultation with private school representatives regarding the child find process and the provision of special education and related services to children enrolled in private schools in the district.

A district shall undertake activities similar to those undertaken for public school children and shall complete the child find process for children enrolled in private schools in a time period comparable to that for other students attending public schools in the district.

*20 U.S.C. 1412(a)(10)(A)(ii)-(iv)* [See EHBAC regarding students in nondistrict placement.]

*Preschool Students*

A district shall develop a system to notify district residents with children who are at least three and younger than six and who are eligible for enrollment in a special education program of the availability of the program. *Education Code 29.009*

**Requests and Referrals for Evaluation**

The screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered to be an evaluation for eligibility for special education and related services. *20 U.S.C. 1414(a)(1)(E)*

Multi-tiered System

Referral of students for a full individual and initial evaluation (FIIE) must be a part of the district's multi-tiered system of academic and behavioral supports. Students not making progress in the general education classroom should be considered for all interventions and support services available to all students; such as tutorial, compensatory, response to evidence-based intervention, and other academic or behavior support services.

The district cannot require a student to participate in interventions and support services for any specific length of time prior to a referral being made or an FIIE being conducted.

District Obligation to Refer

If the student continues to experience difficulty in the general education classroom with the provision of interventions and support services or at any time district personnel suspect a disability and a possible need for special education and related services, district personnel must refer the student for an FIIE.

A referral or request for an FIIE may be initiated at any time by school personnel, the student's parents or legal guardian, or another person involved in the education or care of the student. While an FIIE is being conducted, a student must continue to receive any necessary interventions and support services to target their academic or behavioral needs.

*19 TAC 89.1011(a)*

Prior Written Notice

*Parent*

If a parent submits a written request to a district's director of special education services or to a district administrative employee, such as a campus principal, for a FIIE of a student, the district shall, not later than the 15th school day after the date the district receives the request:

1. Provide the parent with prior written notice of its proposal to conduct an evaluation consistent with 34 C.F.R. 300.503, a copy of the procedural safeguards notice required by 34 C.F.R. 300.504, a copy of the Overview of Special Education for Parents form created by the Texas Education Agency (TEA), and an opportunity to give written consent for the evaluation; or

2. Provide the parent with prior written notice of its refusal to conduct an evaluation consistent with 34 C.F.R. 300.503, a copy of the Overview of Special Education for Parents form created by TEA, and a copy of the procedural safeguards notice required by 34 C.F.R. 300.504.

*District*

When a district initiates the referral for an FIIE of a student, the district must provide the parent with the information and materials described at item 1 above.

*19 TAC 89.1011(b)-(c); Education Code 29.004(c); 20 U.S.C. 1414(a)(1); 34 C.F.R. 300.301*

Notice of Rights

A reasonable time before a district proposes or refuses to initiate the identification, evaluation, or educational placement of a student or the provision of a free appropriate public education (FAPE) to a student, the district shall provide written notice to the student's parent or guardian. *20 U.S.C. 1415(b)(3); 34 C.F.R. 300.503(a)* [See EHBAE]

Initial Evaluation Required

A district shall conduct an FIIE before the initial provision of special education and related services. *20 U.S.C. 1414(a)(1)(A)*

*Consent for Initial Evaluation*

Before a district conducts an initial evaluation, it shall make reasonable efforts to obtain informed parental consent.

If the parent does not provide consent for an initial evaluation, or if the parent fails to respond to a request to provide consent, a district may, but is not required to, pursue the initial evaluation by utilizing due process procedures [see EHBAE], except to the extent inconsistent with state law relating to such parental consent.

Parental consent to initial evaluation shall not be construed as consent for placement for special education and related services.

*20 U.S.C. 1414(a)(1)(D)(i)(I); 34 C.F.R. 300.300(b)*

Wards of the State

If the child is a ward of the state and is not residing with the child's parent, a district shall make reasonable efforts to obtain the informed consent from the parent for an initial evaluation, unless:

1. Despite reasonable efforts to do so, the district cannot discover the whereabouts of the parent;
2. The rights of the parent have been terminated; or
3. The rights of the parent to make educational decisions have been subrogated and an individual appointed by a judge to represent the student has given consent for an initial evaluation.

*20 U.S.C. 1414(a)(1)(D)(iii); 34 C.F.R. 300.300(a)(2)*

*Time Frame for Completion of Written Report*

A district must complete the written report of a full individual and initial evaluation:

1. Not later than the 45th school day following the date on which the district receives written consent for the evaluation from the student's parent. If a student has been absent from school during that period on three or more school days, the period must be extended by a number of school days equal to the number of school days during that period on which the student has been absent; or
2. For students under five years of age by September 1 of the school year and not enrolled in public school and for students enrolled in a private or homeschool setting, not later than the 45th school day following the date on which the district receives written consent for the evaluation from the student's parent.

If a district receives written consent for the evaluation from the student's parent at least 35 but less than 45 school days before the last instructional day of the school year, the written report of a FIIE of a student must be provided to the student's parent not later than June 30 of that year.

If a district receives written consent for the evaluation from the student's parent at least 35 but less than 45 school days before the last instructional day of the school year but the student was absent three or more school days between the time that the school district received written consent and the last instructional day of the school year, the timeline in item 1 above applies to the date the written report of the FIIE must be completed.

If the district received the written consent for the evaluation from the student's parent less than 35 school days before the last day of the school year, the timeline in item 1, above, applies to the date the written report of the FIIE must be completed.

*19 TAC 89.1011(d)-(e)*

For purposes of the timelines under this provision, "school day" does not include a day that falls after the last instructional day of the spring school term and before the first instructional day of the subsequent fall school term. In the case of a school that operates under a school year calendar without spring and fall terms, a school day does not include a day that falls after the last instructional day of one school year and before the first instructional day of the subsequent school year. *19 TAC 89.1011(i)-(j)*

These time frames do not apply if the parent repeatedly fails or refuses to produce the child for the evaluation. *34 C.F.R. 300.301(d)(1)*

Transfer Students

A district shall ensure that evaluations of children who transfer from one district to another in the same academic year are coordinated with the children's prior and subsequent schools, as necessary and as expeditiously as possible, to ensure prompt completion of evaluations. *34 C.F.R. 300.304(c)(5)*

If a student was in the process of being evaluated for special education eligibility by a district and enrolls in another district before the previous district completed the FIIE, the new district must coordinate with the previous district as necessary and as expeditiously as possible to ensure a prompt completion of the evaluation in accordance with 34 C.F.R., 300.301(d)(2) and (e) and 300.304(c)(5).

The timelines above do not apply in such a situation if:

1. The new school district is making sufficient progress to ensure a prompt completion of the evaluation; and

2. The parent and the new school district agree to a specific time when the evaluation will be completed.

*19 TAC 89.1011(f); Education Code 29.004; 20 U.S.C. 1414(a)(1)(C), (b)(3)(D); 34 C.F.R. 300.301(c)-(e)*

*Student Communication*

The evaluation shall be conducted using procedures that are appropriate for the student's most proficient method of communication. *Education Code 29.004(b)*

*Psychological Examinations*

If a district determines that an additional examination or test is required for the initial and individual evaluation, the district shall provide the information required by Education Code 29.0041(a) and shall obtain additional parental consent. If a parent does not give consent within 20 calendar days after the district provided the information, the parent's consent is considered denied.

The time required for a district to provide information and seek consent may not be counted toward the time frame for completion of an evaluation. [See Time Frame for Completion of Written Report, above]

*Education Code 29.0041*

**Eligibility and Reevaluations**

A student is eligible to participate in a district's special education program if:

1. The student is between the ages of 3 and 21, inclusive;

2. The student has one or more of the disabilities listed in federal regulations, state law, or both; and

3. The student's disability(ies) prevents the student from being adequately or safely educated in the public schools without the provision of special services.

*20 U.S.C. 1401(3); Education Code 29.003(b); 19 TAC 89.1035*

Disability Definitions

To be eligible to receive special education services, a student must be a "child with a disability," as defined in 34 C.F.R. 300.8(a), subject to the provisions of 34 C.F.R. 300.8(c), Education Code Subchapter A, and 19 Administrative Code 89.1040. The provisions in 19 Administrative Code 89.1040 specify criteria to be used in determining whether a student's condition meets one or more of the definitions in federal regulations or in state law. *19 TAC 89.1040(a)*

[For additional information on special education of students with dyslexia and related disorders, see EHB.]

Visual and Auditory Impairments

Students with visual impairments or who are deaf or hard of hearing shall be eligible to participate in a district's special education program from birth. *19 TAC 89.1035(b); Education Code 30.002(e), .081*

*Birth Through Age Two*

Children from birth through the age of two with visual impairments (VI), who are deaf or hard of hearing (DHH), or who are deaf-blind (DB) must be enrolled at the parent's request by a district when the district becomes aware of a child needing services. The appropriate instructional arrangement [see EHBA] for students from birth through the age of two with VI, DHH, or DB shall be determined in accordance with the individualized family services plan, current attendance guidelines, and the agreement memorandum between TEA and Texas Health and Human Services Commission Early Childhood Intervention (ECI) Services. *19 TAC 89.1005(d)*

Determination of Initial Eligibility

Upon completion of the administration of assessments and other evaluation measures, a team of qualified professionals and the parent shall make the determination of whether the child has a disability and of the educational needs of the child.

A district shall provide a copy of the evaluation report and the documentation of determination of eligibility at no cost to the parent.

*20 U.S.C. 1414(b)(4); 34 C.F.R. 300.306(a)*

The admission, review, and dismissal (ARD) [see EHBAB] committee must make its decisions regarding a student's initial eligibility determination and, if appropriate, individualized education program (IEP) and placement within 30 calendar days from the date of the completion of the written FIIE report. If the 30th day falls during the summer and school is not in session, the ARD committee must meet not later than the 15th school day of the following school year to finalize decisions concerning the student's initial eligibility determination, and, if appropriate, IEP and placement. If the 30th day falls during the summer and school is not in session but an FIIE report indicates that the student would need extended school year services during that summer, the ARD committee must meet as expeditiously as possible after completion of the report.

*Parent Copy*

A copy of the written FIIE report must be provided to the parent as soon as possible after completion of the report but no later than five school days prior to the initial ARD committee meeting, which will determine a student's initial eligibility, or not later than June 30 if the district received the written consent for the evaluation from the student's parent at least 35 but less than 45 school days before the last instructional day of the school year.

*19 TAC 89.1011(g)-(h); Education Code 29.004(a-1)*

[For additional information regarding the evaluation and identification process when dyslexia is a suspected disability, see EHB.]

Consent for Services

*Initial Provision of Services*

A district must obtain informed consent from the parent for the initial provision of special education and related services. If the parent of a child fails to respond to a request for, or refuses to consent to, the initial provision of services, the district:

1. May not use the procedures in 34 C.F.R. part 300 subpart E (including the mediation and due process procedures) in order to obtain agreement or a ruling that the services may be provided to the child;
2. Will not be considered to be in violation of the requirement to make FAPE available to the child for the failure to provide the services for which the district requests consent; and
3. Is not required to convene an ARD meeting or develop an IEP for the child for the services.

*Revoking Consent*

If, at any time after the provision of initial services, the parent of a child revokes consent in writing for the continued provision of services, the district:

1. May not continue to provide services to the child, but must provide prior written notice before ceasing services;
2. May not use the procedures in 34 C.F.R. part 300 subpart E in order to obtain agreement or a ruling that the services may be provided to the child;
3. Will not be considered to be in violation of the requirement to make FAPE available to the child because of the failure to provide the child with further services; and
4. Is not required to convene an ARD meeting or develop an IEP for further provision of services.

*34 C.F.R. 300.300(b)*

Reevaluations

A district shall ensure that each child with a disability is reevaluated if the district determines that the educational or related services needs of the child, including improved academic achievement and functional performance, warrant a reevaluation, or if the child's parent or teacher requests a reevaluation.

Reevaluation shall occur:

1. No more than once a year, unless the parent and the district agree otherwise; and

2. At least once every three years, unless the parent and district agree that a reevaluation is unnecessary.

A district shall obtain informed parental consent before conducting a reevaluation, except that informed parental consent is not needed if the district can demonstrate that it has taken reasonable measures to obtain consent and the child's parent has failed to respond.

*20 U.S.C. 1414(a)(2), (c)(3); 34 C.F.R. 300.303*

Evaluation for Change in Eligibility

A district must evaluate a child with a disability before determining that the child is no longer a child with a disability. However, an evaluation is not required before the termination of eligibility due to graduation from secondary school with a regular diploma or due to exceeding the age eligibility for FAPE under state law. If a child's eligibility terminates under the aforementioned circumstances, a district must provide a summary of academic achievement and functional performance, which shall include recommendations on how to assist the child in meeting the child's postsecondary goals. *34 C.F.R. 300.305(e); 20 U.S.C. 1414(c)(5)*

[See EIF(LEGAL) at Summary of Academic Achievement and Evaluation.]

Independent Evaluation

The parents have a right to obtain an independent educational evaluation of their child. If a parent requests an independent evaluation, a district shall provide the parents with information regarding where one can be obtained and the district's criteria for independent evaluations.

The results of a parent-initiated independent educational evaluation, whether at public or private expense, must be considered by the district if it meets the district's criteria, in any decision made with respect to providing FAPE to the child.

*At Public Expense*

If a parent requests an independent evaluation at public expense, the district shall, without unnecessary delay, either:

1. File a due process complaint to request a hearing to show that its evaluation is appropriate; or

2. Ensure that an independent evaluation is provided at public expense, unless the district demonstrates that the evaluation obtained by the parent did not meet district criteria.

*At Private Expense*

If a district initiates a hearing, and the final decision is that the district's evaluation is appropriate, the parent still has a right to an independent evaluation, but not at public expense.

*34 C.F.R. 300.502*

**Prescription Medication**

An employee of a district is prohibited from requiring a child to obtain a prescription for a substance covered under the federal Controlled Substances Act (21 U.S.C. 801 et seq.) as a condition of attending school, receiving an evaluation for special education, or receiving special education and related services.

Observations

An employee is not prohibited from consulting or sharing classroom-based observations with parents regarding a student's academic and functional performance, behavior in the classroom or school, or the need for evaluation for special education or related services.

*20 U.S.C. 1412(a)(25)*

**Transition Services Defined**

"Transition services" means a coordinated set of activities for a child with a disability that:

1. Is designed to be within a results-oriented process, that is focused on improving the academic and functional achievement of the child to facilitate the child's movement from school to post-school activities, including postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation.
2. Is based on the individual child's needs, taking into account the child's strengths, preferences, and interests.
3. Includes instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and if appropriate, acquisition of daily living skills and functional vocational evaluation.

*20 U.S.C. 1401(34); 34 C.F.R. 300.43*

**Individual Transition Planning**

14 Years of Age

Not later than the first individualized education program (IEP) to be in effect when a student turns 14 years of age, the admission, review, and dismissal (ARD) committee must consider, and if appropriate, address the following issues in the IEP:

1. Appropriate student involvement in the student's transition to life outside the public school system;
2. Appropriate involvement in the student's transition by the student's parents and other persons invited to participate by the student's parents or the district in which the student is enrolled;
3. Appropriate postsecondary education options, including preparation for postsecondary-level coursework;
4. An appropriate functional vocational evaluation;
5. Appropriate circumstances for facilitating a referral of a student or the student's parents to a governmental agency for services or public benefits, including a referral to a governmental agency to place the student on a waiting list for public benefits available to the student, such as a waiver program established under Section 1915(c), Social Security Act [42 U.S.C. 1396n(c)]; and
6. The use and availability of appropriate supplementary aids, services, curricula, and other opportunities to assist the student in developing decision-making skills; and supports and services to foster the student's independence and self-deter-

mination, including a supported decision-making agreement under Estates Code Chapter 1357.

Beginning not later than the first IEP to be in effect when the student turns 14 years of age, or younger if determined appropriate by the ARD committee, the IEP must include:

1. Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; and

2. The transition services, including courses of study, needed to assist the student in reaching the postsecondary goals .

18 Years of Age

Beginning not later than the first IEP to be in effect when the student turns 18 years of age, the ARD committee must consider and, if appropriate, address the following issues in the student's IEP:

1. Involvement in the student's transition and future by the student's parents and other persons, if the parent or other person:

   a. Is invited to participate by the student or the district in which the student is enrolled; or

   b. Has the student's consent to participate pursuant to a supported decision-making agreement under Estates Code Chapter 1357; and

2. The availability of age-appropriate instructional environments, including community settings or environments that prepare the student for postsecondary education or training, competitive integrated employment, or independent living, in coordination with the student's transition goals and objectives.

Annual Review

A student's ARD committee shall review at least annually the issues described above and, if necessary, update the portions of the student's IEP that address those issues.

[See EHBAB regarding membership of ARD committee for transition services meetings.]

*19 TAC 89.1055(k)-(o); 20 U.S.C. 1414(d)(1)(A)(i)(VIII), 1414(d)(6); 34 C.F.R. 300.320(b); Education Code 29.011(a-1), .0111*

Transition and Employment Designee

The transition and employment designee required of each district must complete the required training as developed by the commissioner of education and provide information about transition requirements and coordination among parents, students, and appro-

priate state agencies to ensure that school staff can communicate and collaborate effectively. *19 TAC 89.1075(i)*

Transition and Employment Guide

The Texas Education Agency (TEA) is required to develop a transition and employment guide for students enrolled in special education programs and their parents to provide information on statewide services and programs that assist in the transition to life outside the public school system. A school district shall:

1. Post the transition and employment guide on the district's website if the district maintains a website;
2. Provide written information and, if necessary, assistance to a student or parent regarding how to access the electronic version of the guide at:
    a. The first meeting of the student's ARD committee at which transition is discussed; and
    b. The first committee meeting at which transition is discussed that occurs after the date on which the guide is updated; and
3. On request, provide a printed copy of the guide to a student or parent.

*Education Code 29.0112(a), (e)*

**Graduation**

Graduation under 19 Administrative Code 89.1070(b)(1), or reaching maximum age eligibility described by 19 Administrative Code 89.1035 (Age Ranges for Student Eligibility) terminates a student's eligibility for special education services. For students who graduate and receive a diploma according to 19 Administrative Code 89.1070(b)(2) or (b)(3)(A), (B), or (C), the ARD committee must determine needed special education services upon the request of the student or parent to resume services, as long as the student meets the age requirements. *19 TAC 89.1070(a), (j)* [See EHBAA]

Graduation from high school with a regular diploma constitutes a change in placement that requires written prior notice to parents.

A district is not required to conduct an evaluation before termination of eligibility due to graduation from secondary school with a regular high school diploma or due to exceeding the age eligibility for FAPE under state law.

A district shall provide the child with a summary of the child's academic achievement and functional performance, which shall in-

clude recommendations on how to assist the child in meeting the child's postsecondary goals.

[See EIF]

*20 U.S.C. 1414(c)(5); 34 C.F.R. 300.102(a)(3), .305(e)(2)*

**Driving with Disability Program**

A district shall provide information regarding the Texas Driving with Disability Program to students who have a health condition or disability that may impede effective communication with a peace officer and who receive special education services or who are covered by Section 504 and their parents.

The information shall be provided to each student who is 16 years of age or older and annually until the earlier of the student's graduation from high school or 21st birthday.

*Education Code 29.0113(a)-(b)*

**Table of Contents**

**Parental Consent Not Required ..... 2**
**Video Surveillance of Special Education Settings ..... 2**
Classroom or Other Setting ..... 2
Definitions ..... 2
Administrative Coordinator ..... 4
Authorized Requestors ..... 4
Video Camera Coverage ..... 5
Written Notice ..... 5
Retention Period ..... 6
Gifts, Grants, and Donations ..... 6
No Waiver of Immunity ..... 6
No Monitoring ..... 6
Confidentiality ..... 6
District Policy ..... 8
Governmental Record ..... 11
Operation of Camera ..... 11
Exclusions ..... 11
Dispute Resolution ..... 11
Denial of Request ..... 11
Extension of Time ..... 14

**Parental Consent Not Required**

An employee of a district is not required to obtain the consent of a child's parent before the employee may make a videotape of a child or authorize the recording of a child's voice if the videotape or voice recording is to be used for a purpose related to the promotion of student safety under Education Code 29.022. *Education Code 26.009(b)*

**Video Surveillance of Special Education Settings**

In order to promote student safety, on receipt of an authorized written request, a district shall provide equipment, including a video camera, to the campus in the district specified in the request.

Classroom or Other Setting

A campus that receives equipment shall place, operate, and maintain one or more video cameras in self-contained classrooms and other special education settings in which a majority of the students in regular attendance are provided special education and related services and are assigned to one or more self-contained classrooms or other special education settings for at least 50 percent of the instructional day, provided that:

1. A campus that receives equipment as a result of the request by a parent or staff member is required to place equipment only in classrooms or settings in which the parent's child is in regular attendance or to which the staff member is assigned, as applicable; and

2. A campus that receives equipment as a result of the request by a board of trustees, principal, or assistant principal is required to place equipment only in classrooms or settings identified by the requestor, if the requestor limits the request to specific classrooms or settings subject to Education Code 29.022.

*Education Code 29.022(a)*

Definitions

“Incident” means an event or circumstance that:

*Incident*

1. Involves alleged “abuse” or “neglect,” as described in Family Code 261.001, of a student by a staff member of the district or alleged “physical abuse” or “sexual abuse,” as described in Family Code 261.410, of a student by another student; and

2. Allegedly occurred in a self-contained classroom or other special education setting in which video surveillance under Education Code 29.022 and 19 Administrative Code 103.1301 is conducted.

*Other Special Education Setting*

“Other special education setting” means a classroom on a separate campus (i.e., a campus that serves only students who receive special education and related services) of a district—including a room attached to the classroom or setting used for time-out—in which a

majority of the students in regular attendance are provided special education and related services, are assigned to the setting for at least 50 percent of the instructional day, and have one of the following instructional arrangements/settings described in the student attendance accounting handbook:

1. Residential care and treatment facility—separate campus; or
2. Off home campus—separate campus.

*Parent* "Parent" means a person described in Education Code 26.002, whose child receives special education and related services in one or more self-contained classrooms or other special education settings. "Parent" also means a student who receives special education and related services in one or more self-contained classrooms or other special education settings and who is 18 years of age or older or whose disabilities of minority have been removed for general purposes under Family Code, Chapter 31, unless the student has been determined to be incompetent or the student's rights have been otherwise restricted by a court order.

*School Business Day* "School business day" means a day that campus or district administrative offices are open.

*Self-contained Classroom* "Self-contained classroom" means a classroom on a regular campus (i.e., a campus that serves students in general education and students in special education), including a room attached to the classroom used for time-out, but not including a classroom that is a resource room instructional arrangement under Education Code 48.102, in which a majority of the students in regular attendance are provided special education and related services for at least 50 percent of the instructional day and have one of the following instructional arrangements/settings described in the student attendance accounting handbook:

1. Self-contained (mild/moderate/severe) regular campus;
2. Full-time early childhood (preschool program for children with disabilities) special education setting;
3. Residential care and treatment facility—self-contained (mild/moderate/severe) regular campus;
4. Residential care and treatment facility—full-time early childhood special education setting;
5. Off home campus—self-contained (mild/moderate/severe) regular campus; or
6. Off home campus—full-time early childhood special education setting.

*Staff Member* "Staff member" means a teacher, a related service provider, a paraprofessional, a counselor, or an educational aide assigned to work in the self-contained classroom or other special education setting.

*Time-out* "Time-out" has the meaning assigned by Education Code 37.0021.

*Video Camera* "Video camera" means a video surveillance camera with audio recording capabilities.

*Video Equipment* "Video equipment" means one or more video cameras and any technology and equipment needed to place, operate, and maintain video cameras as required by Education Code 29.022 and 19 Administrative Code 103.1301. "Video equipment" also means any technology and equipment needed to store and access video recordings as required.

*19 TAC 103.1301(b); Education Code 29.022*

Administrative Coordinator

Each district shall designate an administrator at the primary administrative office of the district with responsibility for coordinating the provision of equipment to schools and campuses. *Education Code 29.022(a-2)*

Authorized Requestors

The following people may request in writing that equipment be provided to a campus at which one or more children receive special education services in a qualifying classroom or setting:

1. A parent of a child who receives special education services for the campus at which the child receives those services;
2. The board of trustees for one or more specified campuses;
3. The principal or assistant principal for their campus; and
4. A staff member assigned to work with one or more children receiving special education services for the campus at which the staff member works.

*Education Code 29.022(a-1)*

*Processing the Request*

A written request must be submitted and acted on as follows:

1. A parent, staff member, or assistant principal must submit a request to the principal or the principal's designee of the campus addressed in the request, and the principal or designee must provide a copy of the request to the district's designated administrator;
2. A principal must submit a request by the principal to the district's designated administrator; and

3. A board of trustees must submit a request to the district's designated administrator, and the administrator must provide a copy of the request to the principal or the principal's designee of the campus addressed in the request.

A campus shall operate and maintain the camera in the classroom or setting as long as the classroom or setting continues to satisfy these requirements, for the remainder of the school year in which the campus received the request, unless the requestor withdraws the request in writing.

*Education Code 29.022(a-3)-(b)*

Video Camera Coverage

The video cameras must be capable of:

1. Covering all areas of the classroom or setting, including a room attached to the classroom or setting used for time-out; and

2. Recording audio from all areas of the classroom or setting, including a room attached to the classroom or setting used for time-out.

The inside of a bathroom or any area in the classroom or other special education setting in which a student's clothes are changed may not be visually monitored, except for incidental coverage of a minor portion of a bathroom or changing area because of the layout of the classroom or setting.

*Education Code 29.022(c)-(c-1)*

Written Notice

Before a campus activates a video camera in a classroom or special education setting, the campus shall provide written notice of the placement to all campus staff and to the parents of each student attending class or engaging in school activities in the classroom or setting.

If for any reason a campus will discontinue operation of a video camera during a school year, not later than the fifth school day before the date the operation of the video camera will be discontinued, the campus must notify the parents of each student in regular attendance in the classroom or setting that operation of the video camera will not continue unless requested by a person eligible to make a request. Not later than the 10th school day before the end of each school year, the campus must notify the parents of each student in regular attendance in the classroom or setting that operation of the video camera will not continue during the following

school year unless a person eligible to make a request for the next school year submits a new request.

*Education Code 29.022(b), (d)*

Retention Period

A district shall retain video recorded from a video camera for at least three months after the date the video was recorded.

If a person requests to view a video recording from a video camera, a district must retain the recording from the date of receipt of the request until the person has viewed the recording and a determination has been made as to whether the recording documents an alleged incident. If the recording documents an alleged incident, the district or campus shall retain the recording until the alleged incident has been resolved, including the exhaustion of all appeals.

*Education Code 29.022(e)-(e-1)*

Gifts, Grants, and Donations

A district may solicit and accept gifts, grants, and donations from any person to implement the requirements of Education Code 29.022 and 19 Administrative Code 103.1301. A district is not permitted to use Individuals with Disabilities Education Act, Part B, funds or state special education funds to implement these requirements. *19 TAC 103.1301(d)*

No Waiver of Immunity

The requirements described by Education Code 29.022 do not:

1. Waive any immunity from liability of a district, or of district officers or employees; or
2. Create any liability for a cause of action against a district or against district officers or employees.

No Monitoring

A district may not:

1. Allow regular or continual monitoring of video recorded under Education Code 29.022; or
2. Use video for teacher evaluation or for any other purpose other than the promotion of safety of students receiving special education services.

*Education Code 29.022(g)-(h)*

Confidentiality

A video recording of a student made under this provision is confidential and may not be released or viewed except as provided below.

*Limited Release*

A district shall release a recording for viewing by:

1. An employee who is involved in an alleged incident that is documented by the recording and has been reported to the district, on request of the employee;

2. A parent of a student who is involved in an alleged incident that is documented by the recording and has been reported to the district or campus, on request of the parent;

3. Appropriate Department of Family and Protective Services (DFPS) personnel as part of an investigation of alleged or suspected abuse or neglect of a child under Family Code 261.406;

4. A peace officer, a school nurse, a district administrator trained in de-escalation and restraint techniques as provided by commissioners rule, or a human resources staff member designated by the board in response to a report of an alleged incident or an investigation of district personnel or a report of alleged abuse committed by a student; or

5. Appropriate agency or State Board for Educator Certification personnel or agents as part of an investigation.

A contractor or employee performing job duties relating to the installation, operation, or maintenance of video equipment or the retention of video recordings who incidentally views a video recording does not violate these confidentiality provisions.

*Education Code 29.022(i)-(i-1); 19 TAC 103.1301(h)-(i)*

*Duty to Report*

If a person described by item 4 or 5, above, views a video recording and has cause to believe that the recording documents possible abuse or neglect of a child under Family Code Chapter 261, the person must submit a report to the Texas Department of Family and Protective Services or other authority in accordance with the local policy adopted under 19 Administrative Code 61.1051 (Reporting Child Abuse and Neglect) and Family Code Chapter 261.

---

***Note:*** 19 Administrative Code 61.1051 was repealed and the requirements were recodified at 19 Administrative Code 103.1401. [See FFG]

---

*19 TAC 103.1301(j); Education Code 29.022(j)*

*Use in Disciplinary Actions Against District Personnel*

If a person described by items 3, 4, or 5, above, views the recording and believes that it documents a possible violation of district or campus policy, the person may allow access to the recording to appropriate legal and human resources personnel of the district to the extent not limited by the Family Educational Rights and Privacy

Act (FERPA) or other law. A recording believed to document a possible violation of district policy relating to the neglect or abuse of a student may be used in a disciplinary action against district personnel and must be released in a legal proceeding at the request of a parent of the student involved in the incident documented by the recording. A recording believed to document a possible violation of district policy relating to the neglect or abuse of a student must be released for viewing by the district employee who is the subject of the disciplinary action at the request of the employee. *19 TAC 103.1301(k)*

*Federal Law / FERPA*

19 Administrative Code 103.1301(j) (child abuse reporting) and (k) (disciplinary actions against personnel) do not limit the access of a student's parent to a record regarding the student under FERPA or other law. To the extent any provisions in Education Code 29.022 and 19 Administrative Code 103.1301 conflict with FERPA or other federal law, federal law prevails. *19 TAC 103.1301(l)*

District Policy

A district must adopt written policies relating to the placement, operation, and maintenance of video cameras under Education Code 29.022 and 19 Administrative Code 103.1301. At a minimum, the policies must include:

1. A statement that video surveillance is for the purpose of promoting student safety in certain self-contained classrooms and other special education settings;

2. Information on how a person may appeal an action by the district that the person believes to be in violation of this section or a policy adopted in accordance with this section, including the appeal and expedited review processes under 19 Administrative Code 103.1303 (Commissioner's Review of Actions Concerning Video Cameras in Special Education Settings) and the appeals process under Education Code 7.057;

3. A requirement that the district provide a response to a request made under this section not later than the seventh school business day after receipt of the request by the person to whom it must be submitted under Education Code 29.022(a-3) (at Limited Release, above) that authorizes the request or states the reason for denying the request;

4. Except as provided by item 6 of this provision, a requirement that a campus begin operation of a video camera in compliance with this provision not later than the 45th school business day, or the first school day after the 45th school business day if that day is not a school day, after the request is authorized unless the Texas Education Agency (TEA) grants an extension of time;

5. A provision permitting the parent of a student whose admission, review, and dismissal (ARD) committee has determined that the student's placement for the following school year will be in a classroom or other special education setting in which a video camera may be placed under this section to make a request for the video camera by the later of:

    a. The date on which the current school year ends; or

    b. The 10th school business day after the date of the placement determination by the ARD committee;

6. A requirement that, if a request is made by a parent in compliance with item 5 of this provision, unless TEA grants an extension of time, a campus begins operation of a video camera in compliance with this provision not later than the later of:

    a. The 10th school day of the fall semester; or

    b. The 45th school business day, or the first school day after the 45th school business day if that day is not a school day, after the date the request is made;

7. The procedures for requesting video surveillance and the procedures for responding to a request for video surveillance;

8. The procedures for providing advanced written notice to the campus staff and the parents of the students assigned to a self-contained classroom or other special education setting that video and audio surveillance will be conducted or cease in the classroom or setting, including procedures for notice, in compliance with Education Code 29.022(b), of the opportunity to request continued video and audio surveillance if video and audio surveillance will otherwise cease;

9. A requirement that video cameras be operated at all times during the instructional day when one or more students are present in a self-contained classroom or other special education setting in which video cameras are placed;

10. A statement regarding the personnel who will have access to video equipment or video recordings for purposes of operating and maintaining the equipment or recordings;

11. A requirement that a campus continue to operate and maintain any video camera placed in a self-contained classroom or other special education setting for as long as the classroom or setting continues to satisfy the requirements in Education Code 29.022(a), for the remainder of the school year in which

the campus received the request, unless the requester withdraws the request in writing;

12. A requirement that video cameras placed in a self-contained classroom or other special education setting be capable of recording video and audio of all areas of the classroom or setting, except that no visual monitoring of bathrooms and areas in which a student's clothes are changed may occur. Incidental visual coverage of the inside of a bathroom or any area of the classroom or other special education setting in which a student's clothes are changed is permitted only to the extent that such coverage is the result of the layout of the classroom or setting. Audio recording of the inside of a bathroom or any area of the classroom or other special education setting in which a student's clothes are changed is required;

13. A statement that video recordings must be retained for at least three months after the date the video was recorded and that video recordings will be maintained in accordance with the requirements of Education Code 29.022(e-1), when applicable;

14. A statement that the regular or continual monitoring of video is prohibited and that video recordings must not be used for teacher evaluation or monitoring or for any purpose other than the promotion of student safety;

15. At the district's discretion, a requirement that campuses post a notice at the entrance of any self-contained classroom or other special education setting in which video cameras are placed stating that video and audio surveillance are conducted in the classroom or setting;

16. The procedures for reporting an allegation to the district that an incident occurred in a self-contained classroom or other special education setting in which video surveillance under Education Code 29.022 and 19 Administrative Code 103.1301 is conducted;

17. The local grievance procedures for filing a complaint alleging violations of Education Code 29.022, and/or 19 Administrative Code 103.1301; and

18. A statement that video recordings made under Education Code 29.022 and 19 Administrative Code 103.1301 are confidential and a description of the limited circumstances under which the recordings may be viewed.

*19 TAC 103.1301(g)*

Governmental Record

A video recording under this section is a governmental record only for purposes of Penal Code 37.10.

Operation of Camera

These provisions apply to the placement, operation, and maintenance of a video camera in a self-contained classroom or other special education setting during the regular school year and extended school year services.

A video camera placed under this section is not required to be in operation for the time during which students are not present in the classroom or other special education setting.

*Education Code 29.022(s)-(t)*

Exclusions

A district is not required to provide video equipment to a campus of another district or charter school or to a nonpublic school. *19 TAC 103.1301(c)*

Dispute Resolution

The special education dispute resolution procedures in 34 Code of Federal Regulations 300.151-.153 and 300.504-.515 do not apply to complaints alleging that a district has failed to comply with Education Code 29.022 and 19 Administrative Code 103.1301. Complaints alleging violations of those sections must be addressed through the district's local grievance procedures or other dispute resolution channels. *19 TAC 103.1301(e)*

Denial of Request

The following standards and procedures apply to a denial of a request for placement of a video camera under Education Code 29.022(a), or to the denial of a request to release a video or to view a video made under Education Code 29.022(i) or (l)(2).

*Exhaustion of Administrative Remedies*

Once a request for placement of a video camera or a request to release a video is administratively denied, the requester must exhaust administrative remedies through the district's grievance process even if the requester opts for the expedited review process. However, a district, parent, staff member, or administrator may request an expedited review even before the local remedies are exhausted.

After local remedies are exhausted by filing a grievance with the board and obtaining a board determination, the requester may appeal the denial to the commissioner of education under Education Code 7.057 by filing a petition for review.

*Proper Request*

In a case where there is a denial of a request for the placement of a video camera, the commissioner will determine whether the person requesting placement is a person allowed to request placement under Education Code 29.022(a-1) (see Limited Release, above) and whether the requester made a proper request under Education Code 29.022(a-3) (see Processing the Request, above).

*Cost*

The commissioner will not consider the cost to the district of installing cameras or releasing video.

*Release Determination*

In a case where there is a denial of a request to release a video, the commissioner will determine whether the requester is a person allowed to receive a video under Education Code 29.022(i) (described at Limited Release, above).

*Timelines for Petition for Review*

The following timelines are established for filing a petition for review:

1. A petition for review shall be filed with the commissioner within 10 calendar days of the decision of the board denying the request being first communicated to the requester or requester's counsel, whichever occurs first. The petition for review shall be made in accordance with 19 Administrative Code 157.1073(c) (hearings brought under Education Code 7.057) and may include a request for expedited review.
2. The district's answer and local record shall comply with 19 Administrative Code 157.1052(b) and (c) and 19 Administrative Code 157.1073(d) and shall be filed with the commissioner within 10 calendar days of the district receiving notification from the commissioner of the appeal.
3. The procedures specified in 19 Administrative Code 157.1059; .1061; and .1073(e)-(h), (j), and (k) apply to a case brought to the commissioner under this section.

*Expedited Review*

A request for expedited review is governed by the following.

1. The expedited review process is designed to allow a requester to promptly receive a preliminary judgment from the commissioner as to a decision to deny a request for the installation of cameras or a decision to deny a request to release a video while at the same time respecting the school grievance process. The expedited review process does not apply to a request to only view a video. Invoking the expedited review process results in a prompt initial determination. However, the final commissioner's determination is to be based on a substantial evidence review of the district's grievance record. This allows for a full record to be developed at the district level and does not require the requester and the district to make an evidentiary record before TEA in Austin, Texas. Because the requirements of Education Code 7.057 are met when the board's decision is heard by the commissioner, an appeal to district court is allowed under Education Code 7.057(d). Education Code 29.022 does not by itself allow an appeal to district court.

2. A district, parent, staff member, or administrator may request an expedited review. Any request for an expedited review shall include the names, telephone numbers, and addresses of all interested parties to the request. “Interested parties” are all persons who brought the grievance, all persons who have testified or provided written statements as part of the grievance process, and the district. The request for expedited review shall specify whether the district denied a request for the placement of a video camera or the district denied a request to release a video and briefly describe why that decision is either correct or incorrect.

3. A request for expedited review shall be filed with the commissioner no earlier than 14 business days after a request for placement of a video camera or a request to release a video is administratively denied under Education Code 29.022(i) or (l)(2) (see Limited Release and Process, above), and no later than the fifth business day after a board resolves a grievance as to a request for placement of a video camera or a request to release a video. A request for expedited review shall be filed with the commissioner electronically as provided on TEA’s Division of Hearings and Appeals website or by U.S. Mail, facsimile, hand-delivery, or by a commercial delivery service.

4. Whenever an interested party files a document with the commissioner, with the exception of the request for expedited review, the interested party shall send the same document to all other interested parties by the same method that the document was sent to the commissioner. Hand-delivery of the document by the next day may be substituted for service by facsimile delivery.

5. If a request for expedited review is timely filed, the commissioner will establish a briefing schedule and will send to all interested parties a notice that an expedited review has been filed, which will include relevant statutes and rules. Any interested party who knows of any additional interested parties who have not been notified will promptly inform the commissioner in writing.

6. All briefing shall clearly state the facts relied upon. Documents relevant to the issues presented may be attached to a brief. All briefing shall provide the reasons why the commissioner should or should not grant the request for expedited review. Citations to statutes, rules, commissioner decisions, and case law are important to identify the legal basis for the claims made.

7. All interested parties who are in favor of granting the request for expedited review shall file briefing at the time specified for the requester of the expedited review.

8. All interested parties who are opposed to granting the request for expedited review shall file briefing at the same time.

9. Briefing is not limited to the issues specifically raised in the pleadings in the case. However, no new arguments may be raised in the reply briefs. Reply briefs may contain new citations to the record and legal authority as to issues previously raised.

10. A preliminary judgment shall be issued based on the briefing of the interested parties. The preliminary judgment will be sent to the requestor, the district, and all interested parties. If it is determined that a district is not likely to prevail on the issue of a request for the placement of video cameras or the issue of a request to view a video under full review, the district will fully comply with Education Code 29.022.

11. After a preliminary judgment is made, a final judgment will be made in accordance with the procedures set forth in 19 Administrative Code 103.1303(b)(1)-(5) (the Denial of Request Review process).

*19 TAC 103.1303(b)*

Extension of Time

A request by a district for an extension of time to begin the operation of a video camera under Education Code 29.022 shall be made and decided using the following procedures.

*Request*

Any request by a district for an extension of time to begin the operation of a video camera shall be filed with the commissioner prior to the 45th school business day after a request to begin operating a video camera is received. However, a district should request an extension of time as soon as it determines that an extension of time should be filed.

A request for an extension of time to begin the operation of a video camera shall specify why an extension of time should be granted. The request shall include affidavits supporting any factual claims made in the request and reference any legal authority as to why the request should be granted. The request may include a request for expedited review. The request shall name the individual who requested the installation of cameras and provide the individual's address and telephone number. Immediately following the individual's address and telephone number there shall appear in bold type: "You have been identified as the individual who requested the operation of a video camera that is the subject of this request to the

commissioner of education to extend the statutory timeline. You may, but are not required to, participate in the proceedings before the commissioner concerning the school district's request for an extension of time. It is entirely up to you whether and to what extent you wish to participate in these proceedings. The procedures governing these proceedings are found at 19 Texas Administrative Code 103.1303(c) and Texas Education Code 29.022."

A request for an extension of time to begin the operation of a video camera shall list the names, telephone numbers, and addresses of all interested parties to the request. All interested parties include all parents of students in the classroom or other special education setting for which a video camera has been requested and all staff who provided services in a classroom for which a video camera has been requested.

*Filing Documents* All documents in a case shall be filed with the Division of Hearings and Appeals, Texas Education Agency, 1701 N. Congress Ave., Austin, Texas 78701, facsimile number (512) 475-3662. Documents shall be filed electronically as provided on the division's website or by mail, delivery, or facsimile. All documents must be actually received by the Division of Hearings and Appeals by the date specified in this section. The mailbox rule does not apply to filings in a case filed under this subsection. Electronic filing is strongly encouraged.

All filings in a case shall be sent to the district, the individual who initially requested the installation of the cameras, and all interested parties who have filed a request to receive documents filed in the case by the same method as the request is filed with the commissioner. Due to the requirements of FERPA, the names, telephone numbers, and addresses of parents and other publicly identifiable student information may not be given to the interested parties. The copies of the filings sent to interested parties shall be redacted to remove all personally identifiable student information.

*Filing Responses* Any response to a request for an extension of time to begin the operation of a video camera shall be filed with the commissioner by an interested party within 10 calendar days of the filing of the request. If no response to the request is timely filed, the commissioner shall issue a final decision within 20 calendar days of the filing of the request.

A response to a request for an extension of time to begin the operation of a video camera shall specify why an extension of time should or should not be granted. The response shall include affidavits concerning any factual claims made in the request and reference any legal authority as to why the request should or should not

be granted. The response may include a request for expedited review.

*Expedited Review*

A request for expedited review must be filed with the commissioner within 10 calendar days of the filing of the request for an extension of time to begin the operation of a video camera. If a request for expedited review is made, all interested parties shall be notified that they have been identified as interested parties in the request for an extension of time to begin the operation of a video camera. In particular, the interested parties will be informed that it is their choice whether to participate in the proceedings before the commissioner, that it is entirely up to them to determine to what extent they wish to participate in the proceedings, that the procedures governing these proceedings are found in 19 Administrative Code 103.1303 and Education Code 29.022, and that upon their written request filed with the commissioner they will be sent all filings in this case.

If a request for an expedited review is not made, the commissioner shall issue a final decision within 45 calendar days of the filing of the request for an extension of time to begin the operation of a video camera, unless the commissioner determines that an evidentiary hearing would be helpful in deciding the issues raised. If the commissioner decides to hold an evidentiary hearing, the commissioner shall establish the timelines and procedures to be used. Whether to conduct the hearing by telephone or other electronic methods will be considered.

If a request for expedited review is made, the following procedures shall be followed:

1. Any reply by the district to any response to the request shall be filed with the commissioner within 25 calendar days of the filing of the request for an extension of time to begin the operation of a video camera.

2. A preliminary judgment shall be made by the commissioner within 35 calendar days of the filing of the request for an extension of time to begin the operation of a video camera.

3. Any interested party or the district may file objections to the preliminary judgment within 40 calendar days of the filing of the request for an extension of time to begin the operation of a video camera.

4. Any reply to an objection to a preliminary judgment must be filed within 45 calendar days of the filing of a request for an extension of time to begin the operation of a video camera.

5. The commissioner shall issue a final decision within 55 calendar days of the filing of the request for an extension of time to begin the operation of a video camera, unless the commissioner determines that an evidentiary hearing would be helpful in deciding the issues raised. If the commissioner decides to hold an evidentiary hearing, the commissioner shall establish the timelines and procedures to be used. Whether to conduct the hearing by telephone or other electronic methods will be considered.

*Commissioner Consideration* — In making either a preliminary judgment or a final judgment under this subsection, the commissioner will consider whether granting the requested extension is reasonable considering all factors, including contracting statutes, architectural and structural issues, and the difference in costs to the district if a moderate extension of time is granted.

*No Appeal* — A commissioner's final decision under this provision is not subject to appeal.

*19 TAC 103.1303(c)*

**Table of Contents**

**Title III Requirements ..... 2**
**Definitions ..... 2**
Alternative Methods ..... 2
Certified Bilingual Program Teacher ..... 2
Certified English as a Second Language Teacher ..... 2
Dual Language Immersion Program ..... 2
Emergent Bilingual ..... 2
English as a Second Language Program ..... 2
English Proficient Student ..... 3
Exit ..... 3
Language Proficiency Assessment Committee ..... 3
Parent ..... 3
Reclassification ..... 3
**District Responsibility ..... 3**
**Identification of Emergent Bilingual Students ..... 4**
Language Proficiency Assessment Committees ..... 4
Home Language Survey ..... 5
English Language Proficiency Testing ..... 5
Emergent Bilingual Classification ..... 6
Parental Notice and Consent ..... 6
Participation of Other Students ..... 8
Students with Disabilities ..... 8
**Bilingual and ESL Programs ..... 8**
Exceptions and Waivers ..... 9
Program Design ..... 9
Dual Language Immersion Program ..... 10
Facilities ..... 12
Cooperation Among Districts ..... 13
Documentation ..... 13
Summer Program ..... 13
Other Programs ..... 13
**Personnel ..... 14**
**Emergent Bilingual Students and State Assessments ..... 15**
**Program Exit ..... 15**
Post-Exit Monitoring and Reenrollment ..... 15
**Program Evaluation ..... 16**

**Title III Requirements**

A district that receives funds under Title III of the Elementary and Secondary Education Act shall comply with the statutory requirements regarding English learners and immigrant students. *20 U.S.C. 6801-7014*

A district that receives funds under Title I or Title III to provide a language instruction educational program shall, not later than 30 days after the beginning of the school year, inform the parents of an English learner identified for participation in such a program of the information required by 20 U.S.C. 6312(e)(3). *20 U.S.C. 6312(e)(3)*

**Definitions**

| | |
|---|---|
| Alternative Methods | "Alternative methods" means a temporary instructional plan that meets the affective, linguistic, and cognitive needs of emergent bilingual (EB) students and equips the teacher under a bilingual exception or an English as a second language (ESL) waiver to align closely to the required bilingual or ESL program through the comprehensive professional development plan. |
| Certified Bilingual Program Teacher | "Certified bilingual program teacher" means a teacher holding bilingual certification and appropriately certified for the grade level and content area. The term "certified bilingual program teacher" is synonymous with the term "professional bilingual educator" used in Education Code 29.063. |
| Certified English as a Second Language Teacher | "Certified English as a second language teacher" means a teacher appropriately certified in ESL as well as for the grade level and content area. The term "certified English as a second language teacher" is synonymous with the term "professional transitional language educator" used in Education Code 29.063. |
| Dual Language Immersion Program | "Dual language immersion (DLI) program" means a state-approved bilingual program in accordance with Education Code 29.066 that uses English and a partner language. The two state-approved DLI program models are one-way DLI and two-way DLI. |
| Emergent Bilingual | "Emergent bilingual (EB)" means a student whose primary language is other than English and whose English language skills are such that the student has difficulty performing ordinary classwork in English. "Emergent bilingual" also means a student identified by the Language Proficiency Assessment Committee (LPAC) who is in the process of acquiring English and has another language as the student's home language. This term is interchangeable with English learner as used in federal regulations and replaces the term "limited English proficient student." |
| English as a Second Language Program | "English as a second language (ESL) program" means a special language program in accordance with Education Code, Chapter 29, Subchapter B, to include both content-based and pull-out pro- |

| | |
|---|---|
| | gram models. Another related term for an ESL program is “English as an additional language program.” |
| English Proficient Student | “English proficient student” means a former EB student who has met reclassification as English proficient by the LPAC. |
| Exit | “Exit” refers to the point when an EB student is reclassified as English proficient and ends bilingual or ESL program participation with LPAC recommendation and parental approval. The term “exit” is synonymous with the description in Education Code, Chapter 29, Subchapter B, of a student having been “transferred out” of bilingual or special language programming. For the purpose of meeting the goals of a DLI program, the LPAC recommends that the EB student is reclassified as English proficient but continues participation in the program to further develop biliteracy for the duration of the program for prekindergarten through grade 12. |
| Language Proficiency Assessment Committee | “Language Proficiency Assessment Committee” means a designated group of committee members as described in 19 Administrative Code 89.1220 (relating to Language Proficiency Assessment Committee) and Education Code 26.063 that ensures the appropriate identification, placement, assessment, services, reclassification, and monitoring of EB students. The LPAC also meets in conjunction with all other committees related to programs and services for which an EB student qualifies. |
| Parent | “Parent” includes the parent or legal guardian of the student in accordance with Education Code 29.052(2). |
| Reclassification | “Reclassification” means the process by which the LPAC determines that an EB student has met the appropriate criteria to be classified as English proficient, and the student enters year 1 of monitoring as indicated in the Texas Student Data System Public Education Information Management System.<br><br>*Education Code 29.052; 19 TAC 89.1203(1), (3)-(4), (6), (8)-(9), (11), (13), (16), (19), (22)* |

**District Responsibility**

Each district shall:

1. Identify EB students based on criteria established by the state;
2. Provide bilingual education, including bilingual and ESL programs as integral parts of the general program;
3. Seek appropriately certified teaching personnel to ensure that EB students are afforded full opportunity to master the essential knowledge and skills; and

4. Assess academic achievement and linguistic progress in accordance with Education Code Chapter 29, Subchapter B, to ensure accountability for EB students and the schools that serve them.

*19 TAC 89.1201(a)*

**Identification of Emergent Bilingual Students**

Within the first four weeks of the first day of school, the LPAC shall determine and report to the board the number of EB students on each campus and shall classify each student according to the language in which the student possesses primary proficiency. A board shall report that information to the Texas Education Agency (TEA) before November 1 each year. *Education Code 29.053(b)*

Language Proficiency Assessment Committees

A district shall by local board policy establish and operate one or more LPACs. The district shall have on file a policy and procedures for the selection, appointment, and orientation of members of the LPAC(s).

A district shall establish and operate a sufficient number of LPACs to enable them to discharge their duties within four calendar weeks of the enrollment of an EB student.

*19 TAC 89.1220(a), (e)*

*Membership of LPAC*

The LPAC shall include:

1. An appropriately certified bilingual educator (for students served through a bilingual program);
2. An appropriately certified ESL educator (for students served through an ESL program);
3. A parent of an (EB) student participating in a bilingual or ESL program; and
4. A campus administrator.

A district may add other members to the committee.

All required members of an LPAC must be present either in person or virtually to make individualized student decisions.

No parent serving on the LPAC shall be an employee of the district.

All members of the LPAC, including parents, shall be acting for the district and shall observe all laws and rules governing confidentiality of information concerning individual students. A district shall be responsible for the orientation of all members, including the parents, of the LPAC.

*Meetings* The LPAC may use alternative meeting methods, such as phone or video conferencing and the use of electronic signatures that adhere to district policy.

*19 TAC 89.1220(b)-(d), (f); Education Code 29.063(a)-(b);*

*Duties* The LPAC shall have the duties set forth at Education Code 29.063(c) and 19 Administrative Code 89.1220(g)-(i), (k), including duties to review information, classify students, notify parents, and monitor student academic progress.

Home Language Survey

For each new student enrolling for the first time in a Texas public school in any grade from prekindergarten through grade 12, the TEA-developed home language survey shall be administered. This home language survey will serve as the original and only home language survey throughout the student's educational experience in Texas public schools.

The district shall:

1. Ensure that the student's parent understands the language used in the survey and its implications;
2. Require that the survey be signed by the student's parent for each student in prekindergarten through grade 8 or by the student in grades 9-12;
3. Ensure the student's parent is aware of the benefits of bilingual and ESL programs; and
4. Maintain the original copy of the survey in the student's permanent record and transfer it to any subsequent Texas public school districts in which the student enrolls.

If the response on the home language survey indicates that a language other than English is or was used for communication, the student shall be tested in accordance with 19 Administrative Code 89.1226 (Testing and Classification of Students).

If a parent determines an error was made when completing the original home language survey, the parent may request a correction only if the student has not yet been assessed for English proficiency; and corrections are made within two calendar weeks of the student's initial enrollment date in Texas public schools.

*19 TAC 89.1215(a), (c), (e)*

English Language Proficiency Testing

Within four calendar weeks of initial enrollment in a Texas public school, a student with a language other than English indicated on the home language survey shall be administered the state-approved English language proficiency test in accordance with 19 Ad-

ministrative Code 89.1226(c) and shall be identified as an EB student and recommended for placement into the required bilingual or ESL program in accordance with the testing and classification requirements in 19 Administrative Code 89.1226(f). *19 TAC 89.1226(b)*

Emergent Bilingual Classification

The LPAC may classify a student as EB if:

1. The student's ability in English is so limited or the student's disabilities are so severe that assessment procedures cannot be administered;
2. The student's score or relative degree of achievement on the TEA-approved English proficiency test is below the levels established by TEA as indicative of reasonable proficiency;
3. The student's primary language proficiency score as measured by a TEA-approved test is greater than the student's proficiency in English; or
4. The LPAC determines, based on other information, including a teacher evaluation, parental viewpoint, or student interview, that the student's primary language proficiency is greater than the student's proficiency in English or that the student is not reasonably proficient in English.

*Education Code 29.056(c)*

Parental Notice and Consent

Not later than the 10th day after the date of the student's classification as an EB student, the LPAC shall give written notice to the student's parent. *Education Code 29.056(d)*

The district shall notify the parent in English and in the parent's home language that their child has been identified as an EB student and recommended for placement in the required bilingual or ESL program using the TEA-developed identification and placement letter.

The parent shall be provided information describing the bilingual or ESL program recommended, its benefits and goals, and its being an integral part of the school program to ensure that the parent understands the purposes and content of the program and their parental rights.

The placement of a student in the bilingual or ESL program must be approved in writing by the student's parent or through allowable alternatives described in 19 Administrative Code 89.1220, in order to have the student included in the bilingual education allotment (BEA). The parent's approval shall be considered valid for the student's continued participation in the required bilingual or ESL pro-

gram until the student meets the reclassification criteria described in 19 Administrative Code 89.1226(i) (Testing and Classification of Students), the student graduates from high school, or a change occurs in program placement. A change between bilingual and ESL program placement requires new parental approval using the TEA-developed continuation of language program services letter.

If a parent denies program placement at any point, the TEA-developed parental denial of program services letter shall be used to ensure parents are informed of the implications of program denial, including understanding that the child will continue to be identified as an EB student and will continue to be assessed annually using the Texas English Language Proficiency Assessment System (TELPAS) until reclassification criteria have been met.

*19 TAC 89.1240(a)*

Pending completion of the identification process, receipt of LPAC documentation for transferring students, or parental approval of an identified EB student's placement into the bilingual education or ESL program recommended by the LPAC, a district shall place the student in the recommended program. Only EB students with parental approval for program participation will be included in the bilingual education allotment.

A district may place a student in or exit a student from a program without written approval of the student's parent if:

1. The student is 18 years of age or has had the disabilities of minority removed;

2. The parent provides approval through a phone conversation or email that is documented in writing and retained; or

3. An adult who the district recognizes as standing in parental relation to the student provides written approval. This may include a foster parent or employee of a state or local governmental agency with temporary possession or control of the student.

*19 TAC 89.1220(j), (m)*

*Reclassification and Exit Approval*

The district shall use the TEA-developed parent notification of reclassification and approval of program exit letter to give written notification to the student's parent of the student's reclassification as English proficient and acquire written approval for their exit from the bilingual or ESL program.

The district shall use the TEA-developed parent notification of reclassification and option to continue in a dual language immersion

program letter to give written notification to the student's parent of the student's reclassification as English proficient and acquire written approval for continued program participation as an English proficient student.

Students meeting reclassification criteria who have been recommended for exit by the LPAC may only exit the bilingual or ESL program with parental approval.

*19 TAC 89.1240(b); Education Code 29.056(a)*

Participation of Other Students

With the approval of a district and a student's parents, a student who is not LEP may also participate in a bilingual education program. *Education Code 29.058*

The number of participating non-EB students shall not exceed 40 percent of the number of students enrolled in those bilingual or ESL program models district-wide. *19 TAC 89.1233(c)*

Students with Disabilities

For students with disabilities, a district shall utilize the state's criteria for identification of EB students as described in 19 Administrative Code 89.1226(f) (relating to Testing and Classification of Students) and shall establish placement procedures that ensure that the placement recommendation by the LPAC, in conjunction with the admission, review, and dismissal (ARD) committee, in a bilingual or English as a second language program is not refused based on the student's disabling condition.

LPAC members shall meet in conjunction with ARD committee members to review progress and provide recommendations regarding the educational needs of each EB student who also qualifies for services in the district's special education program. [See EHBAB] *19 TAC 89.1230*

**Bilingual and ESL Programs**

Each district that has an enrollment of 20 or more students identified as EB students in any language classification in the same grade level district-wide shall offer a bilingual program for the EB students in prekindergarten through the elementary grades with that language classification. "Elementary grades" shall include prekindergarten through grade 5; grade 6 shall be included when clustered with elementary grades.

A district required to provide a bilingual program shall offer dual-language instruction (English and home or partner language) in prekindergarten through the elementary grades, using one of the four bilingual program models described in 19 Administrative Code 89.1210 (relating to Program Content and Design).

*19 TAC 89.1205(a)-(b); Education Code 29.053(c)-(d)*

A district shall provide an ESL program to all EB students for whom a district is not required to offer a bilingual program, regardless of the students' grade levels and home language, and regardless of the number of such students, except in cases where a district exercises the option to provide a bilingual education program that is not required by law [see below]. A district required to provide an ESL program shall provide an ESL program using one of the two models described in 19 Administrative Code 89.1210.*19 TAC 89.1205(c)-(d)*

A district is authorized to establish a bilingual program even if the district has fewer than 20 students identified as EB bilingual students in any language classification in the same grade level district-wide and at grade levels in which the bilingual program is not required under 19 Administrative Code 89.1205(a). If a district does operate such a program under this authorization, the district shall adhere to all program requirements in 19 Administrative Code 89.1210, .1227, .1228, and .1229. *19 TAC 89.1205(f)-(g)*

Exceptions and Waivers

A district shall comply with the requirements for bilingual exceptions and ESL waivers under 19 Administrative Code 89.1207. *Education Code 29.054; 19 TAC 89.1207*

A district that is unable to employ a sufficient number of teachers, including part-time teachers, who meet the certification requirements for the bilingual and ESL programs shall apply on or before November 1 for an exception to the bilingual program or a waiver for the ESL program as provided in 19 Administrative Code 89.1207. *19 TAC 89.1245(b)*

Program Design

A district that is required to offer bilingual education through bilingual or ESL program models shall provide each EB student the opportunity to be enrolled in the required program at their grade level.

A district's bilingual and ESL program models shall comply with the program content and design requirements of 19 Administrative Code 89.1210. A district shall ensure ongoing collaboration between bilingual and ESL programs and the general education programs to provide equitable educational access for all learners.

*19 TAC 89.1210(a)-(b)*

EB students shall participate with their non-EB peers in general education classes provided in subjects such as art, music, and physical education. A district shall provide students enrolled in the program a meaningful opportunity to participate fully with other non-EB peers in all extracurricular activities. Elective courses included in the curriculum may be taught in a language other than English. *Education Code 29.055, .057(b); 19 TAC 89.1210(f)*

*Bilingual Education Program Models*

Bilingual education shall be implemented through at least one of the following program models:

1. Transitional bilingual/early exit;
2. Transitional bilingual/late exit;
3. Dual language immersion/one-way; or
4. Dual language immersion/two-way.

*19 TAC 89.1210(c)*

*ESL Program Models*

The ESL program shall be implemented through one of the following program models:

1. An ESL/content-based program model is an English acquisition program that serves students identified EB students through English instruction by a teacher appropriately certified in ESL under Education Code 29.061(c), using content-based language instruction in reading and language arts, mathematics, science, and social studies. The goal of content-based ESL is for program participants to attain full proficiency in English in order to participate equitably in school.
2. An ESL/pull-out program model is an English acquisition program that serves identified EB students through English instruction using content-based language instruction methods provided by an appropriately certified ESL teacher under Education Code 29.061(c), in reading and language arts in a pull-out or inclusionary delivery setting. The goal of ESL pull-out is for program participants to attain full proficiency in English in order to participate equitably in school.

*19 TAC 89.1210(d)*

Dual Language Immersion Program

A district may adopt a DLI program for students enrolled in elementary school grades. *Education Code 28.005(c), .0051(c)*

*Implementation*

Program implementation shall:

1. Begin at prekindergarten, kindergarten, or grade 1 as applicable, according to the district's earliest grade level provided;
2. Continue without interruption incrementally through the elementary grades;
3. Consider expansion to middle school and high school whenever possible; and

4. Include participation of former EB students who have reclassified as English proficient for the duration of the program.

*19 TAC 89.1227(e)*

*Requirements*

A DLI program model shall be a full-time program of academic instruction in the program's partner language and English for all program participants, emphasizing the participation of identified EB students. Access to the DLI program shall not be restricted based on race, creed, color, religious affiliation, age, or disability.

A DLI program shall meet the minimum requirements described in 19 Administrative Code 89.1227.

*19 TAC 89.1227(b)*

*Two-Way DLI Program Enrollment*

Student enrollment in a two-way DLI program model is optional for non-EB students. The program shall fully disclose candidate selection criteria and ensure that access to the program is not based on race, creed, color, religious affiliation, age, or disability. Additionally, identified and reclassified EB students and non-EB students shall not be restricted access to the two-way DLI program model based on any linguistic or academic achievement measures in the program's partner language or English.

A district implementing a two-way DLI program model shall develop a policy for enrollment and continuation for students in the program model. The policy must address:

1. Equitable access, including the program's intention to maintain a ratio of 50 percent EB students to 50 percent non-EB students and have no more than two-thirds speakers of the partner language to one-third speakers of English in each classroom;

2. Support of program benefits and goals as stated in 19 Administrative Code 89.1210 (Program Content and Design);

3. The district's commitment to providing equitable access to services for EB students and to ensuring continuity of program for all program participants;

4. The program's language allocation plan for the grade levels in which the program will be implemented; and

5. Expectations for students, families, and district and campus stakeholders.

*19 TAC 89.1228(a)-(c)*

A district implementing a two-way DLI program model shall obtain written parental approval as follows:

1. For EB students in accordance with 19 Administrative Code 89.1240; and

2. For non-EB students, through a district-developed process.

*19 TAC 89.1228(d)*

*Two-Way DLI Program State Assessment*

A district implementing a two-way DLI program model shall determine the appropriate assessment option for program participants as follows:

1. For EB students, the LPAC shall convene before the administration of the state criterion-referenced test each year to determine the appropriate assessment option for each EB student in accordance with 19 Administrative Code 89.1220(i) (Language Proficiency Assessment Committee).

2. For reclassified EB students and non-EB students, the appropriate assessment option for the administration of the state criterion-referenced test each year is determined by the LPAC or through a district-developed process.

*19 TAC 89.1228(e)*

*School District Recognition*

A district may recognize one or more of its campuses that implement an exceptional DLI program if the campus meets all of the following criteria. The school shall:

1. Meet the minimum requirements stated in 19 Administrative Code 89.1227;

2. Receive an acceptable performance rating in the state accountability system; and

3. Not have a bilingual and/or ESL program identified in any stage of intervention under the state's accountability system.

*Student Recognition*

An individual student participating in a DLI is eligible for local school district recognitions, including a performance acknowledgement in accordance with 19 Administrative Code 74.14. [See EIF]

*19 TAC 89.1229*

Facilities

Bilingual and ESL programs shall be located in public schools of the district with equitable access to all educational resources rather than in separate facilities. A district may cluster the programs at designated facilities within the district. Recent immigrant EB students shall not remain enrolled in a newcomer center for longer than two years. *Education Code 29.057; 19 TAC 89.1235*

Cooperation Among Districts

A district may join with one or more other districts to provide the required bilingual education or special language programs. The avail-

ability of the programs shall be publicized throughout the districts involved.

A district may allow a nonresident EB student to enroll in or attend its bilingual education or special language programs if the student's district of residence does not provide an appropriate program. The tuition for the student shall be paid by the district in which the student resides.

*Education Code 29.059; 19 TAC 89.1205(e)*

Documentation

A student's permanent record shall contain the documentation items required by 19 Administrative Code 89.1220(l). Documentation in a student's permanent record shall be forwarded in the same manner as other student records to another school district in which the student enrolls. *19 TAC 89.1220(l)*

For students previously enrolled in a Texas public school, the receiving district shall secure the student records, including the original home language survey and LPAC documentation as described in 19 Administrative Code 89.1220(l), as applicable. All attempts to contact the sending district to request records shall be documented. Multiple attempts to obtain the student's original home language survey shall be made. *19 TAC 89.1215(d)*

Summer Program

If a district is required to offer a bilingual education or special language program, it shall offer a voluntary summer school program for EB children who will be eligible for admission to kindergarten or first grade at the beginning of the next school year.

A school that operates on a semester system shall offer the program during the period school is recessed for the summer and for one-half day for eight weeks or on a similar schedule approved by the board. A school that operates on any other system shall offer 120 hours of instruction on a schedule approved by the board.

The program must be an intensive bilingual education or special language program that meets the standards set by TEA, and the student/teacher ratio may not exceed 18:1. A district shall comply with the requirements of 19 Administrative Code 89.1250 in providing such a program.

Other Programs

A district may establish on a full- or part-time basis other summer school, extended day, or extended week bilingual education or special language programs for EB students and may join with other districts in establishing such programs.

The programs required or authorized by Education Code 29.060 may not be a substitute for programs required to be provided during the regular school year.

*Education Code 29.060; 19 TAC 89.1250*

**Personnel**

Teachers assigned to a bilingual education program using one of the following program models must be appropriately certified in bilingual education:

1. Transitional bilingual/early exit program model; or
2. Transitional bilingual/late exit program model.

*Education Code 29.061(b)*

Teachers assigned to a bilingual education program using a dual language immersion/one-way or two-way program model must be appropriately certified for:

1. Bilingual education for the component of the program provided in a language other than English; and
2. Bilingual education or English as a second language for the component of the program provided in English.

A district that provides a bilingual education program using a dual language immersion/one-way or two-way program model may assign a teacher certified for the language other than English component of the program and a different teacher certified for the English language component.

*Education Code 29.061(b-1)-(b-2)*

A district shall take all reasonable affirmative steps to assign appropriately certified teachers to the required bilingual and ESL programs. A district that is unable to secure a sufficient number of appropriately certified bilingual education and/or ESL teachers to provide the required programs may request activation of the appropriate permits in accordance with 19 Administrative Code Chapter 230. *19 TAC 89.1245(a); Education Code 29.061(c)*

A district that is unable to provide the required bilingual and/or ESL program because of an insufficient number of appropriately certified teachers shall request from the commissioner of education an exception to the bilingual program and/or a waiver for the ESL program and the approval of temporary alternative methods. EB students with parental approval for program participation under a bilingual exception or an ESL waiver will be included in the bilingual education allotment (BEA) designated for temporary alternative methods. The approval of a bilingual exception and/or an ESL

waiver application shall be valid only during the school year for which it was granted, which includes summer school. The bilingual exception and/or ESL waiver application shall be submitted by November 1 and shall adhere to the requirements in 19 Administrative Code 89.1207. [See Exceptions and Waivers, above] *19 TAC 89.1207(a)-(d); Education Code 29.054*

**Emergent Bilingual Students and State Assessments**

In kindergarten-grade 12, an EB student shall participate in the state assessment in accordance with commissioner's rules at 19 Administrative Code Chapter 101, Subchapter AA. [See EKBA]

**Program Exit**

A district may transfer an EB student out of a bilingual education or special language program for the first time or a subsequent time if the student is able to participate equally in a regular all-English instructional program as determined by:

1. TEA-approved tests administered at the end of each school year to determine the extent to which the student has developed oral and written language proficiency and specific language skills in English;
2. Satisfactory performance on the reading assessment instrument under Education Code 39.023(a) or an English language arts assessment instrument under Education Code 39.023(c), as applicable, with the assessment instrument administered in English, or, if the student is enrolled in the first or second grade, an achievement score at or above the 40th percentile in the reading and language arts sections of an English standardized test approved by TEA; and
3. TEA-approved criterion-referenced tests and the results of a subjective teacher evaluation.

*Education Code 29.056(g)*

Post-Exit Monitoring and Reenrollment

The LPAC may reenroll the student in the program if later evidence suggests that a student who has been transferred out of a bilingual education or special language program has inadequate English proficiency and achievement. Classification of students for reenrollment must be based on the criteria required by Education Code 29.056. *Education Code 29.056(h)*

The LPAC shall reevaluate a student who is transferred out of a bilingual education or special language program if the student earns a failing grade in a subject in the foundation curriculum during any grading period in the first two school years after the student is transferred to determine whether the student should be reenrolled in a bilingual education or special language program.

During the first two school years after a student is transferred out of a bilingual education or special language program, the LPAC shall review the student's performance and consider:

1. The total amount of time the student was enrolled in bilingual education or special language programs;
2. The student's grades each grading period in each subject in the foundation curriculum;
3. The student's performance on state assessment instruments;
4. The number of credits the student has earned toward high school graduation, if applicable; and
5. Any disciplinary actions taken against the student under Education Code Chapter 37, Subchapter A.

After the evaluation, the LPAC may require intensive instruction for the student or reenroll the student in a bilingual education or special language program.

*Education Code 29.0561*

**Program Evaluation**

A district that is required to implement a bilingual education or ESL program shall conduct an annual evaluation in accordance with 19 Administrative Code 89.1265. The annual evaluation report shall be presented to the board before November 1 of each year. The report shall be retained at the district level and must meet the requirements of 19 Administrative Code 89.1265(b)-(c).

A district shall report to parents their child's English proficiency development as a result of participation in the program offered to EB students.

In alignment with the district improvement plan, each school year, the principal of each campus, with assistance from the campus level committee, shall develop, review, and revise the campus improvement plan for the purposes of improving student performance for EB students. [See BQB]

*19 TAC 89.1265*

**Distance Learning and Correspondence Courses**

Credit toward state graduation requirements may be granted for distance learning and correspondence courses only as follows:

1. The institution offering the correspondence course is The University of Texas at Austin, Texas Tech University, or another public institution of higher education approved by the commissioner of education.
2. Students may earn course credit through distance learning technologies such as satellite, internet, two-way videoconferencing, online courses, the Texas Virtual School Network (TXVSN), and instructional television.
3. The distance learning and correspondence courses must include the state-required essential knowledge and skills for such a course.

*19 TAC 74.23*

**Texas Virtual School Network**

The TXVSN is a state-led initiative for online learning authorized by Education Code Chapter 30A. The TXVSN is a partnership network administered by the Texas Education Agency (TEA) in coordination with regional education service centers (ESCs), Texas public school districts and charter schools, institutions of higher education, and other eligible entities.

The TXVSN is comprised of two components—the online school (OLS) program and the statewide course catalog.

*19 TAC 70.1001(4)*

Online School (OLS) Program

"Online School (OLS) program" is a full-time, virtual instructional program that is made available through an approved course provider and is designed to serve students in grades 3-12 who are not physically present at school. *19 TAC 70.1001(7)*

A TXVSN OLS may serve students in grades 3-12 but may not serve students in kindergarten-grade 2.

A school district that operates a TXVSN OLS that serves students in full-time virtual instruction shall, prior to the start of each academic year, notify TEA of grade levels to be served and the total number of students to be served during that academic year. A school district may not add grade levels after the start of the school year.

A TXVSN OLS or a school district wishing to add additional grade levels to its online program shall certify that the OLS has courses sufficient to comprise a full instructional program for each additional grade level to be served by the OLS prior to serving that grade level.

School districts approved to serve as TXVSN OLSs shall follow the TEA procedures related to obtaining a campus number for the virtual campus through which they serve their TXVSN OLS students.

School districts serving as TXVSN OLSs must follow all requirements in 19 Administrative Code 70.1011.

*19 TAC 70.1011*

Statewide Course Catalog

"Statewide course catalog" is a supplemental online instructional program available through approved providers. *19 TAC 70.1001(10)*

Course Providers

A TXVSN course provider is an entity that provides an electronic course through the TXVSN. Course providers include TXVSN OLSs and providers in the statewide course catalog. *19 TAC 70.1001(8)*

*Electronic Course*

"Electronic course" means an educational course in which:

1. Instruction and content are delivered primarily over the internet;
2. A student and teacher are in different locations for a majority of the student's instructional period;
3. Most instructional activities take place in an online environment;
4. The online instructional activities are integral to the academic program;
5. Extensive communication between a student and a teacher and among students is emphasized; and
6. A student is not required to be located on the physical premises of a school district or open-enrollment charter school.

An electronic course is the equivalent of what would typically be taught in one semester. For example: English IA is treated as a single electronic course and English IB is treated as a single electronic course.

*Education Code 30A.001(4); 19 TAC 70.1001(1)*

*OLS Eligibility*

To be eligible to serve as a TXVSN OLS, a school district shall:

1. Have a current accreditation status of Accredited under 19 Administrative Code 97.1055 (Accreditation Status);
2. Be rated acceptable under Education Code 39.054;

3. Be rated at the Standard Achievement level or higher under the state financial accountability rating system under 19 Administrative Code 109.1001 (Financial Accountability Ratings);

4. Have met statutory requirements for timely submission of annual audit and compliance reports, Public Education Information Management System (PEIMS) reports, and timely deposits with the Teacher Retirement System, with all records and reports reflecting satisfactory performance;

5. Be in good standing with other programs, grants, and projects administered through TEA; and

6. Have been approved to operate a TXVSN OLS as of January 1, 2013.

*19 TAC 70.1009(a)*

*Statewide Course Catalog Provider Eligibility*

To be eligible to serve as a course provider in the TXVSN statewide course catalog, a district must be rated acceptable under Education Code 39.054. A Texas school district may provide an electronic course through the TXVSN to a student enrolled in that district or school, a student enrolled in another school district or school in the state, or a student who resides in Texas who is enrolled in a school other than a public school district or charter school. *19 TAC 70.1007(a)*

*General Requirements*

TXVSN course providers shall:

1. Provide the TXVSN receiver district in which each TXVSN student is enrolled with written notice of a student's performance in the course at least once every 12 weeks;

2. Provide the TXVSN receiver district in which each TXVSN student is enrolled with written notice of a student's performance at least once every three weeks if the student's performance in the course is consistently unsatisfactory, as determined by the TXVSN course provider;

3. Notify students in writing upon enrollment to participate in the TXVSN course with specific dates and details regarding enrollment;

4. Meet all federal and state requirements for educating students with disabilities;

5. Provide a contingency plan for the continuation of instructional services to all TXVSN students allowing them to complete their TXVSN courses in the event that the contract or agreement through which the electronic courses are provided

are terminated or the TXVSN courses become unavailable to students;

6. Ensure a maximum class size limit of 40 students in a single section of a course and ensure that the class size does not exceed the maximum allowed by law, as applicable, whichever is less; and

7. Meet all reporting requirements established by TXVSN central operations, including timely submission of student performance reports, course completion results, catalog data, data required to verify instructor qualifications, and all data necessary for the TXVSN Informed Choice Report required under 19 Administrative Code 70.1031 (Informed Choice Reports).

*19 TAC 70.1007(c)*

*Receiver District Requirements*

A district is eligible to serve as a receiver district in the TXVSN statewide course catalog. Each TXVSN receiver district shall:

1. Register as a receiver district with TXVSN central operations;

2. Assign a qualified staff member to serve as the TXVSN coordinator;

3. Enroll a student who resides in Texas and who is enrolled in a school other than a public school district or charter school upon request by the student and/or parent or guardian; and

4. In accordance with 19 Administrative Code 74.26 (Award of Credit), award credit to a student enrolled in the district who has successfully completed all state and local requirements and received a grade that is the equivalent of 70 on a scale of 100, based upon the essential knowledge and skills for a high school course offered through the TXVSN statewide course catalog.

*19 TAC 70.1008*

Courses

All electronic courses to be made available through the TXVSN shall be reviewed and approved prior to being offered in accordance with the course requirements at 19 Administrative Code 70.1005. *19 TAC 70.1005(a)*

An electronic course or program that was offered or could have been offered during the 2008-09 school year under former Education Code 29.909, as that section existed on January 1, 2009, may be offered during a subsequent school year through the TXVSN. *Education Code 30A.006*

Student Eligibility

*Generally*

A student is eligible to enroll in a TXVSN course only if the student:

1. On September 1 of the school year is younger than 21 years of age or is younger than 26 years of age and entitled to the benefits of the Foundation School Program under Education Code 48.003;
2. Has not graduated from high school; and
3. Is otherwise eligible to enroll in a public school in this state.

A student is eligible to enroll full-time in courses provided through the TXVSN only if the student:

1. Was enrolled in a public school in this state in the preceding school year;
2. Is a dependent of a member of the United States military who has been deployed or transferred to this state and was enrolled in a publicly funded school outside of this state in the preceding school year; or
3. Has been placed in substitute care in this state, regardless of whether the student was enrolled in a public school in this state in the preceding school year.

Exception for Military Dependents

A student is eligible to enroll in one or more TXVSN courses or enroll full-time in courses provided through the network if the student:

1. Is a dependent of a member of the United States military;
2. Was previously enrolled in high school in this state; and
3. No longer resides in this state as a result of a military deployment or transfer.

Provisional Enrollment

If a student has not provided required evidence of eligibility to enroll, a TXVSN OLS may enroll a student provisionally for 10 school days and withdraw the student from the OLS if the student does not provide the required evidence of eligibility within 10 school days of the provisional enrollment.

Upon enrolling a student provisionally, the TXVSN OLS shall notify the student and the student's parents or guardians that the student will be withdrawn if documentation is not provided within the required timeframe.

*Education Code 30A.002; 19 TAC 70.1013*

*Enrolled Students*

A student who is enrolled in the district as a full-time student may take one or more electronic courses through the TXVSN. *Education Code 30A.107(b)*

*Unenrolled Students*

A student who resides in this state but who is not enrolled in a school district or open-enrollment charter school in this state as a full-time student may, subject to Education Code 30A.155, enroll in electronic courses through the TXVSN. The student:

1. May not in any semester enroll in more than two electronic courses offered through the TXVSN;
2. Is not considered to be a public school student;
3. Must obtain access to a course provided through the network through the school district or open-enrollment charter school attendance zone in which the student resides;
4. Is not entitled to enroll in a course offered by a school district or open-enrollment charter school other than an electronic course provided through the network; and
5. Is not entitled to any right, privilege, activities, or services available to a student enrolled in a public school, other than the right to receive the appropriate unit of credit for completing an electronic course.

*Education Code 30A.107(c)*

*Enrollment, Advancement, and Withdrawal*

A student taking a course through the TXVSN statewide course catalog or a TXVSN OLS program is considered to:

1. Be enrolled in a TXVSN course when he or she begins receiving instruction and actively engages in instructional activities in a TXVSN subject area or course;
2. Have successfully completed a course if the student demonstrates academic proficiency and, for a high school course, earns credit for the course, as determined by the TXVSN teacher; and
3. Be, and must be reported as, withdrawn from the TXVSN when the student is no longer actively participating in the TXVSN course or program.

A student taking a course through the TXVSN statewide course catalog:

1. Shall enroll in each TXVSN course through the TXVSN online registration system;
2. Shall be assigned a grade by the TXVSN teacher after the drop period established by TXVSN central operations;
3. May withdraw from a course taken through the TXVSN after the instructional start date without academic or financial

penalty within the drop period established by TXVSN central operations; and

4. Shall have the grade assigned by the TXVSN teacher added to the student's record by the student's home district, and for a high school course, added to the student's transcript.

A student enrolled full time in a TXVSN online program in grades 3-8 must demonstrate academic proficiency sufficient to earn promotion to the next grade, as determined by the TXVSN teacher for the educational program.

*19 TAC 70.1015*

*Compulsory Attendance*

Texas public school students are not required to be in physical attendance while participating in courses through a TXVSN OLS or the TXVSN course catalog.

Based upon successful completion of a TXVSN course for students in grades 9-12 or a TXVSN OLS instructional program for students in grades 3-8, students are considered to have met attendance requirements for that course or program. A student who has successfully completed the grade level or course is eligible to receive any weighted funding for which the student is eligible.

For audit purposes, TXVSN course providers and TXVSN receiver districts shall maintain documentation to support the students' successful completion and to support verification of compulsory attendance.

"TXVSN receiver district" means a Texas public school district that has students enrolled in the school district who take one or more online courses through the TXVSN statewide course catalog.

*19 TAC 70.1001(9), .1017*

Local Policy

A district shall adopt a written policy that provides students enrolled in the district with the opportunity to enroll in electronic courses provided through the TXVSN statewide course catalog. The policy must be consistent with the requirements regarding notice, enrollment requests, and students with disabilities as described below.

A district shall, at least once per school year, send to a parent of each district student enrolled at the middle or high school level a copy of the policy. A district may send the policy with any other information that the district sends to a parent.

*Education Code 30A.007; 19 TAC 70.1033*

*Notice*

At the time and in the manner that a district informs students and parents about courses that are offered in the district's traditional

classroom setting, the district shall notify parents and students of the option to enroll in an electronic course offered through the TXVSN.

*Requests to Enroll*

Except as provided below, a district may not deny the request of a parent of a full-time student to enroll the student in an electronic course offered through the TXVSN.

A district may deny a request to enroll a student in an electronic course if:

1. A student attempts to enroll in a course load that is inconsistent with the student's high school graduation plan or requirements for college admission or earning an industry certification;
2. The student requests permission to enroll in an electronic course at a time that is not consistent with the enrollment period established by the district providing the course; or
3. The district offers a substantially similar course.

The course provider shall make all reasonable efforts to accommodate the enrollment of a student in the course under special circumstances.

If a parent of a student requests permission to enroll the student in a TXVSN course, a district has discretion to select a course provider approved by TEA for the course in which the student will enroll based on factors including the informed choice report required by Education Code 30A.108(b).

Appeals

A parent may appeal to the commissioner a district's decision to deny a request to enroll a student in an electronic course offered through the TXVSN. The commissioner's decision under this subsection is final and may not be appealed.

*Education Code 26.0031; 19 TAC 70.1008, .1035*

*Students with Disabilities*

For purposes of the policy, the determination of whether or not an electronic course will meet the needs of a student with a disability shall be made by the student's admission, review, and dismissal (ARD) committee in a manner consistent with state and federal law, including the Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq., and Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. Section 794. *Education Code 30A.007(b)*

Required Enrollment Prohibited

A school district or open-enrollment charter school may not require a student to enroll in an electronic course. *Education Code 30A.107(d)*

| | |
|---|---|
| Inducements for Enrollment Prohibited | A course provider may not promise or provide equipment or any other thing of value to a student or a student's parent as an inducement for the student to enroll in an electronic course offered through the TXVSN. The commissioner shall revoke approval of electronic courses offered by a course provider that violates this prohibition. The commissioner's action under this section is final and may not be appealed. *Education Code 30A.1052* |
| Course Portability | A student who transfers from one educational setting to another after beginning enrollment in an electronic course is entitled to continue enrollment in the course. *Education Code 30A.1051; 19 TAC 70.1015(d)* |
| Student Assessment | All Texas public school students enrolled in the TXVSN are required to take the statewide assessments as required in Education Code 39.023 [see EKB]. The administration of the assessment instrument to the student enrolled in the electronic course must be supervised by a proctor.<br><br>A district shall report to the commissioner through the Public Education Information Management System (PEIMS) the results of assessment instruments administered to students enrolled in an electronic course offered through the TXVSN separately from the results of assessment instruments administered to other students.<br><br>All districts participating in the TXVSN OLS program are included in the state's academic accountability system.<br><br>*Education Code 30A.110; 19 TAC 70.1023* |
| Funding | A district in which a student is enrolled is entitled to funding under Education Code Chapter 48 for the student's enrollment in a TXVSN course in the same manner that the district is entitled to funding for the student's enrollment in courses provided in a traditional classroom setting, provided that the student successfully completes the electronic course.<br><br>Funding is limited to a student's enrollment in not more than three electronic courses during any school year, unless the student is enrolled in a full-time online program that was operating on January 1, 2013.<br><br>*Education Code 30A.153*<br><br>A district may decline to pay the cost for a student of more than three yearlong electronic courses, or the equivalent, during any school year unless the student is enrolled in a full-time online program that was operating on January 1, 2013. If the district declines to pay the cost, a student is able to enroll in additional electronic courses at the student's cost. *Education Code 26.0031(c-1)* |

Course Cost

A district may charge the course cost for enrollment in a TXVSN course to a student who resides in this state and:

1. Is enrolled in the district as a full-time student with a course load greater than that normally taken by students in the equivalent grade level in other school districts; or
2. Elects to enroll in a TXVSN course for which the district in which the student is enrolled as a full-time student declines to pay the cost as authorized by Education Code 26.0031(c-1).

A district may charge the course cost for enrollment in a TXVSN course during the summer.

A district shall charge the course cost for enrollment in a TXVSN course to a student who resides in this state and is not enrolled in a school district or open-enrollment charter school as a full-time student.

A TXVSN course cost may not exceed the lesser of the cost of providing the course or $400.

A district may decline to pay the course costs for a student who chooses to enroll in more than three year-long electronic courses, or the equivalent, during any school year. This does not limit the ability of the student to enroll in additional electronic courses offered through the TXVSN at the student's expense.

A district that is not the course provider may charge a student enrolled in the district a nominal fee, not to exceed $50, if the student enrolls in a TXVSN course that exceeds the course load normally taken by students in the equivalent grade level.

A course provider in the TXVSN statewide course catalog shall receive:

1. No more than 70 percent of the catalog course cost prior to a student successfully completing the course; and
2. The remaining 30 percent of the catalog course cost when the student successfully completes the course.

*Education Code 30A.155(a)-(c-1); 19 TAC 70.1025*

Educators of Electronic Courses

Each instructor of an electronic course, including a dual credit course, offered through the TXVSN by a course provider must be certified under Education Code Chapter 21, Subchapter B, to teach that course and grade level or meet the credentialing requirements of the institution of higher education with which they are affiliated and that is serving as a course provider.

In addition, each instructor must successfully complete one continuing professional development course specific to online learning every three years, and:

1. Successfully complete a professional development course or program approved by TXVSN central operations before teaching an electronic course offered through the TXVSN; or
2. Have a graduate degree in online or distance learning and have demonstrated mastery of the National Standards for Quality Online Teaching; or
3. Have two or more years of documented experience teaching online courses for students in grades 3-12 and have demonstrated mastery of the National Standards for Quality Online Teaching.

Each instructor of an electronic course, including a dual credit course, offered through the TXVSN by a course provider must meet highly qualified teacher requirements under the Elementary and Secondary Education Act, as applicable.

TXVSN course providers shall affirm the preparedness of teachers of TXVSN electronic courses to teach public school-age students in a highly interactive online classroom and shall:

1. Maintain records documenting:
    a. Valid Texas educator certification credentials appropriate for the instructor's TXVSN assignment;
    b. Successful initial completion of TXVSN-approved professional development, evidence of prior online teaching, or a graduate degree in online or distance learning; and
    c. Instructors' demonstrated mastery of the National Standards for Quality Online Teaching prior to teaching through the TXVSN;
2. Conduct and maintain records for background checks;
3. Maintain records of successful completion of continuing professional development;
4. Maintain records documenting successful completion of TXVSN-approved professional development before the end of the school year for any instructor who is hired after the school year has begun; and

5. Make the records specified in this subsection available to TEA and TXVSN central operations upon request.

*19 TAC 70.1027*

Revocation

The commissioner may revoke the right to participation in the TXVSN based on any of the following factors:

1. Noncompliance with relevant state or federal laws;
2. Noncompliance with requirements and assurances outlined in the contractual agreements with TXVSN central operations and/or these provisions and Education Code Chapter 30A; or
3. Consistently poor student performance rates as evidenced by results on statewide student assessments, student withdrawal rates, student completion rates, successful completion rates, or campus accountability ratings.

*19 TAC 70.1029*

Applicability

Unless a district chooses to participate in providing an electronic course or an electronic diagnostic assessment under Education Code Chapter 30A to a student who is located on the physical premises of a school district or open-enrollment charter school, Chapter 30A does not affect the provision of a course to such a student.

Requirements imposed by or under Education Code Chapter 30A do not apply to a virtual course provided by a district only to district students if the course is not provided as part of the TXVSN.

*Education Code 30A.004*

**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 of a course and the average of both halves is lower than 70, the District shall award the student credit for the half with the passing grade.

**Table of Contents**

**High School Diploma ..... 2**
FAFSA Required ..... 2
Individual Graduation Committee ..... 4
Special Education ..... 6
Posthumous Diploma ..... 6
Diplomas for Veterans ..... 7
**Texas First Early High School Completion Program ..... 7**
Notice Upon Enrollment ..... 7
**Personal Graduation Plan ..... 8**
Junior High or Middle School PGP ..... 8
High School PGP ..... 8
**Early Graduation ..... 9**
**State Graduation Requirements ..... 10**
Students Entering Grade 9 ..... 10
Students Who Entered Grade 9 Before the 2014-15 School Year ..... 17
**Transfers from Out-of-State or Nonpublic Schools ..... 20**
**Graduation of Students Receiving Special Education Services ..... 21**
Modified Curriculum and Content ..... 21
Employability and Self-Help Skills ..... 21
Summary of Academic Achievement and Evaluation ..... 21
**Graduation of Military Dependents ..... 23**
Course Waiver ..... 23
Transfers During Senior Year ..... 23
Substitute Passing Standard ..... 24
**Graduation of Student Who Is Homeless or in Conservatorship of DFPS ..... 24**

**High School Diploma**

A student may graduate and receive a diploma only if the student:

1. Successfully completes the curriculum requirements identified by the State Board of Education (SBOE) [see State Graduation Requirements, below], has performed satisfactorily on applicable state assessments [see EKB], and complies with the financial aid application requirements in Education Code 28.0256 [see below]; or

2. Successfully completes an individualized education program (IEP) developed under Education Code 29.005. [See EHBAB]

*Education Code 28.025(c)*

---

***Note:*** Education Code 28.0256 applies beginning with students enrolled at the 12th grade level during the 2021-22 school year.

---

FAFSA Required

Before graduating from high school, each student must complete and submit a free application for federal student aid (FAFSA) or a Texas application for state financial aid (TASFA), except as provided below.

A student is not required to comply with the above provision if:

1. The student's parent or other person standing in parental relation submits a signed form indicating that the parent or other person authorizes the student to decline to complete and submit the financial aid application;

2. The student signs and submits the form described above on the student's own behalf if the student is 18 years of age or older or the student's disabilities of minority have been removed for general purposes under Family Code Chapter 31; or

3. A school counselor authorizes the student to decline to complete and submit the financial aid application for good cause, as determined by the school counselor.

If a school counselor notifies a district whether a student has complied with this section for purposes of determining whether the student meets high school graduation requirements under Education Code 28.025, the school counselor may only indicate whether the student has complied with this section and may not indicate the manner in which the student complied, except as necessary for the district to comply with the commissioner's rules.

A school counselor may not indicate that a student has not complied with this section if the district fails to provide the required form

to the student or the student's parent or other person standing in parental relation to the student.

*Education Code 28.0256; 19 TAC 74.11(b)*

*Opt-Out Form*

The board shall adopt the standard opt-out form provided by the Texas Education Agency (TEA).

The opt-out form shall be available in English, Spanish, and any other language spoken by a majority of the students enrolled in a bilingual education or special language program in the district. A district is responsible for translations not provided by TEA.

The opt-out form must include the student's signature of intent to decline to complete a financial aid application prior to the student's anticipated graduation date.

*19 TAC 74.1023(c)*

*Notification*

A district shall provide students with the notifications regarding the financial aid application requirement, in accordance with 19 Administrative Code 74.1023(d).

*Proof of Submission*

A district shall require one of the following methods of proof that a student has completed and submitted the FAFSA or TASFA.

For completion and submission of the FAFSA:

1. ApplyTexas Counselor Suite FAFSA data;
2. Notification from the U.S. Department of Education that demonstrates a student has completed and submitted a FAFSA; or
3. A local policy developed by a district for the method by which a student must provide proof that the student has completed a FAFSA.

A district shall develop a local policy for the method by which a student must provide proof that the student has completed a TASFA.

*19 TAC 74.1023(e)*

*Information Submission and Confidentiality*

A district shall report through the Texas Student Data System Public Education Information Management System (TSDS PEIMS) not later than December 1 of each school year for students awarded diplomas in the previous school year the number of students who completed and submitted a financial aid application and the number of students who submitted an exception.

A district shall maintain student financial aid application information securely and ensure compliance with federal law regarding the

confidentiality of student educational information, including the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g), and any state law relating to the privacy of student information [see FL].

*19 TAC 74.1023(f)-(g)*

Individual Graduation Committee

A student may receive a diploma if the person is eligible for a diploma as determined by an individual graduation committee (IGC) established under Education Code 28.0258. *Education Code 28.025(c-6)*

A student receiving special education services is not subject to the IGC requirements in Education Code 28.0258 or 19 Administrative Code 74.1025. A student's admission, review, and dismissal (ARD) committee determines whether a student is required to achieve satisfactory performance on an end-of-course (EOC) assessment to graduate. *19 TAC 74.1025(n)* [See EHBAB]

For each 11th or 12th grade student who has failed to comply with the EOC assessment instrument performance requirements under Education Code 39.025 for not more than two courses, the district shall establish an IGC at the end of or after the student's 11th grade year to determine whether the student may qualify to graduate. A student may not qualify to graduate as a result of an IGC decision before the student's 12th grade year.

The IGC shall be composed of:

1. The principal or principal's designee;
2. For each EOC assessment instrument on which the student failed to perform satisfactorily, the teacher of the course;
3. The department chair or lead teacher supervising the teacher(s) above; and
4. As applicable:
    a. The student's parent or person standing in parental relation to the student;
    b. A designated advocate if the parent is unable to serve; or
    c. The student, at the student's option, if the student is at least 18 years of age or is an emancipated minor.

The superintendent shall establish procedures for convening the committee.

The district shall provide an appropriate translator, if available, for a parent, advocate, or student who is unable to speak English.

*Education Code 28.0258(a)-(c), (c-2); 19 TAC 74.1025(b)*

A district may not establish an initial IGC for eligible students after June 10 or before the start of the next school year. Once the IGC has been established, it is the original IGC for that student.

If a student leaves a district after an original IGC has been established and before that original IGC awards a high school diploma to the student, any other district that later enrolls the student shall request information from the student's original IGC of record and shall implement the original IGC recommendations to the extent possible.

*Alternate Members*

In the event that the teacher identified in item 2 above is unavailable, the principal shall designate as an alternate member of the committee a teacher certified in the subject of the EOC assessment on which the student failed to perform satisfactorily and who is most familiar with the student's performance in that subject area.

In the event that the individual identified above in item 3 above is unavailable, the principal shall designate as an alternate member of the committee an experienced teacher certified in the subject of the EOC assessment on which the student failed to perform satisfactorily and who is familiar with the content of and instructional practices for the applicable course.

In the event that the student's parent or person standing in parental relation to the student is unavailable to participate in the IGC, the principal shall designate an advocate with knowledge of the student to serve as an alternate member of the committee.

*19 TAC 74.1025(c), (e), (g)-(i)*

*Notice*

A district shall ensure a good faith effort is made to timely notify the appropriate person described under item 4 above of the time and place for convening the IGC and the purpose of the committee. The notice must be provided in person or by regular mail or email; clear and easy to understand; and written in English, in Spanish, or, to the extent practicable, in the native language of the appropriate person. *Education Code 28.0258(d)*

*Curriculum Requirements*

To be eligible to graduate and receive a high school diploma from the IGC, a student must successfully complete the curriculum requirements required for high school graduation. [See State Graduation Requirements, below] *Education Code 28.0258(e)*

*Additional Requirements to Graduate*

A student's IGC shall recommend additional requirements by which the student may qualify to graduate, including additional remediation; and for each EOC assessment instrument on which the student failed to perform satisfactorily:

1. The completion of a project related to the subject area of the course that demonstrates proficiency in the subject area; or
2. The preparation of a portfolio of work samples in the subject area of the course, including work samples from the course that demonstrate proficiency in the subject area.

A student may submit to the IGC coursework previously completed to satisfy a recommended additional requirement.

*Education Code 28.0258(f), (g)*

In determining whether a student is qualified to graduate, the committee shall consider the criteria at Education Code 28.0258(h) and any other academic information designated for consideration by the board. After considering the criteria, the committee may determine that the student is qualified to graduate. A student may graduate and receive a high school diploma on the basis of the committee's decision only if the student successfully completes all additional requirements recommended by the committee, the student meets applicable curriculum requirements, and the committee's vote is unanimous. The decision of a committee is final and may not be appealed. *Education Code 28.0258(i)*

*Emergent Bilingual Students*

For provisions related to an IGC and emergent bilingual students, see EKBA.

Special Education

A student receiving special education services who successfully completes the requirements of his or her IEP, including performance on a state assessment required for graduation, shall receive a high school diploma. A student's ARD committee shall determine if the student will be required to meet satisfactory performance on an assessment for purposes of graduation. *19 TAC 101.3023(a)* [See Graduation of Students Receiving Special Education Services, below, and EKB]

Posthumous Diploma

Beginning with students who would have graduated at the end of the 2019-20 school year, and on request of the student's parent, a district shall issue a high school diploma posthumously to each student who died while enrolled in the district at the end of the school year in which the student was expected to graduate under the regular schedule of school attendance. The high school diploma may not be issued before the graduation date of the class in which the student was enrolled at the time of death.

*Exception* A district is not required to issue a posthumous diploma if the student was convicted of a felony offense under Penal Code Title 5 or 6 or adjudicated as having engaged in conduct constituting a felony offense under Penal Code Title 5 or 6.

*Education Code 28.0254*

Diplomas for Veterans

Notwithstanding any other provision of this policy, a district may issue a high school diploma to a person who is an honorably discharged member of the armed forces of the United States; was scheduled to graduate from high school after 1940 and before 1975 or after 1989; and left school after completing the sixth or a higher grade, before graduating from high school, to serve in:

1. World War II, the Korean War, the Vietnam War, the Persian Gulf War, the Iraq War, or the war in Afghanistan; or
2. Any other war formally declared by the United States, military engagement authorized by the United States Congress, military engagement authorized by a United Nations Security Council resolution and funded by the United States Congress, or conflict authorized by the president of the United States under the War Powers Resolution of 1973, 50 U.S.C. 1541, et seq.

*Education Code 28.0251*

**Texas First Early High School Completion Program**

A district shall allow a student to graduate and receive a high school diploma under the Texas First Early High School Completion Program if, using the standards established by TEA and the Texas Higher Education Coordinating Board and eligible institutions of higher education, the student demonstrates mastery of and early readiness for college in each of the subject areas described by the standards and in a language other than English, notwithstanding any other local or state requirements.

A student who earns a high school diploma through the program is considered to have earned a distinguished level of achievement.

Notice Upon Enrollment

On a student's initial enrollment in high school in a grade level below grade 12 in a district, the district shall provide to the student and the student's parent or guardian information regarding the requirements to earn a high school diploma under the Texas First Early High School Completion Program and the Texas First Scholarship Program.

*Education Code 28.0253(e)-(g); 19 TAC 21.52(a)*

The notice must include information about the requirement that a student must provide an official copy of their assessment results

and transcripts, as applicable, to receive credit for the assessments and credits required to receive early graduation from the program. *19 TAC 21.54*

**Personal Graduation Plan**

Junior High or Middle School PGP

A principal of a junior high or middle school shall designate a school counselor, teacher, or other appropriate individual to develop and administer a personal graduation plan (PGP) for each student enrolled in the junior high or middle school who:

1. Does not perform satisfactorily on a state assessment instrument; or
2. Is not likely to receive a high school diploma before the fifth school year following the student's enrollment in grade level 9, as determined by a district.

A PGP must:

1. Identify educational goals for the student;
2. Include diagnostic information, appropriate monitoring and intervention, and other evaluation strategies;
3. Include an intensive instruction program described in Education Code 28.0213 [see EHBC];
4. Address participation of the student's parent or guardian, including consideration of the parent's or guardian's educational expectations for the student; and
5. Provide innovative methods to promote the student's advancement, including flexible scheduling, alternative learning environments, online instruction, and other interventions that are proven to accelerate the learning process and have been scientifically validated to improve learning and cognitive ability.

*Education Code 28.0212*

*Students Receiving Special Education Services*

For a student receiving special education services, the student's ARD committee and the district are responsible for developing the student's PGP.

A student's IEP developed under Education Code 29.005 may be used as the student's PGP.

*Education Code 28.0212(c); 19 TAC 89.1050(a)* [See EHBAB]

High School PGP

A principal of a high school shall designate a school counselor or school administrator to review PGP options with each student entering grade 9 together with that student's parent or guardian. The

PGP options reviewed must include the distinguished level of achievement and endorsements.

Before the conclusion of the school year, the student and the student's parent or guardian must confirm and sign a PGP for the student that identifies a course of study that:

1. Promotes college and workforce readiness and career placement and advancement; and
2. Facilitates the student's transition from secondary to postsecondary education.

A district may not prevent a student and the student's parent or guardian from confirming a PGP that includes pursuit of a distinguished level of achievement or an endorsement.

A student may amend the student's PGP after the initial confirmation of the plan. If a student amends the student's PGP, the school must send written notice to the student's parents regarding the change.

TEA must make available to a district information that explains the advantages of the distinguished level of achievement described by Education Code 28.025(b-15) and each endorsement described by Education Code 28.025(c-1). A district, in turn, shall publish the information from TEA on the internet website of the district and ensure that the information is available to students in grades nine and above and the parents or legal guardians of those students in the language in which the parents or legal guardians are most proficient.

A district is required to provide this information in the language in which the parents or legal guardians are most proficient only if at least 20 students in a grade level primarily speak that language.

*Education Code 28.02121*

**Early Graduation**

A parent is entitled to request, with the expectation that the request will not be unreasonably denied, that the parent's child be permitted to graduate from high school earlier than the child would normally graduate, if the child completes each course required for graduation. The decision of a board concerning the request is final and may not be appealed. *Education Code 26.003(a)(3)(C), (b)*
[See FMH, FNG]

**State Graduation Requirements**

***Note:*** For current state graduation requirements, including those for students who entered grade 9 before the 2007-08 school year but that are not otherwise referenced in this policy, see Education Code 28.025 and 19 Administrative Code Chapter 74.

Students Entering Grade 9

To receive a high school diploma, a student entering grade 9 in the 2014-15 school year and thereafter must complete:

1. Requirements of the foundation high school program under 19 Administrative Code 74.12 [see Foundation High School Program, below];
2. Testing requirements for graduation under 19 Administrative Code Chapter 101 [see EKB]; and
3. Demonstrated proficiency, in grade 8 or higher, as determined by the district, in delivering clear verbal messages; choosing effective nonverbal behaviors; listening for desired results; applying valid critical-thinking and problem-solving processes; and identifying, analyzing, developing, and evaluating communication skills needed for professional and social success in interpersonal situations, group interactions, and personal and professional presentations.

A student shall enroll in the courses necessary to complete the curriculum requirements for the foundation high school program and the curriculum requirements for at least one endorsement.

*Education Code 28.025(c); 19 TAC 74.11(a), (d)*

*Foundation High School Program*

A student must earn at least 22 credits to complete the foundation high school program and must demonstrate proficiency in the following core courses:

1. English language arts — 4 credits;
2. Mathematics — 3 credits;
3. Science — 3 credits;
4. Social Studies — 3 credits;
5. Languages other than English — 2 credits;
6. Physical Education — 1 credit;
7. Fine Arts — 1 credit; and
8. Elective courses — 5 credits.

*19 TAC 74.12(a)-(b)*

*Endorsements*

A student shall specify in writing an endorsement the student intends to earn upon entering grade 9. *19 TAC 74.13(a)*

A student may earn any of the following endorsements:

1. Science, technology, engineering, and mathematics (STEM);
2. Business and industry;
3. Public services;
4. Arts and humanities; and
5. Multidisciplinary studies.

A district must make at least one endorsement available to students. A district that offers only one endorsement curriculum must offer multidisciplinary studies.

To earn an endorsement a student must demonstrate proficiency in the curriculum requirements for the foundation high school program and, in accordance with 19 Administrative Code 74.13(e), earn:

1. A fourth credit in mathematics;
2. An additional credit in science; and
3. Two additional elective credits.

A course completed as part of the four courses needed to satisfy an endorsement requirement may also satisfy a requirement under the foundation high school program, including an elective requirement. The same course may count as part of the set of four courses for more than one endorsement.

A district shall permit a student to enroll in courses under more than one endorsement before the student's junior year and to choose, at any time, to earn an endorsement other than the endorsement the student previously indicated.

A student must earn at least 26 credits to earn an endorsement, but a student is not entitled to remain enrolled to earn more than 26 credits.

A district may define advanced courses and determine a coherent sequence of courses for an endorsement area, provided that prerequisites in 19 Administrative Code Chapters 110-117, 127, and 130 are followed.

*19 TAC 74.13(a)-(d); Education Code 28.025*

For more information on endorsements, including the requirements for specific endorsements, see 19 Administrative Code 74.13(e)-(g).

Exception

A student may graduate under the foundation high school program without earning an endorsement if, after the student's sophomore year:

1. The student and the student's parent or person standing in parental relation to the student are advised by a school counselor of the specific benefits of graduating from high school with one or more endorsements; and
2. The student's parent or person standing in parental relation to the student files with a school counselor written permission, on a form adopted by TEA, allowing the student to graduate under the foundation high school program without earning an endorsement.

*19 TAC 74.11(e)*

*Distinguished Level of Achievement*

A student may earn a distinguished level of achievement by successfully completing the curriculum requirements for the foundation high school program and the curriculum requirements for at least one endorsement, including four credits in science and four credits in mathematics, including Algebra II. *19 TAC 74.11(f)*

*Algebra II Notification*

Not later than September 1 of each school year, a district shall notify by regular mail or email the parent of or other person standing in parental relation to each student enrolled in grade 9 or above that the student is not required to complete an Algebra II course to graduate under the foundation high school program. The notification must include information regarding the potential consequences to a student of not completing an Algebra II course, including the impact on eligibility for:

1. Automatic college admission under Education Code 51.803; and
2. Certain financial aid authorized under Title 3 of the Education Code.

*Education Code 28.02123*

*Prerequisites*

A student may not be enrolled in a course that has a required prerequisite unless:

1. The student has completed the prerequisite course(s);
2. The student has demonstrated equivalent knowledge as determined by the district; or

3. The student was already enrolled in the course in an out-of-state, an out-of-country, or a Texas nonpublic school and transferred to a Texas public school prior to successfully completing the course.

A district may award credit for a course a student completed without having met the prerequisites if the student completed the course in an out-of-state, an out-of-country, or a Texas nonpublic school where there was not a prerequisite.

*19 TAC 74.11(j)-(k)*

*Dual Credit Courses*

Courses offered for dual credit at or in conjunction with an institution of higher education (IHE) that provide advanced academic instruction beyond, or in greater depth than, the essential knowledge and skills for the equivalent high school course required for graduation may satisfy graduation requirements, including requirements for required courses, advanced courses, and courses for elective credit as well as requirements for endorsements. *19 TAC 74.11(i)*

*Core Curriculum College Courses*

A district shall permit a student to comply with the curriculum requirements under the foundation high school program by successfully completing appropriate courses in the core curriculum of an IHE. A student who has completed the core curriculum of an IHE in accordance with Education Code 61.822, as certified by the IHE in accordance with Education Code 4.28:

1. Is considered to have earned an endorsement by successfully completing the appropriate courses for that endorsement;

2. Is considered to have earned a distinguished level of achievement under the foundation high school program; and

3. Is entitled to receive a high school diploma.

*19 TAC 74.11(o)*

*Languages Other Than English*

Students may earn credit for languages other than English in accordance with 19 Administrative Code 74.12(b)(5).

A student who successfully completes a dual language immersion program may satisfy one credit of the two credits required in a language other English in accordance with 19 Administrative Code 74.12(b)(5)(F).

*19 TAC 74.12(b)(5)*

A student who successfully completes a course in American Sign Language while in elementary school may satisfy one credit of the two credits required in a language other than English. *19 TAC 74.12(b)(5)(G)*

*Physical Education*

The required credit may be selected from one full credit or a combination of two half credits from two different courses from the following courses:

1. Lifetime Fitness and Wellness Pursuits;
2. Lifetime Recreation and Outdoor Pursuits; and
3. Skill-Based Lifetime Activities.

*Other Physical Education Activities*

In accordance with local district policy, the required physical education credit may be earned through completion of any TEKS-based course that meets the requirement for 100 minutes of moderate to vigorous physical activity per five-day school week and that is not being used to satisfy another specific graduation requirement. [See Restrictions, below]

In accordance with local district policy, credit for any physical education course may be earned through participation in the following activities:

1. Athletics;
2. Junior Reserve Officer Training Corps (JROTC); and
3. Appropriate private or commercially sponsored physical activity programs conducted on or off campus. A district must apply to the commissioner for approval of such programs, which may be substituted for state graduation credit in physical education. Such approval may be granted under the following conditions:
    a. Olympic-level participation and/or competition includes a minimum of 15 hours per week of highly intensive, professional, supervised training. The training facility, instructors, and the activities involved in the program must be certified by the superintendent to be of exceptional quality. Students qualifying and participating at this level may be dismissed from school one hour per day. Students dismissed may not miss any class other than physical education.
    b. Private or commercially sponsored physical activities include those certified by the superintendent to be of high quality and well supervised by appropriately trained instructors. Student participation of at least five hours per week must be required. Students certified to participate at this level may not be dismissed from any part of the regular school day.

In accordance with local district policy, up to one credit for any one of the required physical education courses may be earned through participation in any of the following activities:

1. Drill team;
2. Marching band; and
3. Cheerleading.

Restrictions

All substitution activities permitted by local district policy must include at least 100 minutes of moderate to vigorous physical activity per five-day school week.

No more than four substitution credits may be earned through any combination of substitutions listed above.

Credit may not be earned more than once for the Lifetime Fitness and Wellness Pursuits course or the Skill-Based Lifetime Activities course. Credit may not be earned more than twice for the Lifetime Recreation and Outdoor Pursuits course.

Student with Disability or Illness

A student who is unable to participate in physical activity due to disability or illness may substitute an academic elective credit in English language arts, mathematics, science, social studies, or a course that is offered for credit as provided by Education Code 28.002(g-1) for the required physical education credit. A credit allowed to be substituted may not also be used by the student to satisfy a graduation requirement other than completion of the physical education credit. The determination regarding a student's ability to participate in physical activity must be made by:

1. The student's ARD committee if the student receives special education services under Education Code Chapter 29, Subchapter A;
2. The committee established for the student under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794) if the student does not receive special education services under Education Code Chapter 29, Subchapter A but is covered by the Rehabilitation Act of 1973; or
3. A committee, established by the district, of persons with appropriate knowledge regarding the student if each of the committees described above is inapplicable. This committee must follow the same procedures required of an ARD or a Section 504 committee.

*19 TAC 74.12(b)(6); Education Code 28.025(b-10)-(b-11)*

*Community-Based Fine Arts Programs*

In accordance with local district policy, the required fine arts credit may be earned through participation in a community-based fine arts program not provided by the school district in which the student is enrolled.

In accordance with local policy, credit may be earned through participation in the community-based fine arts program only if the program meets each of the following requirements:

1. The district must apply to the commissioner for approval of the community-based fine arts program;
2. The board must certify that the program provides instruction in the essential knowledge and skills for fine arts as defined by 19 Administrative Code Chapter 117, Subchapter C;
3. The district must document student completion of the approved activity;
4. The program must be organized and monitored by appropriately trained instructors;
5. The fine arts program may be provided on or off a school campus and outside the regular school day; and
6. Students may not be dismissed from any part of the regular school day to participate in the community-based fine arts program.

The district shall require that instructors of the community-based fine arts program provide the district, at its request, the information necessary to obtain the criminal history record information required for school personnel in accordance with 19 Administrative Code Chapter 153, Subchapter DD, if the community-based program is offered on campus.

*Education Code 28.025(b-9); 19 TAC 74.12(b)(7)(B), .1030*

*Performance Acknowledgments*

In accordance with the requirements of 19 Administrative Code 74.14, a student may earn a performance acknowledgment on the student's transcript for:

1. Outstanding performance:
    a. In a dual credit course;
    b. In bilingualism and biliteracy;
    c. On a College Board advanced placement test or international baccalaureate examination;

d. On an established, valid, reliable, and nationally norm-referenced preliminary college preparation assessment instrument used to measure a student's progress toward readiness for college and the workplace; or

e. On an established, valid, reliable, and nationally norm-referenced assessment instrument used by colleges and universities as part of their undergraduate admissions process; or

2. Earning a state-recognized or nationally or internationally recognized business or industry certification or license.

*Education Code 28.025(c-5); 19 TAC 74.14*

Students Who Entered Grade 9 Before the 2014-15 School Year

All credit for graduation must be earned no later than grade 12. *19 TAC 74.61(b), .71(b)*

*Minimum High School Program*

A student entering grade 9 prior to the 2014-15 school year who does not choose to complete the curriculum requirements for high school graduation under the foundation high school program must enroll in the courses necessary to complete the curriculum requirements for the Recommended High School Program or the Advanced/Distinguished Achievement High School Program, unless the student, the student's parent or other person standing in parental relation to the student, and a school counselor or school administrator agree in writing signed by each party that the student should be permitted to take courses under the Minimum High School Program, and the student:

1. Is at least 16 years of age;

2. Has completed two credits required for graduation in each subject of the foundation curriculum under Education Code 28.002(a)(1); or

3. Has failed to be promoted to the 10th grade one or more times as determined by the school district.

Students with Disabilities

If an ARD committee makes decisions that place a student with a disability on a modified curriculum in a subject area, the student will be automatically placed in the Minimum High School Program.

Applicability

A student who was permitted to take courses under the Minimum High School Program prior to the 2009-10 school year may remain in the Minimum High School Program.

*19 TAC 74.61(c), (d), .71(c), (d)*

Requirements

A student must earn at least 22 credits to complete the Minimum High School Program.

A student who entered grade 9 in the 2012-13 or 2013-14 school year must demonstrate proficiency in the program requirements listed at 19 Administrative Code 74.72.

A student who enters grade 9 before the 2012-13 school year must meet the applicable program requirements in 19 Administrative Code Chapter 74, Subchapters D-F.

*Education Code 28.025; 19 TAC 74.62, .72*

*Recommended High School Program*

A student who entered grade 9 in the 2012-13 or 2013-14 school year must earn at least 26 credits to complete the Recommended High School Program. A student must demonstrate proficiency in the program requirements listed at 19 Administrative Code 74.73. *Education Code 28.025; 19 TAC 74.63, .73*

*Advanced / Distinguished Achievement High School Program*

A student who entered grade 9 in the 2012-13 or 2013-14 school year must earn at least 26 credits to complete the Advanced/Distinguished Achievement High School Program. A student must demonstrate proficiency in the program requirements listed at 19 Administrative Code 74.74. *Education Code 28.025; 19 TAC 74.64, .74*

*Substitutions*

No substitutions are allowed for high school graduation requirements in the Recommended and Advanced/Distinguished Achievement High School Programs, except as provided by State Board rule. *19 TAC 74.63(d), .64(e), .73(d), .74(e)*

*AP or IB Courses*

College Board advanced placement and international baccalaureate courses may be substituted for required courses in appropriate areas. These courses may be used as electives in all three high school graduation programs. *19 TAC 74.61(k), .71(i)*

*Reading*

A district may offer a maximum of 3 credits of reading for state graduation elective credit for identified students if the district:

1. Adopts policies to identify students in need of additional reading instruction;
2. Has procedures that include assessment of individual student needs and ongoing evaluation of each student's progress; and
3. Monitors instructional activities to ensure that student needs are addressed.

Reading credits may be selected from Reading I, II, or III.

*19 TAC 74.61(h), .71(f)*

*College Courses*

A student may comply with the curriculum requirements under the Minimum, Recommended, or Advanced/Distinguished Achievement High School Program for each subject of the foundation curriculum and for languages other than English by successfully completing appropriate courses in the core curriculum of an IHE. *19 TAC 74.61(l), .71(j)*

*Physical Education Substitutions*

In accordance with local district policy, credit for any physical education course may be earned through participation in the following activities:

Other Physical Activity

1. Athletics;
2. JROTC; and
3. Appropriate private or commercially sponsored physical activity programs conducted on or off campus. A district must apply to the commissioner for approval of such programs, which may be substituted for state graduation credit in physical education. Such approval may be granted under the following conditions:
    a. Olympic-level participation and/or competition includes a minimum of 15 hours per week of highly intensive, professional, supervised training. The training facility, instructors, and the activities involved in the program must be certified by the superintendent to be of exceptional quality. Students qualifying and participating at this level may be dismissed from school one hour per day. Students dismissed may not miss any class other than physical education.
    b. Private or commercially sponsored physical activities include those certified by the superintendent to be of high quality and well supervised by appropriately trained instructors. Student participation of at least five hours per week must be required. Students certified to participate at this level may not be dismissed from any part of the regular school day.

In accordance with local district policy, up to one credit for any one of the physical education courses listed in 19 Administrative Code Chapter 74 [see EHAC] may be earned through participation in any of the following activities:

1. Drill team;
2. Marching band; and
3. Cheerleading.

Restrictions

All substitution activities must include at least 100 minutes per five-day school week of moderate to vigorous physical activity.

No more than four substitution credits may be earned through any combination of substitutions listed above.

*Student with Disability or Illness*

A student who is unable to participate in physical activity due to disability or illness may substitute an academic elective credit in English language arts, mathematics, science, or social studies for the required physical education credit. A credit allowed to be substituted may not also be used by the student to satisfy a graduation requirement other than completion of the physical education credit. The determination regarding a student's ability to participate in physical activity must be made by:

1. The student's ARD committee if the student receives special education services under Education Code Chapter 29, Subchapter A;
2. The committee established for the student under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794) if the student does not receive special education services under Education Code Chapter 29, Subchapter A but is covered by the Rehabilitation Act of 1973; or
3. A committee, established by the district, of persons with appropriate knowledge regarding the student if each of the committees described above is inapplicable. This committee must follow the same procedures required of an ARD or a Section 504 committee.

*Student with Physical Limitations*

If a student entering grade 9 during the 2007-08 school year or thereafter is unable to comply with all of the requirements for a physical education course due to a physical limitation certified by a licensed medical practitioner, a modification to a physical education course does not prohibit the student from earning a Recommended or Advanced/Distinguished High School Program diploma. A student with a physical limitation must still demonstrate proficiency in the relevant knowledge and skills in a physical education course that do not require physical activity.

*Education Code 28.025(b-10)-(b-11); 19 TAC 74.62(b)(7), .63(b)(7), .64(b)(7), .72(b)(6), .73(b)(6), .74(b)(6)*

**Transfers from Out-of-State or Nonpublic Schools**

Out-of-state or out-of-country transfer students (including foreign exchange students) and transfer students from Texas nonpublic schools are eligible to receive Texas diplomas but shall complete all applicable high school graduation requirements. Any course credits required for graduation that are not completed before enrollment may be satisfied through credit by examination, correspon-

dence courses, distance learning, or completing the course, according to the provisions of 19 Administrative Code 74.26. *19 TAC 74.11(g)* [See EHDB, EHDC, EHDE, and EI]

**Graduation of Students Receiving Special Education Services**

Modified curriculum and modified content refer to any reduction of the amount or complexity of the required knowledge and skills in 19 Administrative Code Chapters 110-117, 126-128, and 130. Substitutions that are specifically authorized in statute or rule must not be considered modified curriculum or modified content. *19 TAC 89.1070(k)*

Modified Curriculum and Content

Employability and Self-Help Skills

Employability and self-help skills are those skills directly related to the preparation of students for employment, including general skills necessary to obtain or retain employment. *19 TAC 89.1070(i)*

Summary of Academic Achievement and Evaluation

A summary of academic achievement and functional performance must be provided prior to exit from public school for students who meet one of the following conditions:

1. A student who has met requirements for graduation specified in 19 Administrative Code 89.1070(b)(1) or who has exceeded the maximum age eligibility as described by 19 Administrative Code 89.1035; or

2. A student who has met requirements for graduation specified in 19 Administrative Code 89.1070(b)(2) or (b)(3)(A), (B), or (C). A student meeting this condition is entitled to an evaluation as described by 34 C.F.R. 300.305(e)(1).

The summary of performance must include recommendations on how to assist the student in meeting the student's postsecondary goals, as required by 34 C.F.R. 300.305(e)(3). This summary must also consider, as appropriate, the views of the parent and student and written recommendations from adult service agencies on how to assist the student in meeting postsecondary goals. Students who meet graduation requirements under 19 Administrative Code 89.1070(b)(2) or (b)(3)(A), (B),or (C) and who will continue enrollment in public school to receive special education services aligned to their transition plan will be provided the summary of performance upon exit from the public school system. These students are entitled to participate in commencement ceremonies and receive a certificate of attendance after completing four years of high school.

*19 TAC 89.1070 (f)-(h)*

*Graduation Criteria*

A student who receives special education services may graduate and be awarded a diploma if the student meets one of the following conditions:

1. The student has demonstrated mastery of the required state standards (or district standards if greater) in 19 Administrative Code Chapters 110-117, 126-128, and 130; satisfactorily completed credit requirements for graduation under the foundation high school program applicable to students in general education; and demonstrated satisfactory performance as established in Education Code Chapters 28 and 39, on the required EOC assessment instruments, which could include meeting the requirements of 19 Administrative Code 89.1070(d).

2. The student has demonstrated mastery of the required state standards (or district standards if greater) in 19 Administrative Code Chapters 110-117, 126-128, and 130; the student has satisfactorily completed credit requirements for graduation under the foundation high school program specified in 19 Administrative Code 74.12 applicable to students in general education; and the student's ARD committee has determined that satisfactory performance, beyond what would otherwise by required in 19 Administrative Code 89.1070(b)(1) and (d), on the required EOC assessment instruments is not required for graduation.

3. The student has satisfactorily completed credit requirements for graduation under the foundation high school program, one or more of which contain modified curriculum that is aligned to the standards applicable to students in general education; demonstrated mastery of the required state standards (or district standards if greater) in 19 Administrative Code Chapters 110-117, 126-128, and 130 in accordance with modified content and curriculum expectations established in the student's IEP; and demonstrated satisfactory performance on the required EOC assessment instruments, unless the student's ARD committee has determined that satisfactory performance on the required EOC assessment instruments is not required for graduation. The student must also successfully complete the student's IEP and meet one of the following conditions:

    a. Consistent with the IEP, the student has obtained full-time employment, based on the student's abilities and local employment opportunities, in addition to mastering sufficient self-help skills to enable the student to maintain the employment without direct and ongoing educational support of the local school district;

    b. Consistent with the IEP, the student has demonstrated mastery of specific employability skills and self-help

skills that do not require direct ongoing educational support of the local school district; or

c. The student has access to services or other supports that are not within the legal responsibility of public education, including employment or postsecondary education established through transition planning.

When a student receives a diploma under item 2 or 3(a), (b), or (c), above, the ARD committee must determine needed educational services upon the request of the student or parent to resume services, as long as the student meets the age eligibility requirements.

*19 TAC 89.1070(b), (j)*

*Endorsements*

A student who is enrolled in a special education program may earn an endorsement on the student's transcript by:

1. Successfully completing, with or without modification of the curriculum:

   a. The curriculum requirements identified by the SBOE for the foundation high school program; and

   b. The additional endorsement curriculum requirements prescribed by the SBOE; and

2. Successfully completing all curriculum requirements for that endorsement adopted by the SBOE:

   a. Without modification of the curriculum; or

   b. With modification of the curriculum, provided that the curriculum, as modified, is sufficiently rigorous as determined by the student's ARD committee.

The ARD committee of a student in a special education program shall determine whether the student is required to achieve satisfactory performance on an end-of-course assessment instrument to earn an endorsement on the student's transcript.

*Education Code 28.025(c-7)-(c-8), 19 TAC 89.1070(c)*

**Graduation of Military Dependents**

Course Waiver

District officials shall waive specific courses required for graduation if similar coursework has been satisfactorily completed by a military student in another district or shall provide reasonable justification for denial. Should a waiver not be granted to a student who would qualify to graduate from the sending school, the district shall provide an alternative means of acquiring required coursework so that graduation may occur on time.

| | |
|---|---|
| Transfers During Senior Year | Should a military student transferring at the beginning or during the student's senior year be ineligible to graduate from the district after all alternatives have been considered, the sending and receiving districts shall ensure the receipt of a diploma from the sending district, if the student meets the graduation requirements of the sending district. In the event that one of the states in question is not a member of this compact, the member state shall use best efforts to facilitate the on-time graduation of the student. |
| Substitute Passing Standard | The commissioner shall adopt a passing standard on one or more national norm-referenced achievement tests for purposes of permitting a qualified military dependent to meet that standard as a substitute for completing a specific course otherwise required for graduation. The passing standard is available only for a student who enrolls in a public school in this state for the first time after completing the ninth grade or who reenrolls in a public school in this state at or above the 10th-grade level after an absence of at least two years from the public schools of this state. Each passing standard in effect when a student first enrolls in a Texas public high school remains applicable to the student for the duration of the student's high school enrollment, regardless of any subsequent revision of the standard.<br><br>*Education Code 162.002 art. VII, A, C* [See FDD] |
| **Graduation of Student Who Is Homeless or in Conservatorship of DFPS** | If an 11th or 12th grade student who is homeless or in the conservatorship of the Department of Family and Protective Services transfers to a different school district and the student is ineligible to graduate from the district to which the student transfers, the district from which the student transferred shall award a diploma at the student's request, if the student meets the graduation requirements of the district from which the student transferred. *Education Code 28.025(i)* |

**Agreement Between Districts**

The boards of two or more adjoining school districts or the boards of county school trustees of two or more adjoining counties may, by agreement and in accordance with Education Code 25.032-.034, arrange for the transfer and assignment of any student from the jurisdiction of one board to that of another. In the case of the transfer and assignment of a student under this provision, the participating governing boards shall also agree to the transfer of school funds or other payments proportionate to the transfer of attendance. *Education Code 25.035*

**Initiated by Student or Parent**

Any student, other than a high school graduate, who is under 21 years of age and eligible for enrollment on September 1, may transfer to another Texas district, provided that both the receiving district and the applicant's parent, guardian, or person having lawful control agree in writing to the transfer.

Discipline and Threat Assessment Records

In the case of a transfer under this provision, a child's district of residence shall provide the receiving district with the child's disciplinary record and any threat assessment involving the child's behavior conducted under Education Code 37.115 [see FFB].

Effective August 1, 2025, a district shall utilize Sentinel to securely transfer any threat assessment conducted on a student to a receiving district when a student transfers to a new district [see CKA]. All threat assessments for a student are subject to the transfer requirement. Any threat assessments conducted prior to August 1, 2025, that are associated with a student transfer shall be uploaded into Sentinel in a manner determined by the Texas Education Agency (TEA).

*Education Code 25.036; 19 TAC 103.1213(e)(1)(B)* [See FD for placement of transfer students.]

**Transfer to a District Offering In-Person Instruction**

If a district provides notice to the parent or person standing in parental relation to a student enrolled in the district of the district's intent to offer only virtual instruction for more than one grading period during a school year, the student may transfer for that school year to another district that offers in-person instruction during that school year and accepts the student's transfer.

"Virtual instruction" means instructional activities delivered to students primarily over the internet.

A student who transfers to another school district under this section may not be charged tuition. The student is included in the average daily attendance of the district in which the student attends school.

*Education Code 25.045*

**Basis for Transfer**

A board or its designee must make transfer decisions on an individual basis and may not consider as a factor in arriving at any decision regarding assignments any matter relating to the national origin of the student or the student's ancestral language. *Education Code 25.032* [See FDAA]

**Transportation**

A board may establish and operate an economical public school transportation system outside the district if students enrolled in the district reside outside the district and the district meets the requirements of Education Code 34.007(a)(3) [see CNA]. *Education Code 34.007(a)*

**Funding for Transfers**

Upon the filing and certification of any transfer, the state per capita apportionment shall transfer with the student. For purposes of computing state allotments to districts eligible under the Foundation School Program, the student's attendance prior to the date of transfer shall be counted by the sending district and the student's attendance after transfer shall be counted by the receiving district. *Education Code 25.037*

**Credits and Records**

Credits earned in local credit courses may be transferred at the enrolling district's discretion. Transfer students shall not be prohibited from attending school pending receipt of transcripts or academic records from the district the student previously attended. *19 TAC 74.26(a)(1)*

Nonpublic Schools

Records and transcripts of students from Texas nonpublic schools or from out of state or out of the country (including foreign exchange students) shall be evaluated, and students shall be placed promptly in appropriate classes. A district may use a wide variety of methods to verify the content of courses for which a transfer student has earned credit. *19 TAC 74.26(a)(2)*

**Tuition Fee for Transfer Students**

A receiving district may charge a tuition fee to the extent that the district's actual expenditure per student in average daily attendance exceeds the sum of state available school fund apportionment benefits transferred under Education Code 25.037. However, unless a tuition fee is prescribed and set out in a transfer agreement prior to its execution by the parties, no increase in tuition charge shall be made for the year of that transfer that exceeds the tuition charge, if any, of the preceding school year. *Education Code 25.038*

**Transfer by Servicemember Request**

On request of a servicemember who is a parent of or person standing in parental relation to a student, the board or the board's designee shall transfer the student to another district campus or to another school district under an agreement under Education Code 25.035 [see Agreement Between Districts, above].

"Servicemember" means an active duty member of the armed forces of the United States, a reserve component of the armed forces of the United States, or the Texas National Guard.

A transfer under this provision must be to the campus or district, as applicable, selected by the servicemember making the request.

A district is not required to provide transportation to a student who transfers to another campus or district under this provision.

*Education Code 25.0344*

**Transfer by Peace Officer Request**

On request of a peace officer who is a parent of or person standing in parental relation to a student, the board or the board's designee shall transfer the student to another district campus or to another district under an agreement under Education Code 25.035.

"Peace officer" has the meaning assigned by Occupations Code 1701.001.

A transfer under this provision must be to the campus or school district, as applicable, selected by the peace officer making the request.

A district is not required to provide transportation to a student who transfers to another campus or district under this provision.

*Education Code 25.0344*

**Transfers to Adjoining States**

***Note:*** The following provision applies to a district located on the border of an adjoining state.

Any student who would be entitled to attend the public school of any district situated on the border of Louisiana, Arkansas, Oklahoma, or New Mexico and who may find it more convenient to attend the public school in a district in one of those contiguous states, may have the state and county per capita apportionment of the available school funds paid to the school district of the contiguous state and may have additional tuition, if necessary, paid by the district of residence on such terms as may be agreed upon by the trustees of the receiving district and the trustees of the residence district. *Education Code 25.040*

**Contracts for Education Outside Districts**

***Note:*** The following section applies only to districts that do not offer all grades, kindergarten-grade 12.

A district that does not offer each grade, kindergarten-grade 12, may provide by contract for students residing in the district who are at grade levels not offered by the district to be educated at those

grade levels in one or more other districts. In each contract, the districts also shall agree to the transfer of school funds or other payments proportionate to the transfer of attendance.

Tuition

The district in which the students reside shall pay tuition to any district with which it has a contract under this section for each of its students attending school in that district at a grade level for which the district has contracted. The amount of the tuition paid may not exceed the greater of the amount provided for by Education Code 25.038 [see above], or an amount specified by commissioner rule [see below].

A district is not required to pay tuition to any district with which it has not contracted for the attendance by any of its students at a grade level for which it has contracted under this provision with another district.

A contract under this provision may not be for a period exceeding five years.

*Education Code 25.039*

*Definitions*

"Home district" means a district of residence of a transferring student.

"Receiving district" means a district to which a student is transferring for the purpose of obtaining an education.

"Tuition" means an amount charged to the home district by the receiving district to educate the transfer student.

*Tuition Allotment of the Home District*

For the purposes of calculating the tuition allotment of the home district as authorized by Education Code 48.154, the amount of tuition that may be attributed to a home district for a transfer student in payment for that student's education may not exceed an amount per enrollee calculated for each receiving district. The calculated limit applies only to tuition paid to a receiving district for the education of a student at a grade level not offered in the home district. Tuition may be set at a rate higher than the calculated limit if both districts enter a written agreement, but the calculated tuition limit will be used in the calculation of the tuition allotment for the home district. The calculation will use the most currently available data in an ongoing school year to determine the limit that applies to the subsequent school year. For purposes of this provision, the number of students enrolled in a district will be appropriately adjusted to account for students ineligible for the Foundation School Program funding and those eligible for half-day attendance.

*Calculated Tuition Limit*

The calculated tuition limit is the sum of the excess maintenance and operations (M&O) revenue per enrollee and the excess debt

revenue per enrollee, as calculated in 19 Administrative Code 61.1012(b)(2)-(3).

*Notification and Appeal Process*

In the spring of each school year, the commissioner will provide each district with its calculated tuition limit and a worksheet with a description of the derivation process. A district may appeal to the commissioner if it can provide evidence that the use of projected student counts from the LPE in making the calculation is so inaccurate as to result in an inappropriately low authorized tuition charge and undue financial hardship. A district that used significant nontax sources to make any of its debt service payments during the base year for the computation may appeal to the commissioner to use projections of its tax collections for the year for which the tuition limit will apply. The commissioner's decision regarding an appeal is final.

*19 TAC 61.1012*

**Safe Schools Data**

The Superintendent shall ensure that the District complies with Texas Education Agency (TEA) guidelines for the collection and maintenance of data regarding:

1. Mandatory expellable offenses committed at school or at a school-related or school-sponsored activity, on or off school property [see FOD]; and
2. Any student who becomes a victim of one of the following violent criminal offenses while on the premises of the school the student attends or while attending a school-sponsored or school-related activity, on or off school property:
    a. Attempted murder;
    b. Indecency with a child;
    c. Aggravated kidnapping;
    d. Aggravated assault on someone other than a District employee or volunteer;
    e. Sexual assault or aggravated sexual assault against someone other than a District employee or volunteer;
    f. Aggravated robbery;
    g. Continuous sexual abuse of a young child or disabled individual; or
    h. Bullying.

**School Safety Transfers**

The parent of a student who becomes a victim of a violent criminal offense as described in the state guidance for unsafe school choice options or who is assigned to a campus identified by TEA as persistently dangerous shall be offered a transfer to a safe public or charter school within the District.

For each transfer requested, the District shall explore transfer options, as appropriate. Options may include a transfer agreement with another school district.

From a Persistently Dangerous School

The parent of a student attending a school identified as persistently dangerous shall be provided notification of his or her right to request a transfer. Notification shall occur at least 14 days prior to the start of the school year or, for a student enrolling subsequently, upon the student's enrollment.

The parent must submit to the Superintendent an application for transfer. The Superintendent shall complete the transfer prior to the beginning of the school year, if applicable, or within 14 calendar days of the request for a subsequently enrolling student.

Any transfer arranged for a student from a campus identified by TEA as persistently dangerous shall be renewed so long as the campus from which the student transferred retains that designation.

The District shall maintain, in accordance with the District's record retention schedule, documentation of notification to parents of the transfer option, transfer applications submitted, and action taken.

For a Victim of a Violent Criminal Offense

Within 14 calendar days after a violent criminal offense described above occurs in or on the premises of the school the student attends or while attending a school-sponsored or school-related activity, on or off school property, the District shall notify the parent of a student who is a victim of the offense of the parent's right to request a transfer. The parent must submit to the Superintendent an application for transfer. The Superintendent shall approve or disapprove the request within 14 calendar days of its submission.

Any transfer arranged for a student who was a victim of a violent crime as described above shall be renewed so long as the threat to the student exists at the campus to which the student would typically be assigned.

For each offense, the District shall maintain for at least five years documentation of the nature and date of the offense, notification to the parent of the transfer option, transfer applications submitted, action taken, and other relevant information regarding the offense.

**Additional Transfer Options**

In circumstances described by Education Code 25.0341, a parent of a student who has been the victim of a sexual assault, regardless of whether the offense occurred on or off school property, may request a transfer of the parent's child or the student assailant from the same campus.

[For other transfer provisions, see also FDA and FDB.]

**Table of Contents**

**Consent to Medical Treatment ..... 3**
**Form of Consent ..... 3**
**Minor's Consent to Treatment ..... 3**
**Telehealth in Medicaid Covered Services ..... 4**
**Administering Medication ..... 4**
**By Volunteer Professionals ..... 4**
**Immunity from Civil Liability ..... 4**
**Self-Administration of Asthma or Anaphylaxis Medicine ..... 5**
No Waiver of Immunity ..... 5
**Sunscreen Products ..... 6**
**Dietary Supplements ..... 6**
**Prescription Medication and Special Education Students ..... 6**
**Low-THC Cannabis ..... 6**
**Dextromethorphan (Certain Cold Medication) ..... 7**
**Maintenance and Administration of Opioid Antagonists ..... 7**
Definitions ..... 7
Maintenance ..... 8
Prescription ..... 8
Standing Order ..... 8
Storage of Medication ..... 8
Disposal ..... 8
Reporting Requirement ..... 8
Records Retention ..... 9
Training ..... 9
Gifts, Grants, and Donations ..... 10
Immunity ..... 10
**Maintenance and Administration of Epinephrine Auto-Injectors ..... 10**
Definitions ..... 11
Prompt Notification ..... 11
Records ..... 12
Reports ..... 12
Assignment of Trained Individuals ..... 13
Signed Statement ..... 13

Training ....13
Standing Orders ....14
Epinephrine Coordinator ....14
Notice to Parents ....15
Storage ....15
Replacement ....15
Disposal ....15
Gifts, Grants, and Donations ....15
**Maintenance and Administration of Medication for Respiratory Distress ....16**
Definitions ....16
Each Campus During Regular School Hours ....17
Medication Inventory ....17
Designated Campus Administrator ....18
Notification Procedures ....18
Referral Required ....18
Storage ....19
Disposal ....19
Records Retention ....19
Training ....19
Reporting Requirement ....20
No Negative Fiscal Impact ....21
Standing Order ....21
Notice to Parents ....21
**Refusal to Administer ....21**
**Immunity from Liability ....21**

**Consent to Medical Treatment**

The school in which a minor student is enrolled may consent to medical, dental, psychological, and surgical treatment of that student, provided all of the following conditions are met:

1. The person having the power to consent as otherwise provided by law cannot be contacted.
2. Actual notice to the contrary has not been given by that person.
3. Written authorization to consent has been received from that person.

*Family Code 32.001(a)(4)*

**Form of Consent**

Consent to medical treatment under this policy shall be in writing, signed by the school official giving consent, and given to the doctor, hospital, or other medical facility that administers the treatment. The consent must contain:

1. The name of the student.
2. The name of one or both parents, if known, and the name of the managing conservator or guardian of the student, if either has been appointed.
3. The name of the person giving consent and the person's relation to the student.
4. A statement of the nature of the medical treatment to be given.
5. The date on which the treatment is to begin.

*Family Code 32.002*

**Minor's Consent to Treatment**

A minor may consent to medical, dental, psychological, and surgical treatment furnished by a licensed physician or dentist if the minor:

1. Is 16 years of age and residing separate and apart from the minor's parents, managing conservator, or guardian, with or without the consent of the parents, conservator, or guardian and regardless of the duration of the residence, and is managing his or her own financial affairs, regardless of the source of the income;
2. Consents to the diagnosis and treatment of any infectious, contagious, or communicable disease required to be reported to the Texas Department of State Health Services (DSHS), including all reportable diseases under Health and Safety Code 81.041;

3. Is unmarried and pregnant, and consents to hospital, medical, or surgical treatment, other than abortion, related to her pregnancy; or

4. Consents to examination and treatment for drug or chemical addiction, drug or chemical dependency, or any other condition directly related to drug or chemical use.

*Family Code 32.003; Planned Parenthood of Cent. Mo. v. Danforth, 428 U.S. 52 (1976); Bellotti v. Baird, 443 U.S. 622 (1979)*

**Telehealth in Medicaid Covered Services**

Telemedicine medical services and telehealth services authorized as Texas Medicaid covered services must meet the conditions specified in 1 Administrative Code 354.1432(5). *1 TAC 354.1432(5)*

**Administering Medication**

Upon adoption of policies concerning the administration of medication to students by district employees, the district, its board, and its employees are immune as described below, provided:

1. The district has received a written request to administer the medication from the parent, legal guardian, or other person having legal control of the student.

2. When administering prescription medication, the medication is administered either:

   a. From a container that appears to be the original container and to be properly labeled; or

   b. From a properly labeled unit dosage container filled by a registered nurse or another qualified district employee, as determined by district policy, from a container that appears to be the original container and to be properly labeled.

**By Volunteer Professionals**

If a district provides liability insurance for a licensed physician or registered nurse who provides volunteer services to the district, a board may allow the physician or nurse to administer to any student nonprescription medication or medication currently prescribed for the student by the student's personal physician.

**Immunity from Civil Liability**

A district, a board, and its employees shall be immune from civil liability for damages or injuries resulting from the administration of medication to a student in accordance with this policy.

*Education Code 22.052(a)-(b)*

[See DG regarding protection of nurses for refusal to perform acts.]

**Self-Administration of Asthma or Anaphylaxis Medicine**

A student with asthma or anaphylaxis may possess and self-administer prescription asthma or anaphylaxis medicine while on school property or at a school-related event or activity if:

1. The medicine has been prescribed for that student as indicated by the prescription label on the medicine;
2. The student has demonstrated to the student's physician or other licensed health-care provider and the school nurse, if available, the skill level necessary to self-administer the prescription medication, including the use of any device required to administer the medication;
3. The self-administration is done in compliance with the prescription or written instructions from the student's physician or other licensed health-care provider; and
4. A parent of the student provides to the school:
    a. Written authorization, signed by the parent, for the student to self-administer the prescription medicine while on school property or at a school-related event or activity; and
    b. A written statement, signed by the student's physician or other licensed health-care provider, that states:
        (1) That the student has asthma or anaphylaxis and is capable of self-administering the medicine;
        (2) The name and purpose of the medicine;
        (3) The prescribed dosage for the medicine;
        (4) The times at which or circumstances under which the medicine may be administered; and
        (5) The period for which the medicine is prescribed.

The physician's statement must be kept on file in the school nurse's office, or, if there is no school nurse, in the office of the principal of the school the student attends.

[See FFAF for care of students with diagnosed food allergies at risk for anaphylaxis.]

No Waiver of Immunity

The provisions above neither waive any liability or immunity nor create any liability for or a cause of action against a district, a board, or its employees.

*Education Code 38.015*

**Sunscreen Products**

A student may possess and use a topical sunscreen product while on school property or at a school-related event or activity to avoid overexposure to the sun and not for the medical treatment of an injury or illness if the product is approved by the federal Food and Drug Administration for over-the-counter use. This provision does not waive any immunity from liability of a district, its board, or its employees; or create any liability for or a cause of action against a district, its board, or its employees. *Education Code 38.021*

**Dietary Supplements**

A district employee commits a Class C misdemeanor offense if the employee:

1. Knowingly sells, markets, or distributes a dietary supplement that contains performance enhancing compounds to a primary or secondary education student with whom the employee has contact as part of the employee's school district duties; or

2. Knowingly endorses or suggests the ingestion, intranasal application, or inhalation of a dietary supplement that contains performance enhancing compounds by a primary or secondary education student with whom the employee has contact as part of the employee's school district duties.

*Education Code 38.011(a), (c)*

**Prescription Medication and Special Education Students**

An employee of a district is prohibited from requiring a child to obtain a prescription for a substance covered under the federal Controlled Substances Act (21 U.S.C. 801 et seq.) as a condition of attending school, receiving an evaluation for special education, or receiving special education and related services.

An employee is not prohibited from consulting or sharing classroom-based observations with parents regarding a student's academic and functional performance, behavior in the classroom or school, or the need for evaluation for special education or related services.

*20 U.S.C. 1412(a)(25)*

[See FFEB for information regarding psychotropic drugs and psychiatric evaluations]

**Low-THC Cannabis**

A district may not enact, adopt, or enforce a rule, ordinance, order, resolution, or other regulation that prohibits the cultivation, production, dispensing, or possession of low-THC cannabis, as authorized by the Texas Compassionate-Use Act. *Health and Safety Code 487.201*

**Dextromethorphan (Certain Cold Medication)**

A district may not adopt or enforce an ordinance, order, rule, regulation, or policy that governs the sale, distribution, or possession of dextromethorphan. *Health and Safety Code 488.005*

**Maintenance and Administration of Opioid Antagonists**

Each district shall adopt and implement a policy regarding the maintenance, administration, and disposal of opioid antagonists at each campus in the district that serves students in grades 6 through 12 and may adopt and implement such a policy at each campus in the district, including campuses serving students in a grade level below grade 6.

The policy adopted must:

1. Provide that school personnel and school volunteers who are authorized and trained may administer an opioid antagonist to a person who is reasonably believed to be experiencing an opioid-related drug overdose;
2. Require that each school campus subject to a policy adopted under this provision have one or more school personnel members or school volunteers authorized and trained to administer an opioid antagonist present during regular school hours;
3. Establish the number of opioid antagonists that must be available at each campus at any given time; and
4. Require that the supply of opioid antagonists at each school campus subject to a policy adopted under this provision must be stored in a secure location and be easily accessible to school personnel and school volunteers authorized and trained to administer an opioid antagonist.

*Education Code 38.222(a), (c); 25 TAC 40.84(b)-(c); 19 TAC 103.1103*

Definitions

“Authorized health-care provider” means a physician, as defined in Education Code 38.201, or person who has been delegated prescriptive authority by a physician under Occupations Code Chapter 157.

“Campus” means a unit of a district that has an assigned administrator, has enrolled students who are counted for average daily attendance, has assigned instructional staff, provides instructional services to students, has one or more grades in the range from early childhood education through grade 12 or is ungraded, and complies with relevant Texas laws.

“Opioid antagonist” as defined in Health and Safety Code 483.101, means any drug that binds to opioid receptors and blocks or otherwise inhibits the effects of opioids acting on those receptors.

| | |
|---|---|
| | "Opioid-related drug overdose" as defined in Health and Safety Code 483.101, means a condition, evidenced by symptoms of extreme physical illness, decreased level of consciousness, constriction of the pupils, respiratory depression, or coma, that a layperson would reasonably believe to be the result of the consumption or use of an opioid.<br><br>*25 TAC 40.82(2)-(3), (5)-(6)* |
| Maintenance | Once a district adopts an opioid antagonist medication policy, a campus implementing an opioid policy must stock opioid antagonist medication. |
| Prescription | A campus must obtain a prescription from a physician or a person who has been delegated prescriptive authority to stock, possess, and maintain the established number of doses of opioid antagonists as determined by a district, on each campus as described in Education Code 38.225 (Prescription of Opioid Antagonists).<br><br>The campus must renew this prescription or obtain a new prescription annually.<br><br>The number of additional doses may be determined by an individual campus review led by a physician or a person who has been delegated prescriptive authority.<br><br>*25 TAC 40.85(a)-(b)* |
| Standing Order | A physician or person who has been delegated prescriptive authority under Occupations Code Chapter 157 may prescribe opioid antagonists in the name of a school district. *Education Code 38.225(a); 25 TAC 40.85(c)* |
| Storage of Medication | The unassigned opioid antagonist medication must be stored in a secure location and be easily accessible, in accordance with the manufacturer's guidelines and local policy of the district. |
| Disposal | Used, unassigned opioid antagonists are considered infectious waste and must be disposed of according to the school's bloodborne pathogen control policy.<br><br>Expired, unassigned opioid antagonists must be disposed of in accordance with the Federal Drug Administration's disposal of unused medications guidelines and local policy of the district.<br><br>*25 TAC 40.85(d)-(f)* |
| Reporting Requirement | The campus must submit the report no later than the 10th business day after the date a school personnel member or school volunteer administers an opioid antagonist in accordance with the unassigned opioid antagonist medication policy. |

The report shall be submitted to the following individuals and entities:

1. The district;
2. The physician or other person who prescribed the opioid antagonist; and
3. The commissioner of DSHS.

Notifications to the commissioner of DSHS must be submitted on the designated electronic form available on DSHS School Health Program website found at dshs.texas.gov.

*25 TAC 40.87(b)-(c)*

The school shall report the following information:

1. The age of the person who received the administration of the opioid antagonist;
2. Whether the person who received the administration of the opioid antagonist was a student, a school personnel member or school volunteer, or a visitor;
3. The physical location where the opioid antagonist was administered;
4. The number of doses of opioid antagonist administered;
5. The title of the person who administered the opioid antagonist; and
6. Any other information required by the commissioner of education.

*Education Code 38.223(b)*

Records Retention

Records relating to implementing and administering the district unassigned opioid antagonist medication policy must be retained per the campus record retention schedule. *25 TAC 40.87(a)*

Training

A district that adopts an opioid antagonist policy is responsible for training school personnel and school volunteers in the administration of an opioid antagonist. *Education Code 38.224(a)*

Training must include information on:

1. Recognizing the signs and symptoms of an opioid-related drug overdose;
2. Responding to an opioid-related drug overdose and administering an opioid antagonist;

3. Implementing emergency procedures, after administering an opioid antagonist;

4. Understanding the medical purpose and misuse of opioids; and

5. Properly disposing of used or expired opioid antagonists.

Training must:

1. Be provided annually in a formal training session or through online education, including practicing the administration of an opioid antagonist with an opioid antagonist trainer device; and

2. Be provided in accordance with the policy adopted under Education Code 21.4515.

Each campus must maintain training records and must make available upon request a list of school personnel and school volunteers who are trained and authorized to administer the unassigned opioid antagonist medication on the campus.

*25 TAC 40.86(b)-(c)*

Gifts, Grants, and Donations

A district may accept gifts, grants, donations, and federal and local funds to implement these provisions. *Education Code 38.226*

Immunity

A person who in good faith takes, or fails to take, any action under Education Code Chapter 38, Subchapter E-1 is immune from civil or criminal liability or disciplinary action resulting from that action or failure to act as described by Education Code 38.227. *Education Code 38.227*

**Maintenance and Administration of Epinephrine Auto-Injectors**

***Note:*** The following provisions apply only to a district that adopts an unassigned epinephrine auto-injector policy.

A district may adopt and implement a policy regarding the maintenance, administration, and disposal of epinephrine auto-injectors at each campus in the district.

If a policy is adopted, the policy:

1. Must provide that school personnel and school volunteers who are authorized and trained may administer an epinephrine auto-injector to a person who is reasonably believed to be experiencing anaphylaxis on a school campus; and

2. May provide that school personnel and school volunteers who are authorized and trained may administer an epinephrine auto-injector to a person who is reasonably believed to be ex-

periencing anaphylaxis at an off-campus school event or while in transit to or from a school event.

A district that adopts a policy must require that each campus have one or more school personnel members or school volunteers authorized and trained to administer an epinephrine auto-injector present during all hours the campus is open. The supply of epinephrine auto-injectors at each campus must be stored in a secure location and be easily accessible to school personnel and school volunteers authorized and trained to administer an epinephrine auto-injector.

*Education Code 38.208*

A district that chooses to adopt and implement a written unassigned epinephrine auto-injector policy under Education Code Chapter 38, Subchapter E is not required to create an additional policy for care of certain students at risk for anaphylaxis under Education Code 38.0151 [see FFAF]. *25 TAC 40.62(c)*

A district may develop, as part of the policy, provisions for additional doses to be stocked and utilized at off-campus school events, or in transit to or from school events. *25 TAC 40.65(a)(2)*

Definitions

*All Hours the Campus Is Open*

“All hours the campus is open” is defined as, at a minimum, during regular on-campus school hours, and when school personnel are physically on site for school-sponsored activities.

*Campus*

A “campus” is defined as a unit of a school district that has an assigned administrator, has enrolled students who are counted for average daily attendance, has assigned instructional staff, provides instructional services to students, has one or more grades in the range from early childhood education through grade 12 or is ungraded, and complies with relevant Texas laws.

*Unassigned Epinephrine Auto-Injector*

An “unassigned epinephrine auto-injector” is an epinephrine auto-injector prescribed by an authorized health-care provider in the name of the school issued with a non-patient-specific standing delegation order for the administration of an epinephrine auto-injector, issued by a physician or person who has been delegated prescriptive authority under Occupations Code Chapter 157.

*25 TAC 40.63(1), (4), (11)*

Prompt Notification

Local emergency medical services must be promptly notified by the school when an individual is suspected of experiencing anaphylaxis and when an epinephrine auto-injector is administered. If the trained school personnel or school volunteer is the only individual available to notify emergency medical services, the trained individ-

ual should administer the unassigned epinephrine auto-injector before notifying emergency medical services.

The parent, legal guardian, or emergency contact must be promptly notified by the school when an unassigned epinephrine auto-injector is utilized on their child as soon as is feasible during the emergency response to suspected anaphylaxis.

*25 TAC 40.65(e)-(f)*

Records

School records of the administration of the unassigned epinephrine auto-injector and suspected anaphylaxis must be provided to the parent or guardian of the recipient upon request.

Records relating to implementation and administration of the school's unassigned epinephrine auto-injector policy shall be retained per the record retention schedule for records of public school districts found in 13 Administrative Code 7.125 [see CPC].

*25 TAC 40.65(f)-(g)*

Reports

Not later than the 10th business day after the date a school personnel member or school volunteer administers an epinephrine auto-injector in accordance with district policy, the school shall send a report to the school district; the physician who prescribed the epinephrine auto-injector; and the commissioner of state health services.

The report must include the following information:

1. The age of the person who received the administration of the epinephrine auto-injector;
2. Whether the person who received the administration of the epinephrine auto-injector was a student, a school personnel member or school volunteer, or a visitor;
3. The physical location where the epinephrine auto-injector was administered;
4. The number of doses of epinephrine auto-injector administered;
5. The title of the person who administered the epinephrine auto-injector; and
6. Any other information required by the commissioner of education.

*Education Code 38.209*

Notifications to the commissioner of DSHS shall be submitted on the designated electronic form available on the DSHS School Health Program website. *25 TAC 40.68(b)*

Assignment of Trained Individuals

At each campus in which a school adopts an unassigned epinephrine auto-injector policy, the principal may assign school personnel or school volunteers to be trained to administer unassigned epinephrine auto-injectors or seek school personnel or school volunteers who volunteer to be trained to administer unassigned epinephrine auto-injectors.

In order to increase the number of trained individuals in the administration of unassigned epinephrine auto-injectors, schools may distribute to school personnel or school volunteers in the district, at least once per school year, a notice that includes a description of the request seeking volunteers to be trained to administer an epinephrine auto-injector to a person believed to be experiencing anaphylaxis and a description of the training that the school personnel or school volunteers will receive in the administration of epinephrine with an auto-injector.

*25 TAC 40.66(a)-(b)*

Signed Statement

Trained school personnel or school volunteers who administer the unassigned epinephrine auto-injector must submit a signed statement indicating that they agree to perform the service of administering an unassigned epinephrine auto-injector to a student or individual that may be experiencing anaphylaxis. *25 TAC 40.66(c)*

Training

A district that adopts an unassigned epinephrine auto-injector written policy is responsible for training school personnel and school volunteers in the administration of an unassigned epinephrine auto-injector.

Training must include information on:

1. Recognizing the signs and symptoms of anaphylaxis;
2. Administering an epinephrine auto-injector;
3. Implementing emergency procedures, if necessary, after administering an epinephrine auto-injector; and
4. Properly disposing of used or expired epinephrine auto-injectors.

Training must be provided in accordance with the district professional development policy [see DMA].

*Education Code 38.210(a), (b)*

Each assigned school personnel or school volunteer shall receive initial training and an annual refresher training.

Training:

1. Shall be consistent with the most recent Voluntary Guidelines for Managing Food Allergies in Schools and Early Care and Education Programs published by the federal Centers for Disease Control and Prevention;
2. May be provided in a formal face-to-face training session or through an online education course;
3. Must include information on properly inspecting unassigned epinephrine auto-injectors for usage and expiration; and
4. Must include information about promptly notifying local emergency medical services.

*25 TAC 40.67(1)-(2), (5)*

The initial training must include hands-on training with an epinephrine auto-injector trainer. The annual refresher training must include a hands-on demonstration of administration skills.

Each school campus shall maintain training records and make available upon request a list of those school personnel or school volunteers trained and authorized to administer the unassigned epinephrine auto-injector on the campus.

*25 TAC 40.67(3)-(4), (6)*

Standing Orders

A physician or person who has been delegated prescriptive authority under Occupations Code Chapter 157 may prescribe epinephrine auto-injectors in the name of a district in accordance with law. *Education Code 38.211(a)*

A district shall obtain a prescription from an authorized health-care provider each year, to stock, possess, and maintain at least one unassigned adult epinephrine auto-injector pack (two doses) on each school campus.

A school may choose to stock unassigned pediatric epinephrine auto-injector packs, based on the need of the school's population.

*25 TAC 40.65(a)-(a)(1)*

Epinephrine Coordinator

The superintendent will designate appropriate school personnel to coordinate and manage policy implementation, including training of school personnel, and the acquisition or purchase, usage, expiration, and disposal of unassigned epinephrine auto-injectors. Throughout the school calendar year, the designated school per-

| | |
|---|---|
| | sonnel must coordinate with each campus to ensure that the unassigned epinephrine auto-injectors are checked monthly for expiration and usage and the findings are documented. *25 TAC 40.65(b)* |
| Notice to Parents | If a district implements a policy for the maintenance, administration, and disposal of epinephrine auto-injectors, the district shall provide written notice of the policy to a parent or guardian of each student enrolled in the district. Notice must be provided before the policy is implemented by the district and before the start of each school year. *Education Code 38.212*<br><br>A district shall provide electronic or written notice to the parent or guardian of each student.<br><br>If a district changes or discontinues the policy under this subchapter, written or electronic notice detailing the change or discontinuation must be provided to the parent or guardian of each student within 15 calendar days.<br><br>*25 TAC 40.69* |
| Storage | Unassigned epinephrine auto-injectors shall be stored in a secure, easily accessible area for an emergency, in accordance with manufacturer's guidelines. It is recommended that the school administrator develop a map to be placed in high traffic areas that indicates the location of the unassigned epinephrine auto-injectors on each school campus. It is recommended that the map also indicates the locations of the automated external defibrillator (AED). *25 TAC 40.65(h)* |
| Replacement | The district shall develop a plan to replace, as soon as reasonably possible, any unassigned epinephrine auto-injector that is used or close to expiration. *25 TAC 40.65(i)* |
| Disposal | Used unassigned epinephrine auto-injectors shall be considered infectious waste and shall be disposed of according to the school's bloodborne pathogen control policy.<br><br>Expired unassigned epinephrine auto-injectors shall be disposed of according to the school's medication disposal policy.<br><br>*25 TAC 40.65(j)-(k)* [See DBB] |
| Gifts, Grants, and Donations | A district may accept gifts, grants, donations, and federal and local funds to implement its policy. *Education Code 38.213* |

**Maintenance and Administration of Medication for Respiratory Distress**

***Note:*** The following provisions apply only to a district that adopts a policy on medication for respiratory distress.

A district may adopt and implement a policy regarding the maintenance, administration, and disposal of unassigned medication for respiratory distress at each campus in the district. *Education Code 38.208(a-1); 25 TAC 40.44(a)*

If a policy is adopted, the policy must provide that school personnel and school volunteers who are authorized and trained may administer medication for respiratory distress to a person reasonably believed to be experiencing respiratory distress on a school campus, or at a school-sponsored or school-related activity on or off school property. *Education Code 38.208(b-1); 25 TAC 40.44(a)(1)(C)*

In developing the policy, a district may consider performing a review to include:

1. Consultation with school nurses, the local school health advisory committee, local health-care providers, or any department or organization involved with student well-being;
2. Campus geography; and
3. Student population size.

*19 TAC 40.44(b)*

An adopted unassigned medication for respiratory distress policy must be publicly available. *25 TAC 40.44(d)*

Definitions

“School personnel” means an employee of a district. The term includes a member of the board.

“School volunteer” means a person providing services for or on behalf of a district, on the premises of the district or at a school-sponsored or school-related activity on or off school property, who does not receive compensation in excess of reimbursement for expenses.

“Unassigned medication for respiratory distress” means albuterol, levalbuterol, or another medication based on the best available medical evidence for the treatment of respiratory distress that is:

1. Delivered by metered-dose inhaler (MDI) with a spacer (valved holding chamber) or by a nebulizer as a rescue medication;
2. Prescribed by an authorized health-care provider in the name of the district;

3. Issued with a non-patient-specific standing delegation order for the administration of a medication for respiratory distress; and

4. Issued by an authorized health-care provider.

*Education Code 38.201(3-a), (6), 22.053(b); 25 TAC 40.42(8), (10), (12)*

Each Campus During Regular School Hours

Each district that adopts a policy must require that each campus have one or more school personnel or school volunteers authorized and trained to administer unassigned medication for respiratory distress present during regular school hours, which means at least 30 minutes before the first bell to 30 minutes after the last bell of the school day. *Education Code 38.208(d-1); 25 TAC 40.42(5), 40.44(a)(1)(C)*

A “campus” is defined as a geographic unit of a district that:

1. Has an assigned administrator;

2. Has enrolled students who are counted for average daily attendance;

3. Has assigned instructional staff;

4. Provides instructional services to students;

5. Has one or more grades in the range from early childhood education through grade 12 or is ungraded; and

6. Is subject to Texas laws.

*25 TAC 40.42(2)*

Medication Inventory

Subject to the availability of funding, a district that adopts a policy must allow for treatment of multiple students and secure or obtain at least:

1. One MDI with appropriate spacers (valved holding chambers) to accommodate the developmental needs of the student population; or

2. At least five vials of nebulizer solution with appropriate nebulizer-required equipment to accommodate the developmental needs of the student population.

*25 TAC 40.44(a)(2)*

In addition to the minimum number of doses described above, the number of additional doses may be determined by an individual campus review led by an authorized health-care provider. *25 TAC 40.45(b)(2)*

Designated Campus Administrator

A district that adopts a policy must include in the policy the designated campus administrator to coordinate and manage policy implementation for each campus, which includes:

1. Conducting a review at the campus to determine the need for additional doses;
2. Training school personnel and school volunteers;
3. Acquiring or purchasing, maintaining, storing, and using unassigned medication for respiratory distress, subject to available campus funding; and
4. Disposing of expired unassigned medication for respiratory distress.

*25 TAC 40.44(c)(1)*

Notification Procedures

Each district that adopts a policy must include in the policy the procedures for notifying a parent, prescribing authorized health-care provider, and the student's primary health-care provider when unassigned medication for respiratory distress is administered. *25 TAC 40.44(c)(4)*

Referral Required

If unassigned medication for respiratory distress is administered to a student whose parent or guardian has not provided notification to the school that the student has been diagnosed with asthma, the school must refer the student to the student’s primary care provider on the day the medication for respiratory distress is administered and inform the student’s parent or guardian regarding the referral. The referral must include:

1. The symptoms of respiratory distress observed;
2. The name and dosage of the unassigned medication for respiratory distress administered to the student;
3. Any patient care instructions given to the student; and
4. Information about the purpose and use of an asthma action plan and medical authorization for schools, including a blank copy of the plan and authorization the provider completes and returns to the school.

If a student who has received medication for respiratory distress does not have a primary care provider or the parent or guardian of the student has not engaged a primary care provider for the student, the student’s parent or guardian must receive information to assist the parent or guardian in selecting a primary care provider for the student.

*Education Code 38.208(b-2)-(b-3); 25 TAC 40.44(c)(6)-(7)*

Storage

The supply of medication for respiratory distress at each campus must be stored in accordance with the manufacturer's guidelines and local policy of the district in a secure location and be easily accessible to authorized school personnel and school volunteers. *Education Code 38.208(e-1); 25 TAC 40.45(d)*

The location of the unassigned medication for respiratory distress must be specified in the policy. *25 TAC 40.44(c)(3)*

Disposal

The policy must include a plan to check inventory of unassigned medication for respiratory distress for expiration at least twice during the school year, to replace, as soon as reasonably possible, and to document the findings. *25 TAC 40.44(c)(5)*

Expired unassigned medication for respiratory distress and other used or expired supplies must be disposed of in accordance with the manufacturer's guidelines and local policy of the district. *25 TAC 40.45(e)*

Records Retention

Records relating to implementing and administering the district’s unassigned medication for respiratory distress policy must be retained per the campus record retention schedule. *25 TAC 40.47(a)*

Training

Each district that adopts a policy for the administration of medication for respiratory distress is responsible for training school personnel and school volunteers in the administration of medication for respiratory distress. Each authorized school personnel or school volunteer must receive initial training and an annual refresher training. The training must:

1. Include information on recognizing the signs and symptoms of respiratory distress;
2. Include information on administering medication for respiratory distress;
3. Include information on implementing emergency procedures, if necessary, after administering medication for respiratory distress;
4. Include information on proper sanitization, reuse, and disposal of medication for respiratory distress;
5. Cover the authorized health-care provider's standing order;
6. Include processes to follow-up with the prescribing authorized health-care provider and the student's primary health-care provider;
7. Provide information on the report required after administering unassigned medication [see below];

8. Include information on the district's adopted unassigned medication for respiratory distress policy;

9. Incorporate hands-on training with unassigned medication for respiratory distress; and

10. Inform school personnel or school volunteers of the purpose and use of asthma action plans.

*Education Code 38.210(a-1); 25 TAC 40.46(a)*

Training must be provided in a formal training session or through online education and must be provided in accordance with the district professional development policy [see DMA]. *Education Code 38.210(b)*

The policy must include a list of trained and authorized school personnel and school volunteers available to administer unassigned medication for respiratory distress. *25 TAC 40.44(c)(2)*

Each campus must maintain training records and must make available upon request a list of school personnel and school volunteers trained and authorized to administer unassigned medication for respiratory distress at the campus or at a school-sponsored event. *25 TAC 40.46(b)*

Reporting Requirement

Not later than the 10th business day after the date a school personnel member or school volunteer administers medication for respiratory distress to a person experiencing respiratory distress, the school shall report the following information to the district, the physician or other person who prescribed the medication for respiratory distress, and the commissioner of state health services:

1. The age of the person who received the administration of the medication for respiratory distress;

2. Whether the person who received the administration of the medication for respiratory distress was a student, a school personnel member or school volunteer, or a visitor;

3. The dosage of the medication for respiratory distress administered;

4. The title of the person who administered the medication for respiratory distress; and

5. Any other information required by the commissioner.

Notifications to the commissioner of state health services must be submitted on the designated electronic form available on the DSHS School Health Program website found at dshs.texas.gov.

*Education Code 38.2091; 25 TAC 40.47*

No Negative Fiscal Impact

The policy may not require a district to purchase prescription medication for respiratory distress or require any other expenditure related to the maintenance or administration of medication for respiratory distress that would result in a negative fiscal impact on the district or school. *Education Code 38.208(f)*

Standing Order

A physician or person who has been delegated prescriptive authority under Occupations Code Chapter 157 may prescribe medication for respiratory distress in the name of a school district. *Education Code 38.211(a)*

Each district campus in a district that adopts a policy for the administration of medication for respiratory distress must obtain a prescription from an authorized health-care provider to stock, possess, and maintain unassigned medication for respiratory distress at each campus and any equipment necessary to administer the medication. The campus must renew this prescription or obtain a new prescription annually. *25 TAC 40.45(b)*

Notice to Parents

If a district implements a policy for the maintenance, administration, and disposal of medication for respiratory distress, the district shall provide written or electronic notice of the policy to a parent or guardian of each student enrolled in the district. Notice must be provided before the policy is implemented by the district and before the start of each school year. *Education Code 38.212; 25 TAC 40.48(a)*

If a district changes or discontinues the unassigned medication for respiratory distress policy, the campus must provide written or electronic notice detailing the change or discontinuation of the policy to a parent or guardian of each student within 15 calendar days after the change or discontinuation. *25 TAC 40.48(b)*

**Refusal to Administer**

A school personnel member or school volunteer may not be subject to any penalty or disciplinary action for refusing to administer or receive training to administer epinephrine auto-injectors or medication for respiratory distress, as applicable, in accordance with a policy for the maintenance and administration of epinephrine autoinjectors or a policy for medication for respiratory distress. *Education Code 38.208(d-2)*

**Immunity from Liability**

A person who in good faith takes, or fails to take, any action related to Education Code Chapter 38, Subchapter E, related to the maintenance and administration of epinephrine auto-injectors and medi-

cation for respiratory distress, is immune from civil or criminal liability or disciplinary action resulting from that action or failure to act as described by Education Code 38.215 and 25 Administrative Code 40.49. *Education Code 38.215; 25 TAC 40.71*

**Threat Assessment**

Definitions

"Harmful, threatening, or violent behavior" includes behaviors, such as verbal threats, threats of self harm, bullying, cyberbullying, fighting, the use or possession of a weapon, sexual assault, sexual harassment, dating violence, stalking, or assault, by a student that could result in:

1. Specific interventions, including mental health or behavioral supports;
2. In-school suspension;
3. Out-of-school suspension; or
4. The student's expulsion or removal to a disciplinary alternative education program (DAEP) or a juvenile justice alternative education program (JJAEP).

"Team" means a threat assessment and safe and supportive school team established by the board under Education Code 37.115.

*Education Code 37.115(a)*

Threat Assessment and Safe and Supportive Schools Team

The board shall establish a threat assessment and safe and supportive school team to serve at each campus of the district and shall adopt policies and procedures for the teams.

The team is responsible for developing and implementing the safe and supportive school program in compliance with Texas Education Agency (TEA) rules at the district campus served by the team.

The policies and procedures adopted under Education Code 37.115 must:

1. Be consistent with the model policies and procedures developed by the Texas School Safety Center (TxSSC) [see Education Code 37.220];
2. Require each team to complete training provided by the TxSSC or a regional education service center (ESC) regarding evidence-based threat assessment programs;
3. Require each team established under this section to report the required information regarding the team's activities to TEA [see Reporting to TEA, below];
4. Require each district campus to establish a clear procedure for a student to report concerning behavior exhibited by another student for assessment by the team or other appropriate school employee; and

5. Provide for:

    a. A district employee who reports a potential threat to a team to elect for the employee's identity to be confidential and not subject to disclosure Government Code Chapter 552 (Public Information Act), except as necessary for the team, the district, or law enforcement to investigate the potential threat; and

    b. The district to maintain a record of the identity of a district employee who elects for the employee's identity to be confidential.

Membership

The superintendent shall ensure, to the greatest extent practicable, that the members appointed to each team have expertise in counseling, behavior management, mental health and substance use, classroom instruction, special education, school administration, school safety and security, emergency management, and law enforcement. A team may serve more than one campus of a district, provided that each district campus is assigned a team.

Oversight Committee

The superintendent may establish a committee, or assign to an existing committee established by the district, the duty to oversee the operations of teams established for the district. A committee with oversight responsibility must include members with expertise in human resources, education, special education, counseling, behavior management, school administration, mental health and substance use, school safety and security, emergency management, and law enforcement.

Team Duties

Each team shall:

1. Conduct a threat assessment that includes assessing and reporting individuals who make threats of violence or exhibit harmful, threatening, or violent behavior in accordance with district policies and procedures; and gathering and analyzing data to determine the level of risk and appropriate intervention, including:

    a. Referring a student for mental health assessment; and

    b. Implementing an escalation procedure, if appropriate, based on the team's assessment, in accordance with district policy;

2. Provide guidance to students and school employees on recognizing harmful, threatening, or violent behavior that may pose a threat to the community, school, or individual; and

3. Support the district in implementing the district's multihazard emergency operations plan [see CKC].

Use of Sentinel Assessment Instrument, Manual, and Field Guide

Effective August 1, 2025, when conducting a threat assessment, members of a threat assessment team shall utilize the threat assessment instrument, manual, and field guide in Sentinel [see CKA], which are consistent with the model policies published by the TxSSC. *19 TAC 103.1213(e)(1)(A)*

Parental Participation

Before a team may conduct a threat assessment of a student, the team must notify the parent of or person standing in parental relation to the student regarding the assessment. In conducting the assessment, the team shall provide an opportunity for the parent or person to participate in the assessment, either in person or remotely, and to submit to the team information regarding the student.

After completing a threat assessment of a student, the team shall provide to the parent of or person standing in parental relation to the student the team's findings and conclusions regarding the student.

*Consent for Mental Health-Care Service*

A team may not provide a mental health-care service to a student who is under 18 years of age unless the team obtains written consent from the parent of or the person standing in parental relation to the student before providing the mental health-care service. The consent must be submitted on a form developed by the district that complies with all applicable state and federal law. The student's parent or person standing in parental relation to the student may give consent for a student to receive ongoing services or may limit consent to one or more services provided on a single occasion.

*Education Code 37.115(c)-(g)*

Determination of Risk

On determination that a student or other individual poses a serious risk of violence to self or others, a team shall immediately report the team's determination to the superintendent. If the individual is a student, the superintendent shall immediately attempt to inform the parent or person standing in parental relation to the student. These requirements do not prevent an employee of the school from acting immediately to prevent an imminent threat or respond to an emergency.

A team identifying a student at risk of suicide shall act in accordance with the district's suicide prevention program. If the student at risk of suicide also makes a threat of violence to others, the team shall conduct a threat assessment in addition to actions taken in accordance with the district's suicide prevention program.

A team identifying a student using or possessing tobacco, drugs, or alcohol shall act in accordance with district policies and procedures related to substance use prevention and intervention.

*Education Code 37.115(h)-(j)*

Recordkeeping

Materials and information provided to or produced by a team during a threat assessment of a student under this provision must be maintained in the student's school record until the student's 24th birthday. *Education Code 37.115(j-1)*

[For information regarding the transfer of threat assessment records between school districts, see FD and FDA.]

Reporting to TEA

A team must report to TEA in accordance with TEA-developed guidelines the following information regarding the team's activities and other information for each campus the team serves:

1. The occupation of each person appointed to the team;
2. The number of threats and description of the type of threats reported to the team;
3. The outcome of each assessment made by the team, including:
    a. Any disciplinary action taken, including a change in school placement;
    b. Any action taken by law enforcement; or
    c. A referral to or change in counseling, mental health, special education, or other services;
4. The total number, disaggregated by student gender, race, and status as receiving special education services, being at risk of dropping out of school, being in foster care, experiencing homelessness, being a dependent of military personnel, being pregnant or a parent, having limited English proficiency, or being a migratory child, of, in connection with an assessment or reported threat by the team:
    a. Citations issued for Class C misdemeanor offenses;
    b. Arrests;
    c. Incidents of uses of restraint;
    d. Changes in school placement, including placement in a JJAEP or DAEP;
    e. Referrals to or changes in counseling, mental health, special education, or other services;

f. Placements in in-school suspension or out-of-school suspension and incidents of expulsion;

g. Unexcused absences of 15 or more days during the school year; and

h. Referrals to juvenile court for truancy; and

5. The number and percentage of school personnel trained in:

a. A best-practices program or research-based practice under Education Code 38.351 [see FFEB], including the number and percentage of school personnel trained in suicide prevention or grief and trauma-informed practices;

b. Mental health or psychological first aid for schools;

c. Training relating to the safe and supportive school program; or

d. Any other program relating to safety identified by the commissioner.

*Education Code 37.115(k)*

**Table of Contents**

**Removal Under Student Code of Conduct....3**
**Mandatory Placement in DAEP....3**
School-Related Misconduct....3
Retaliation....4
Conduct Unrelated to School....4
Sexual Assault of Another Student....7
**Permissive Removal....7**
Non-Title 5 Felony....7
Bullying....8
One Year After Conduct....8
Certain Organization and Gang Membership and Solicitation....8
**Older Students....8**
**Placement of Younger Students....9**
Students Younger Than Six....9
**Process for Removal....9**
Conference....9
Mitigating Factors....9
Order....9
Appeal....9
**Right to Request a Special Education Evaluation....9**
**Term of Removal....10**
Beyond Grading Period or 60 Days....10
Beyond End of School Year....10
Order of Removal....10
**DAEP at Capacity....11**
Placement of Student Who Engaged in Violent Conduct....11
Determination of Violent Conduct....11
**Completion of Proceedings Upon Withdrawal....13**
**Enrollment in Another District....14**
Out-of-State Placement....14
**Court-Ordered Placement....15**
School Activities....15
Placement After Court Disposition....15
**Not Guilty/ Insufficient Evidence/Charges Dropped....15**

Appeal After Placement Upheld....16
**120-Day Review of Status....16**
**Additional Proceedings....17**
**Reporting....17**

**Removal Under Student Code of Conduct**

The Student Code of Conduct must specify conditions that authorize or require a principal or other appropriate administrator to transfer a student to a disciplinary alternative education program (DAEP). *Education Code 37.001(a)(2)*

**Mandatory Placement in DAEP**

A student shall be removed from class and placed in a DAEP if the student engages in conduct described in Education Code 37.006 that requires placement, subject to the requirements of Education Code 37.009(a) [see Process for Removal and Mitigating Factors, below]. *Education Code 37.006*

[For additional factors that must be considered in each decision concerning suspension, removal to a DAEP, expulsion, or placement in a juvenile justice alternative education program (JJAEP), see FO and the Student Code of Conduct.]

School-Related Misconduct

A student shall be removed from class and placed in a DAEP if the student engages in conduct involving a public school that contains the elements of the offense of false alarm or report under Penal Code 42.06, or terroristic threat under Penal Code 22.07.

A student shall also be removed from class and placed in a DAEP if the student commits the following 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:

1. Engages in conduct punishable as a felony.
2. Engages in conduct that contains the elements of assault, under Penal Code 22.01(a)(1).
3. Sells, gives, or delivers to another person or possesses, uses, or is under the influence of:
    a. A controlled substance, as defined by the Texas Controlled Substances Act, Health and Safety Code Chapter 481, or by 21 U.S.C. 801, et seq., excluding marijuana, as defined by Health and Safety Code 481.002, or tetrahydrocannabinol, as defined by Department of Public Safety rule;
    b. A dangerous drug, as defined by the Texas Dangerous Drug Act, Health and Safety Code Chapter 483.
4. Possesses, uses, or is under the influence of, or sells, gives, or delivers to another person marijuana or tetrahydrocannabinol, as defined above;

5. Possesses, uses, sells, gives, or delivers to another person an e-cigarette, as defined by Health and Safety Code 161.081 [see FNCD];

6. Sells, gives, or delivers to another person an alcoholic beverage, as defined by Alcoholic Beverage Code 1.04, or commits a serious act or offense while under the influence of alcohol, or possesses, uses, or is under the influence of an alcoholic beverage.

7. Engages in conduct that contains the elements of an offense relating to an abusable volatile chemical under Health and Safety Code 485.031 through 485.034.

8. Engages in conduct that contains the elements of the offense of public lewdness under Penal Code 21.07.

9. Engages in conduct that contains the elements of the offense of indecent exposure under Penal Code 21.08.

10. Engages in conduct that contains the elements of the offense of harassment under Penal Code 42.07(a)(1), (2), (3), or (7) against an employee of the district.

*Education Code 37.006(a)*

*Exception* Removal to a DAEP for school-related misconduct is not required if the student is expelled for the same conduct. *Education Code 37.006(m)*

Retaliation Except where a student engages in retaliatory acts against a district employee for which expulsion is mandatory [see FOD], a student shall be removed from class and placed in a DAEP if the student engages in conduct on or off school property containing the elements of retaliation under Penal Code 36.06, against any school employee. *Education Code 37.006(b)*

Conduct Unrelated to School In addition to the circumstances listed above, a student shall be removed from class and placed in a DAEP based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity if:

1. The student receives deferred prosecution under Family Code 53.03 for conduct defined as a felony offense in Penal Code Title 5 or the felony offense of aggravated robbery under Penal Code 29.03;

2. A court or jury finds that the student has engaged in delinquent conduct under Family Code 54.03 for conduct defined as a felony offense in Penal Code Title 5 or the felony offense of aggravated robbery under Penal Code 29.03; or

3. The superintendent or designee has a reasonable belief that the student has engaged in conduct defined as a felony offense in Penal Code Title 5 or the felony offense of aggravated robbery under Penal Code 29.03.

*Education Code 37.006(c)*

*Reasonable Belief*

In determining whether there is a reasonable belief that a student has engaged in conduct defined as a felony offense, a superintendent or a superintendent's designee may consider all available information and must consider the information furnished under Code of Criminal Procedure Article 15.27 other than information requested under Code of Criminal Procedure Article 15.27(k-1). *Education Code 37.006(e); Code of Criminal Procedure 15.27(a)* [See GRAA]

*Title 5 Felonies*

The following are felony offenses listed in Penal Code, Title 5, Offenses Against the Person.

1. Murder. *Penal Code 19.02*
2. Capital Murder. *Penal Code 19.03*
3. Manslaughter. *Penal Code 19.04*
4. Criminally Negligent Homicide. *Penal Code 19.05*
5. Unlawful Restraint, if:
    a. The person restrained was younger than 17 years of age; or
    b. The actor recklessly exposes the victim to a substantial risk of serious bodily injury; restrains an individual the actor knows is a public servant while the public servant is lawfully discharging an official duty or in retaliation or on account of an exercise of official power or performance of an official duty; or while in custody restrains any other person. *Penal Code 20.02*
6. Kidnapping. *Penal Code 20.03*
7. Aggravated Kidnapping. *Penal Code 20.04*
8. Smuggling of Persons. *Penal Code 20.05*
9. Continuous Smuggling of Persons. *Penal Code 20.06*
10. Trafficking of Persons. *Penal Code 20A.02*
11. Continuous Trafficking of Persons. *Penal Code 20A.03*

12. Continuous Sexual Abuse of Young Child or Disabled Individual. *Penal Code 21.02*
13. Bestiality. *Penal Code 21.09*
14. Indecency with a Child. *Penal Code 21.11*
15. Improper Relationship between Educator and Student. *Penal Code 21.12*
16. Invasive Visual Recording. *Penal Code 21.15*
17. Unlawful Disclosure or Promotion of Intimate Visual Material. *Penal Code 21.16*
18. Voyeurism, if the victim was younger than 14 years of age at the time of the offense. *Penal Code 21.17*
19. Sexual Coercion. *Penal Code 21.18*
20. Assault, if the offense is punishable as a felony. *Penal Code 22.01*
21. Sexual Assault. *Penal Code 22.011*
22. Aggravated Assault. *Penal Code 22.02*
23. Aggravated Sexual Assault. *Penal Code 22.021*
24. Injury to a Child, Elderly Individual, or Disabled Individual. *Penal Code 22.04*
25. Abandoning or Endangering a Child, Elderly Individual, or Disabled Individual. *Penal Code 22.041*
26. Deadly Conduct, if the person knowingly discharges a firearm at or in the direction of one or more individuals, or at or in the direction of a habitation, building, or vehicle and is reckless as to whether the habitation, building, or vehicle is occupied. *Penal Code 22.05*
27. Terroristic Threat, if the actor threatens to commit any offense involving violence to any person or property with intent to:
    a. Place any person in fear of imminent serious bodily injury if the actor knows the person is a peace officer or judge;
    b. Prevent or interrupt the occupation or use of a building, room, place of assembly, place to which the public has access, place of employment or occupation, aircraft, automobile, or other form of conveyance, or other public

place if the prevention or interruption causes pecuniary loss of $1,500 or more to the owner;

c. Cause impairment or interruption of public communications, public transportation, public water, gas, or power supply or other public service;

d. Place the public or a substantial group of the public in fear of serious bodily injury; or

e. Influence the conduct or activities of a branch or agency of the federal government, the state, or a political subdivision. *Penal Code 22.07*

28. Aiding Suicide, if the conduct causes suicide or attempted suicide that results in serious bodily injury. *Penal Code 22.08*

29. Tampering with Consumer Product. *Penal Code 22.09*

30. Harassment by Persons in Certain Facilities or of Public Servant. *Penal Code 22.11*

Sexual Assault of Another Student

A student shall be removed from class and placed in a DAEP or juvenile justice alternative education program (JJAEP) if:

1. The student was convicted of, received adjudication for, or was placed on probation for sexual assault of another student who was a young child or disabled individual while the students were assigned to the same campus, regardless of whether the assault occurred on or off school property;

2. The parent of the victim of the assault has requested that the student be transferred to a campus other than that to which the victim is assigned; and

3. There is only one campus in a district serving the grade level in which the student is enrolled.

*Education Code 25.0341, 37.0051(a)* [See FDE at Sexual Assault Transfer—Transfer of Assailant]

A limitation imposed by Education Code Chapter 37 on the length of placement in a DAEP or a JJAEP does not apply to a placement under this provision. *Education Code 37.0051(b)*

**Permissive Removal**

Non-Title 5 Felony

A student may be removed from class and placed in a DAEP based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity if:

1. The superintendent or designee has a reasonable belief [see Reasonable Belief, above] that the student has engaged in

conduct defined as a felony offense other than aggravated robbery under Penal Code 29.03, or those offenses listed in Penal Code Title 5 [see above at Title 5 Felonies]; and

2. The continued presence of the student in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process.

*Education Code 37.006(d)-(e)*

Bullying

A student may be removed from class and placed in a DAEP if the student:

1. Engages in bullying that encourages a student to commit or attempt to commit suicide;

2. Incites violence against a student through group bullying; or

3. Releases or threatens to release intimate visual material of a minor or student who is 18 years of age or older without the student's consent.

Nothing in this provision exempts a school from reporting a finding of intimate visual material of a minor.

*Definitions*

Bullying

"Bullying" has the meaning assigned by Education Code 37.0832. [See FFI]

Intimate Visual Material

"Intimate visual material" has the meaning assigned by Civil Practice and Remedies Code 98B.001.

*Education Code 37.0052*

One Year After Conduct

A principal or other appropriate administrator may, but is not required to, remove a student to a DAEP for off-campus conduct, for which removal would otherwise be required, if the principal or other appropriate administrator did not have knowledge of the conduct before the first anniversary of the date the conduct occurred. *Education Code 37.006(n)*

Certain Organization and Gang Membership and Solicitation

A board or an educator shall recommend placing in DAEP any student who commits the misdemeanor offenses described in Education Code 37.121(a) and (c), regarding membership in or solicitation to join a public school fraternity, sorority, secret society, or gang [see FNCC]. *Education Code 37.121(b)*

**Older Students**

A person who is 21 years of age or older and is admitted by a district for the purpose of completing the requirements for a diploma is not eligible for placement in a DAEP if the person engages in conduct that would require or authorize such placement for a student under the age of 21. If the student engages in such conduct, the

district shall revoke the student's admission. *Education Code 25.001(b-1)*

**Placement of Younger Students**

A student who is younger than 10 shall be removed from class and placed in a DAEP if the student engages in conduct for which expulsion would be required by Section 37.007. *Education Code 37.006(f), .007(e)* [See FOD]

Students Younger Than Six

Notwithstanding any other provision of the Education Code, a student who is younger than six years of age may not be removed from class and placed in a DAEP, except that a student younger than six years of age who has been expelled pursuant to the Gun Free Schools Act [see FOD] shall be provided educational services in a DAEP. *Education Code 37.006(l), .007(e)(2)*

**Process for Removal**

Conference

Not later than the third class day after a student is removed by a teacher or by the school principal or other appropriate administrator, the campus behavior coordinator (CBC) or other appropriate administrator shall schedule a conference among the CBC or other appropriate administrator, the student's parent or guardian, the teacher removing the student from class, if any, and the student. At the conference, the student is entitled to written or oral notice of the reasons for the removal, an explanation of the basis for the removal, and an opportunity to respond to the reasons for the removal. The student may not be returned to the regular class pending the conference.

Mitigating Factors

Before ordering removal, the CBC must consider whether the student acted in self-defense, the intent or lack of intent at the time the student engaged in the conduct, the student's disciplinary history, and whether the student has a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct, regardless of whether the decision of the behavior coordinator concerns a mandatory or discretionary action.

Order

Following the conference, and whether or not each requested person is in attendance after valid attempts to require the person's attendance, the CBC, after considering any mitigating factors under Education Code 37.001(a)(4) [see FO], shall order the placement of the student for a period consistent with the Student Code of Conduct.

Appeal

If district policy allows a student to appeal to the board or the board's designee a decision of the CBC or other appropriate administrator, the decision of the board or the board's designee is final and may not be appealed.

*Education Code 37.009(a)* [See Student Code of Conduct]

**Right to Request a Special Education Evaluation**

On the placement of a student in a DAEP, the district shall provide information to the student's parent or person standing in parental relation to the student regarding the process for requesting a full individual and initial evaluation of the student under Education Code 29.004 [see EHBAA]. *Education Code 37.006(p)*

**Term of Removal**

The period of the placement after removal may not exceed one year unless, after a review, a district determines that the student is a threat to the safety of other students or to district employees. *Education Code 37.009(a)*

A board or designee shall set a term for a student's placement in a DAEP. If the period of placement is inconsistent with the guidelines in the Student Code of Conduct, the order must give notice of the inconsistency. The period of placement in a DAEP may not exceed one year unless, after a review, a district determines that the student is a threat to the safety of other students or to district employees or extended placement is in the best interest of the student. *Education Code 37.009(d)*

Beyond Grading Period or 60 Days

If placement in a DAEP is to extend beyond 60 days or the end of the next grading period, whichever is earlier, the student's parent or guardian is entitled to notice of and an opportunity to participate in a proceeding before a board or designee.

*No Appeal*

Any decision of a board or designee concerning placement beyond 60 days or the end of the next grading period is final and cannot be appealed.

*Education Code 37.009(b)*

Beyond End of School Year

Before a student may be placed in a DAEP for a period that extends beyond the end of the school year, a board or designee must determine that:

1. The student's presence in the regular classroom program or at the student's regular campus presents a danger of physical harm to the student or another individual; or
2. The student has engaged in serious or persistent misbehavior that violates the Student Code of Conduct.

*Education Code 37.009(c)*

Order of Removal

A board or designee shall deliver to the student and the student's parent or guardian a copy of the order placing the student in a DAEP. *Education Code 37.009(g)*

Not later than the second business day after the date of the removal conference, a board or designee shall deliver a copy of the order placing the student in a DAEP and any information required

under Family Code 52.04 to the authorized officer of the juvenile court in the county in which the juvenile resides. *Education Code 37.010(a)*

*Activities*

The terms of a placement under Education Code 37.006 must prohibit the student from attending or participating in school-sponsored or school-related activities. *Education Code 37.006(g)*

In addition to any notice required under Code of Criminal Procedure 15.27 [see GRAA], a principal or designee shall inform each educator who has responsibility for, or is under the direction and supervision of an educator who has responsibility for, the instruction of a student who has engaged in conduct for which DAEP placement must or may be ordered.

Each educator shall keep the information confidential from any person not entitled to the information, except that the educator may share the information with the student's parent or guardian as provided by state or federal law. An educator's certificate may be suspended or revoked for intentional failure to keep such information confidential.

*Education Code 37.006(o)*

**DAEP at Capacity**

If a DAEP is at capacity at the time a CBC is deciding placement for a student who engaged in conduct described under Education Code 37.006(a)(2)(C-1) (possession or use of marijuana), (C-2) (possession, use, delivery of an e-cigarette), (D) (delivery of alcohol), or (E) (abuse of volatile chemical), the student shall be placed in in-school suspension; and if a position becomes available in the program before the expiration of the period of the placement, transferred to the program for the remainder of the period.

Placement of Student Who Engaged in Violent Conduct

If a DAEP is at capacity at the time a CBC is deciding placement for a student who engaged in conduct described under Education Code 37.007 that constitutes violent conduct [see below at Determination of Violent Conduct], a student who has been placed in the program for conduct described under Education Code 37.006(a)(2)(C-1), (C-2), (D), or (E) (above) may be removed from the program and placed in in-school suspension to make a position in the program available for the student who engaged in violent conduct. If removed from the program and a position in the program becomes available before the expiration of the period of the placement, the student shall be returned to the program for the remainder of the period.

Determination of Violent Conduct

Violent conduct means an act by a student against another person that is intended to result in physical harm, bodily injury, or assault or a threat that reasonably places the other person in fear of immi-

nent physical harm, bodily injury, or assault. A CBC may determine whether a specific instance of conduct listed below rises to the level of violent conduct for purposes of determining placement in a DAEP.

1. The student engages in conduct involving a public school that contains the elements of the offense of false alarm or report under Penal Code 42.06, or terroristic threat under Penal Code 22.07.

2. While on or within 300 feet of 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 the offense of assault under Penal Code 22.01(a)(1), including when committed as an act of retaliation against an employee or volunteer, as described in Education Code 37.007(d).

3. While on or within 300 feet of 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 the offense of deadly conduct under Penal Code 22.05.

4. While within 300 feet of school property, or when committed as an act of retaliation against an employee or volunteer, whether the conduct occurs on or off school property or while attending a school-sponsored or school-related activity on or off school property, the student engages in:

    a. Conduct that contains the elements of the offense of unlawful carrying of weapons under Penal Code 46.02;

    b. An offense relating to prohibited weapons under Penal Code 46.05;

    c. Aggravated assault under Penal Code 22.02;

    d. Sexual assault under Penal Code 22.011;

    e. Aggravated sexual assault under Penal Code 22.021;

    f. Arson under Penal Code 28.02;

    g. Murder under Penal Code 19.02;

    h. Capital murder under Penal Code 19.03;

    i. Criminal attempt to commit murder or capital murder under Penal Code 15.01;

    j. Indecency with a child under Penal Code 21.11;

k. Aggravated kidnapping under Penal Code 20.04;

l. Aggravated robbery under Penal Code 29.03;

m. Manslaughter under Penal Code 19.04;

n. Criminally negligent homicide under Penal Code 19.05;

o. Continuous sexual abuse of a young child or an individual with disabilities under Penal Code 21.02;

p. Selling, giving, delivering to another person, possessing, using, or being under the influence of a controlled substance or dangerous drug, excluding marijuana or tetrahydrocannabinol; or

q. Possessing a firearm, as defined by 18 U.S.C. 921.

5. The student engages in conduct against another student, without regard to whether the conduct occurs on or off school property or while attending a school-sponsored or school-related activity on or off school property, that contains the elements of:

a. The offense of aggravated assault under Penal Code 22.02;

b. Sexual assault under Penal Code 22.011;

c. Aggravated sexual assault under Penal Code 22.021;

d. Murder under Penal Code 19.02;

e. Capital murder under Penal Code 19.03; or

f. Criminal attempt to commit murder or capital murder under Penal Code 15.01.

6. While placed in a DAEP and on the program campus, the student engages in documented serious misbehavior despite documented behavioral interventions.

*Education Code 37.009(a-1)-(a-2); 19 TAC 103.1205*

**Completion of Proceedings Upon Withdrawal**

If a student withdraws from a district before an order for placement in a DAEP is entered, the principal or board, as appropriate, may complete the proceedings and enter an order. If the student re-enrolls in the district the same or subsequent school year, the district may enforce the order at that time except for any period of the placement that has been served by the student in another district that honored the order. If the principal or board fails to enter an order after the student withdraws, the next district in which the stu-

dent enrolls may complete the proceedings and enter an order. *Education Code 37.009(i)*

**Enrollment in Another District**

If a student placed in a DAEP enrolls in another district before the expiration of the placement, a board shall provide to the district in which the student enrolls a copy of the placement order at the same time it provides other records. The district in which the student enrolls shall inform each educator who will have responsibility for, or will be under the direction and supervision of an educator who will have responsibility for, the instruction of the student of the contents of the placement order. Each educator shall keep the information confidential from any person not entitled to the information, except that the educator may share the information with the student's parent or guardian as provided by state or federal law.

The district in which the student enrolls may continue the placement or allow the student to attend regular classes without completing the period of placement. [See FO] The district in which the student enrolls may take any of these actions if:

1. The student was placed in a DAEP by an open-enrollment charter school and the charter school provides the district a copy of the placement order; or
2. The student was placed in a DAEP by a district in another state and:
    a. The out-of-state district provides a copy of the placement order; and
    b. The grounds for placement are the same as grounds for placement in the enrolling district.

*Education Code 37.008(j)*

Out-of-State Placement

If a student was placed in a DAEP in another state for more than one year and the enrolling district continues the placement under Education Code 37.008(j), the enrolling district shall reduce the period of placement so that the aggregate period does not exceed one year unless the enrolling district determines that:

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

*Education Code 37.008(j-1)*

**Court-Ordered Placement**

Unless a board and the juvenile board for the county in which a district's central administrative office is located have entered into a memorandum of understanding concerning the juvenile probation

department's role in supervising and providing other support services for students in DAEP programs:

1. A court may not order a student expelled under Section 37.007 to attend a school district DAEP as a condition of probation;

2. A court may not order a student to attend a DAEP without a district's consent, until the student has successfully completed any sentencing requirements, if the court has ordered the student to attend a DAEP as a condition of probation once during a school year and the student is referred to juvenile court again during that school year.

*Education Code 37.010(c)-(d)*

School Activities

Any court placement in a DAEP must prohibit the student from attending or participating in school-sponsored or school-related activities. *Education Code 37.010(e)*

Placement After Court Disposition

After the student has successfully completed any court disposition requirements, including conditions of deferred prosecution or conditions required by the prosecutor or probation department, a district may not refuse to admit the student if the student meets the requirements for admission into the public schools. A district may place the student in the DAEP.

Notwithstanding Education Code 37.002(d) [see FOA], the student may not be returned to the classroom of the teacher under whose supervision the offense occurred without that teacher's consent. The teacher may not be coerced to consent.

*Education Code 37.010(f)*

**Not Guilty/ Insufficient Evidence/Charges Dropped**

The office of the prosecuting attorney or the office or official designated by the juvenile board shall, within two working days, notify the school district that removed a student to a DAEP under Education Code 37.006 if:

1. Prosecution of a student was refused for lack of prosecutorial merit or insufficient evidence, and no formal proceedings, deferred adjudication, or deferred prosecution will be initiated; or

2. A court or jury found the student not guilty or made a finding the child did not engage in delinquent conduct or conduct indicating a need for supervision and the case was dismissed with prejudice.

On receipt of the notice, the superintendent or designee shall review the student's placement in the DAEP. The student may not be returned to the regular classroom pending the review. The superin-

tendent or designee shall schedule a review of the student's placement with the student's parent or guardian not later than the third class day after the superintendent or designee receives notice from the office or official designated by the court.

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

*Education Code 37.006(h); Code of Criminal Procedure 15.27(g)*

Appeal After Placement Upheld

The student or the student's parent or guardian may appeal a superintendent's decision to the board. The student may not be returned to the regular classroom pending the appeal. A board shall, at the next scheduled meeting, review the notice provided by the office of the prosecuting attorney or the office or official designated by the juvenile board; receive information from the student, the student's parent or guardian, and the superintendent or designee; and confirm or reverse the superintendent's decision. The board shall make a record of the proceedings.

If a board confirms the decision, the board shall inform the student and the student's parent or guardian of the right to appeal to the commissioner of education. The student may not be returned to the regular classroom pending the appeal to the commissioner.

*Education Code 37.006(i)-(j)*

**120-Day Review of Status**

A student placed in a DAEP shall be provided a review of the student's status, including a review of the student's academic status, by a board's designee at intervals not to exceed 120 days. In the case of a high school student, the board's designee, with the student's parent or guardian, shall review the student's progress toward meeting high school graduation requirements and shall establish a specific graduation plan for the student. The district is not required to provide a course in the DAEP, except as required by Education Code 37.008(l). [See FOCA] At the review, the student or the student's parent or guardian must 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 the teacher who removed the student without that teacher's consent. The teacher may not be coerced to consent. *Education Code 37.009(e)*

**Additional Proceedings**

If, during the term of placement, a student engages in additional conduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted and the prin-

cipal or board, as appropriate, may enter an additional order. *Education Code 37.009(j)*

**Reporting**

A district may include the number of students removed to a DAEP in its annual performance report. *Education Code 39.306(e)(5)* [See AIB]

***Note:*** See FOF for provisions concerning students with disabilities.

**Students with Disabilities Under Section 504**

A district shall conduct an evaluation in accordance with 34 C.F.R. 104.35(b) before taking any action with respect to any significant change in placement of a student with a disability who needs or is believed to need special education and related services. *34 C.F.R. 104.35(a)*

A district may take disciplinary action pertaining to the use or possession of illegal drugs or alcohol against any student with a disability who is currently engaging in the illegal use of drugs or in the use of alcohol to the same extent that the district would take disciplinary action against nondisabled students. The due process procedures afforded under Section 504 do not apply to such disciplinary action. *29 U.S.C. 705(20)(C)(iv)*

---

***Note:*** The provisions below apply only to students eligible for special education and related services under the Individuals with Disabilities Education Act (IDEA).

---

**Students Receiving Special Education Services**

ARD Committee Required

Except as set forth below, the placement of a student with a disability who receives special education services may be made only by a duly constituted admission, review, and dismissal (ARD) committee. Any disciplinary action regarding the student shall be determined in accordance with federal law and regulations. *Education Code 37.004(a)-(b)*

The methods adopted in the Student Code of Conduct [see FO] for discipline management and for preventing and intervening in student discipline problems must provide that a student who is enrolled in the special education program may not be disciplined for bullying, harassment, or making hit lists until an ARD committee meeting has been held to review the conduct. *Education Code 37.001(b-1)*

DAEP Placement Not Solely for Educational Purposes

A student with a disability who receives special education services may not be placed in a disciplinary alternative education program (DAEP) solely for educational purposes. A teacher in a DAEP who has a special education assignment must hold an appropriate certificate or permit for that assignment. *Education Code 37.004(c)-(d)*

**Removal for 10 Days or Less**

School personnel may remove a student with a disability who violates a student code of conduct from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension, for not more than 10 consecutive school days, to the extent those alternatives are applied to children without disabilities. *20 U.S.C. 1415(k)(1)(B); 34 C.F.R. 300.530(b)(1)*

Services During Removal

A district is required to provide services during the period of removal if the district provides services to a child without disabilities who is similarly removed. *34 C.F.R. 300.530(d)*

**Subsequent Removals of 10 Days or Less**

School personnel may remove the student for additional removals of not more than 10 consecutive school days in that same school year for separate incidents of misconduct, as long as those removals do not constitute a change in placement (see below). *34 C.F.R. 300.530(b)(1)*

Services During Removal

After a student has been removed from his or her current placement for 10 school days in the same school year, during any subsequent removal of 10 consecutive school days or less, school personnel, in consultation with at least one of the student's teachers, shall determine the extent to which services are needed so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's individualized education program (IEP). *20 U.S.C. 1415(k)(1)(D); 34 C.F.R. 300.530(d)(4)*

Notice of Procedural Safeguards

Not later than the date on which the decision to take the disciplinary action is made, a district shall notify the student's parents of the decision and of all procedural safeguards [see EHBAE]. *20 U.S.C. 1415(k)(1)(H)*

**Removals That Are a Change in Placement**

Any disciplinary action that would constitute a change in placement may be taken only after the student's ARD committee conducts a manifestation determination review.

Any disciplinary action regarding the student shall be determined in accordance with federal law and regulations, including laws or regulations requiring the provision of functional behavioral assessments; positive behavioral interventions, strategies, and supports; behavioral intervention plans; and the manifestation determination review [see Manifestation Determination, below].

*Education Code 37.004(b)*

Behavior Assessment and Intervention

If a district takes a disciplinary action regarding a student with a disability who receives special education services that constitutes a change in placement under federal law, the district shall:

1. Not later than the 10th school day after the change in placement:

    a. Seek consent from the student's parent or person standing in parental relation to the student to conduct a functional behavioral assessment of the student, if a functional behavioral assessment has never been conducted

on the student or the student's most recent functional behavioral assessment is more than one year old; and

b. Review any previously conducted functional behavioral assessment of the student and any behavior improvement plan or behavioral intervention plan developed for the student based on that assessment; and

2. As necessary, develop a behavior improvement plan or behavioral intervention plan for the student if the student does not have a plan or, if the student has a behavior improvement plan or behavioral intervention plan, revise the student's plan.

*Education Code 37.004(b-1)*

Change in Placement

For purposes of disciplinary removal of a student with a disability, a change in placement occurs if a student is:

1. Removed from the student's current educational placement for more than 10 consecutive school days; or

2. Subjected to a series of removals that constitute a pattern because:

a. The series of removals total more than 10 school days in a school year;

b. The student's behavior is substantially similar to the student's behavior in the previous incidents that resulted in the series of removals; and

c. Additional factors exist, such as the length of each removal, the total amount of time the student is removed, and the proximity of the removals to one another.

The district determines, on a case-by-case basis, whether a pattern of removals constitutes a change in placement. The district's determination is subject to review through due process and judicial proceedings.

*34 C.F.R. 300.536*

School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a student who violates a code of student conduct. *20 U.S.C. 1415(k)(1)(A)*

Manifestation Determination

Within 10 school days of any decision to change the placement of a student because of a violation of a code of student conduct, a district, parents, and relevant members of the ARD committee (as determined by the parent and the district) shall review all relevant information in the student's file, including the student's IEP, any

teacher observations, and any relevant information provided by the parents to determine whether the conduct in question was:

1. Caused by, or had a direct and substantial relationship to, the student's disability; or

2. The direct result of the district's failure to implement the IEP.

If the district, the parent, and relevant members of the ARD committee determine that either of the above is applicable, the conduct shall be determined to be a manifestation of the student's disability.

If the district, the parent, and relevant members of the ARD committee determine the conduct was the direct result of the district's failure to implement the IEP, the district must take immediate steps to remedy those deficiencies.

*20 U.S.C. 1415(k)(1)(E); 34 C.F.R. 300.530(e)*

Not a Manifestation

If the determination is that the student's behavior was not a manifestation of the student's disability, school personnel may apply the relevant disciplinary procedures to the student in the same manner and for the same duration as for students without disabilities. The ARD committee shall determine the interim alternative educational setting. *20 U.S.C. 1415(k)(1)(C), (k)(2); 34 C.F.R. 300.530(c)*

Expulsion

In a county with a juvenile justice alternative education program (JJAEP) [see FODA], a district must invite the administrator of the JJAEP or the administrator's designee to an ARD committee meeting convened to discuss the discretionary expulsion under Education Code 37.007 of a student with a disability. The district must provide written notice of the meeting at least five school days before the meeting or a shorter timeframe agreed to by the student's parents. A copy of the student's current IEP must be provided to the JJAEP representative with the notice. If the JJAEP representative is unable to attend the ARD committee meeting, the representative must be given the opportunity to participate in the meeting through alternative means, including conference telephone calls. The JJAEP representative may participate in the meeting to the extent that the meeting relates to the student's placement in the JJAEP and implementation of the student's current IEP in the JJAEP. *19 TAC 89.1052*

*Services During Removal*

The student must:

1. Continue to receive educational services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the student's IEP.

2. Receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur.

These services may be provided in an interim alternative educational setting.

*34 C.F.R. 300.530(d)(1)-(2)*

For a student with a disability who was expelled under a discretionary expulsion under Education Code 37.007, an ARD committee meeting must be convened to reconsider placement of the student in the JJAEP if the JJAEP provides written notice to the district of specific concerns that the student's education or behavioral needs cannot be met in JJAEP.

The district must invite the JJAEP administrator or the administrator's designee to the meeting and must provide written notice of the meeting at least five school days before the meeting or a shorter timeframe agreed to by the student's parents. If the JJAEP representative is unable to attend the ARD committee meeting, the representative must be given the opportunity to participate in the meeting through alternative means, including conference telephone calls. The JJAEP may participate in the meeting to the extent that the meeting relates to the student's continued placement in JJAEP.

*19 TAC 89.1052*

Manifestation

If the district, the parents, and relevant members of the ARD committee determine that the conduct was a manifestation of the student's disability, the ARD committee shall:

1. Conduct a functional behavioral assessment (FBA), unless the district had conducted an FBA before the behavior that resulted in the change in placement occurred, and implement a behavioral intervention plan (BIP) for the student; or

2. If a BIP has already been developed, review the BIP and modify it, as necessary, to address the behavior.

Except as provided at Special Circumstances, below, the ARD committee shall return the student to the placement from which the student was removed, unless the parent and the district agree to a change in placement as part of the modification of the BIP.

*20 U.S.C. 1415(k)(1)(F); 34 C.F.R. 300.530(f)*

**Special Circumstances**

School personnel may remove a student to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the student's disability, if the student:

1. Carries or possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of the Texas Education Agency (TEA) or a school district;
2. Knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises, or at a school function under the jurisdiction of TEA or a school district; or
3. Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of TEA or the district.

*20 U.S.C. 1415(k)(1)(G); 34 C.F.R. 300.530(g)*

The ARD committee shall determine the interim alternative education setting. *20 U.S.C. 1415(k)(2)*

Services During Removal

The student must:

1. Continue to receive educational services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the student's IEP.
2. Receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur.

These services may be provided in an interim alternative educational setting.

*34 C.F.R. 300.530(d)(1)*

**Appeals**

A parent who disagrees with a placement decision or the manifestation determination may request a hearing. A district that believes that maintaining a current placement of a student is substantially likely to result in injury to the student or others may request a hearing. *20 U.S.C. 1415(k)(3)(A); 34 C.F.R. 300.532(a); 19 TAC 89.1151* [See EHBAE]

Placement During Appeals

When an appeal has been requested by a parent or a district, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the student's assignment to the alternative setting, whichever oc-

curs first, unless the parent and district agree otherwise. *20 U.S.C. 1415(k)(4); 34 C.F.R. 300.533*

**Reporting Crimes**

Federal law does not prohibit a district from reporting a crime committed by a student with a disability to appropriate authorities. If a district reports a crime, the district shall ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by the appropriate authorities to whom the district reported the crime. A district may transmit records only to the extent permitted by the Family Educational Rights and Privacy Act (FERPA). *20 U.S.C. 1415(k)(6); 34 C.F.R. 300.535* [See FL]

**Students Not Yet Identified**

A student who has not been determined to be eligible for special education and related services and who has engaged in behavior that violated a code of student conduct may assert any of the protections provided for in the IDEA if a district had knowledge that the student had a disability before the behavior that precipitated that disciplinary action occurred. *20 U.S.C. 1415(k)(5)(A); 34 C.F.R. 300.534(a)*

District Knowledge

A district shall be deemed to have knowledge that a student has a disability if, before the behavior that precipitated the disciplinary action occurred:

1. The parent of the student expressed concern in writing to supervisory or administrative personnel of the district, or to the teacher of the student, that the student was in need of special education and related services;
2. The parent requested an evaluation of the student for special education and related services; or
3. The student's teacher, or other district personnel, expressed specific concerns about a pattern of behavior demonstrated by the student directly to the special education director or to other supervisory personnel of the district.

*20 U.S.C. 1415(k)(5)(B); 34 C.F.R. 300.534(b)*

Exception

A district shall not be deemed to have knowledge that the student had a disability if:

1. The parent has not allowed an evaluation of the student;
2. The parent has refused services; or
3. The student has been evaluated and it was determined that the student did not have a disability.

*20 U.S.C. 1415(k)(5)(C); 34 C.F.R. 300.534(c)*

If a district does not have knowledge (as described above), before taking disciplinary measures, that a student has a disability, the student may be subjected to the same disciplinary measures applied to students without disabilities who engaged in comparable behaviors.

However, if a request is made for an evaluation during the time period in which the student is subjected to disciplinary measures, the evaluation shall be conducted in an expedited manner. Until the evaluation is completed, the student shall remain in the educational placement determined by school authorities, which can include suspension or expulsion without educational services.

*20 U.S.C. 1415(k)(5)(D); 34 C.F.R. 300.534(d)*

**Behavior Management Techniques**

It is the policy of the state to treat all students with dignity and respect, including students with disabilities who receive special education services. Any behavior management technique and/or discipline management practice must be implemented in such a way as to protect the health and safety of the student and others. No discipline management practice may be calculated to inflict injury, cause harm, demean, or deprive the student of basic human necessities. *Education Code 37.0021(a); 19 TAC 89.1053(j)*

[For restrictions on aversive techniques, see FO.]

**Rules on Restraint and Seclusion**

The commissioner by rule shall adopt procedures for the use of restraint and time-out by a district employee or volunteer or an independent contractor of a district in the case of a student with a disability receiving special education services. The procedures must be consistent with Education Code 37.0021(d). *Education Code 37.0021(d)*

School Peace Officers

This provision and any rules or procedures adopted under this provision apply to a peace officer only if the peace officer:

1. Is employed or commissioned by a district; or
2. Provides, as a school resource officer, a regular police presence on a district campus under a memorandum of understanding between the district and a local law enforcement agency.

*Education Code 37.0021(h); 19 TAC 89.1053(m)*

Exceptions

Education Code 37.0021 (use of confinement, seclusion, restraint, and time-out) does not apply to:

1. A peace officer, while performing law enforcement duties, except as provided above [see School Peace Officers] and by

Education Code 37.0021(i) [see Restraint, Documentation, below];

2. Juvenile probation, detention, or corrections personnel; or

3. An educational services provider with whom a student is placed by a judicial authority, unless the services are provided in an educational program of a school district.

*Law Enforcement Duties*

"Law enforcement duties" means activities of a peace officer relating to the investigation and enforcement of state criminal laws and other duties authorized by the Code of Criminal Procedure.

*Education Code 37.0021(b)(4), (g); 19 TAC 89.1053(m), (n)*

Further, Education Code 37.0021 does not prevent a student's locked, unattended confinement in an emergency situation while awaiting the arrival of law enforcement personnel if:

1. The student possesses a weapon; and

2. The confinement is necessary to prevent the student from causing bodily harm to the student or another person.

For these purposes, "weapon" includes any weapon described under Education Code 37.007(a)(1). [See FNCG]

*Education Code 37.0021(f)*

*Peace Officer or Security Personnel Use of Restraint or Taser*

A peace officer performing law enforcement duties or school security personnel performing security-related duties on school property or at a school-sponsored or school-related activity must not restrain or use a chemical irritant spray or Taser on a student enrolled in fifth grade or below, unless the student poses a serious risk of harm to the student or another person [see FO defining Taser]. *19 TAC 89.1053(l)*

Confinement

A student with a disability who receives special education services may not be confined in a locked box, locked closet, or other specially designed locked space as either a discipline management practice or a behavior management technique. *Education Code 37.0021(a)*

Seclusion

A district employee or volunteer or an independent contractor of a district may not place a student in seclusion. *Education Code 37.0021(c)*

"Seclusion" means a behavior management technique in which a student is confined in a locked box, locked closet, or locked room that:

1. Is designed solely to seclude a person; and

2. Contains less than 50 square feet of space.

*Education Code 37.0021(b)(2)*

Restraint

"Restraint" means the use of physical force or a mechanical device to significantly restrict the free movement of all or a portion of a student's body. *19 TAC 89.1053(b)(2)*

The following provisions do not apply to the use of physical force or a mechanical device that does not significantly restrict the free movement of all or a portion of the student's body. Restraint that involves significant restriction as referenced above does not include:

1. Physical contact or appropriately prescribed adaptive equipment to promote normative body positioning and/or physical functioning;
2. Limited physical contact with a student to promote safety (e.g., holding a student's hand), prevent a potentially harmful action (e.g., running into the street), teach a skill, redirect attention, provide guidance to a location, or provide comfort;
3. Limited physical contact or appropriately prescribed adaptive equipment to prevent a student from engaging in ongoing, repetitive self-injurious behaviors, with the expectation that instruction will be reflected in the IEP as required by 34 C.F.R. 300.324(a)(2)(i) to promote student learning and reduce and/or prevent the need for ongoing intervention; or
4. Seat belts and other safety equipment used to secure students during transportation.

*19 TAC 89.1053(f)*

*Limitations on Use of Restraint*

A school employee, volunteer, or independent contractor may use restraint only in an emergency and with the following limitations:

1. Restraint shall be limited to the use of such reasonable force as is necessary to address the emergency.
2. Restraint shall be discontinued at the point at which the emergency no longer exists.
3. Restraint shall be implemented in such a way as to protect the health and safety of the student and others.
4. Restraint shall not deprive the student of basic human necessities.

*19 TAC 89.1053(c)*

*Emergency*

"Emergency" means a situation in which a student's behavior poses a threat of:

1. Imminent, serious physical harm to the student or others; or
2. Imminent, serious property destruction.

*19 TAC 89.1053(b)(1)*

*Training*

Training for school employees, volunteers, or independent contractors regarding the use of restraint shall be provided according to the requirements set forth at 19 Administrative Code 89.1053(d).

*Documentation*

In a case in which restraint is used, school employees, volunteers, or independent contractors shall implement the documentation and notification requirements set forth at 19 Administrative Code 89.1053(e).

A district shall report electronically to TEA, in accordance with standards provided by commissioner rule, information relating to the use of restraint by a peace officer performing law enforcement duties on school property or during a school-sponsored or school-related activity. The report must be consistent with the requirements adopted by commissioner rule for reporting the use of restraint involving students with disabilities.

*Education Code 37.0021(i)*

Time-Out

"Time-out" means a behavior management technique in which, to provide a student with an opportunity to regain self-control, the student is separated from other students for a limited period in a setting:

1. That is not locked; and
2. From which the exit is not physically blocked by furniture, a closed door held shut from the outside, or another inanimate object.

*19 TAC 89.1053(b)(3)*

*Limitations on Use of Time-Out*

A school employee, volunteer, or independent contractor may use time-out with the following limitations:

1. Physical force or threat of physical force shall not be used to place a student in time-out.
2. Time-out may only be used in conjunction with an array of positive behavior intervention strategies and techniques and must be included in the student's IEP and/or behavior improvement plan or behavioral intervention plan if it is utilized

on a recurrent basis to increase or decrease targeted behavior.

3. Use of time-out shall not be implemented in a fashion that precludes the ability of the student to be involved in and progress in the general curriculum and advance appropriately toward attaining the annual goals specified in the student's IEP.

*19 TAC 89.1053(g)*

*Training* Training for school employees, volunteers, or independent contractors regarding the use of time-out shall be provided according to the requirements set forth at 19 Administrative Code 89.1053(h).

*Documentation* Necessary documentation or data collection regarding the use of time-out, if any, must be addressed in the IEP and/or behavior improvement plan or behavioral intervention plan. If a student has a behavior improvement plan or behavioral intervention plan, the district must document each use of time-out prompted by a behavior of the student specified in the student's behavior improvement plan or behavioral intervention plan, including a description of the behavior that prompted the time-out. The ARD committee must use any collected data to judge the effectiveness of the intervention and provide a basis for making determinations regarding its continued use.

*19 TAC 89.1053(i)*

# (LOCAL) Policies Packet

For your convenience, this file contains *only* the local policies from your school district's TASB update packet.

## What is in this packet?

- Instruction sheet for recommended (LOCAL) policies
- Explanatory Notes for recommended (LOCAL) policies
- Clean copies of recommended (LOCAL) policies
- Annotated (redlined) copies of recommended (LOCAL) policy changes

## This is not the full update packet.

To retrieve your district's full update packet, log in to Policy Online® and visit My Policy Manual > Local Manual Updates > Numbered Updates.

## What is in the full update packet?

The full update packet contains:

- A summary of the overall policy update
- (LEGAL) policies and (EXHIBIT) documents that describe the statutory framework in which your local policies must operate
- Instructions and Explanatory Notes for every policy change, not just the (LOCAL) policies
- Guidance on how to:
    - Present recommended policy changes to the board
    - Keep minutes
    - Notify TASB of board action
    - Maintain your historical record
    - Update your administrative regulations

## Copyright and Disclaimer

© 2025 Texas Association of School Boards, Inc. All rights reserved.

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.

# Instruction Sheet

# TASB Localized Policy Manual Update 125

**Mineral Wells ISD**

| Code | Type | Action To Be Taken | Note |
|---|---|---|---|
| BDAA | (LOCAL) | Replace policy | Revised policy |
| BDB | (LOCAL) | Replace policy | Revised policy |
| BDF | (LOCAL) | ADD policy | See explanatory note |
| EI | (LOCAL) | Replace policy | Revised policy |
| FDE | (LOCAL) | Replace policy | Revised policy |
| FEC | (LOCAL) | No policy enclosed | See explanatory note |
| FFAC | (LOCAL) | No policy enclosed | See explanatory note |

# Explanatory Notes

# TASB Localized Policy Manual Update 125

## Mineral Wells ISD

### BDAA(LOCAL) OFFICERS AND OFFICIALS: DUTIES AND REQUIREMENTS OF BOARD OFFICERS

Revisions are recommended to this local policy on board officer duties and requirements. At Board Officers, the sentence indicating that the board may assign a district employee to provide clerical assistance is recommended for deletion since the superintendent, rather than the board, manages staff assignments, including providing support to the board. Under Terms and Duties — Vice President, the revised language clarifies that when the vice president automatically becomes president due to a vacancy, they then serve as president until the board reorganizes.

### BDB(LOCAL) BOARD INTERNAL ORGANIZATION: BOARD COMMITTEES

This policy has been revised in coordination with BDF(LOCAL) to clarify the difference between board committees and advisory committees. Accordingly, the subtopic of this code has been changed from Internal Committees to Board Committees, and new provisions are recommended to establish how board committees are formed and outline their purpose. Text addressing Dissolution of board committees is also recommended for inclusion. The language previously at Special Committees has been moved to BDF(LOCAL).

### BDF(LOCAL) BOARD INTERNAL ORGANIZATION: ADVISORY COMMITTEES

This new local policy is recommended for inclusion to coordinate with the changes at BDB. The subtopic of this code has been changed from Citizen Advisory Committees to Advisory Committees. Language has been moved here from BDB(LOCAL) and updated to clarify how advisory committees are formed and the parameters of their responsibilities. A section on Dissolution of the committees is also recommended for inclusion.

### EI(LOCAL) ACADEMIC ACHIEVEMENT

At Partial Credit, recommended revisions replace the phrase "combined grade for" with "average of" to more accurately reflect the determination of awarding credit when a student earns a passing grade in only half of a course.

### FDE(LOCAL) ADMISSIONS: SCHOOL SAFETY TRANSFERS

At Safe Schools Data, “bullying” is recommended for inclusion as an offense for which the district must collect and maintain data. The revision aligns with the Unsafe School Choice Option Guidance Handbook.

### FEC(LOCAL) ATTENDANCE: ATTENDANCE FOR CREDIT

This local policy has been impacted by the district’s innovation plan. Please contact your policy consultant to discuss your renewed or revised innovation plan and any potential policy revisions.

### FFAC(LOCAL) WELLNESS AND HEALTH SERVICES: MEDICAL TREATMENT

The revisions to the legal framework at this code reflect the new Department of State Health Services rules on unassigned medication for respiratory distress. If your district currently maintains medication that can be used when a person is experiencing respiratory distress, please contact your policy consultant for appropriate text to include in your local policy.

**Board Officers** The Board shall elect a President, a Vice President, and a Secretary who shall be members of the Board. Officers shall be elected by majority vote of the members present and voting.

Vacancy A vacancy among officers of the Board, other than the President, shall be filled by majority action of the Board.

**Term and Duties** Board officers shall serve for a term of one year or until a successor is elected. Officers may succeed themselves in office. Each officer shall perform any legal duties of the office and other duties as required by action of the Board.

President In addition to the duties required by law, the President of the Board shall:

1. Preside at all Board meetings unless unable to attend.
2. Have the right to discuss, make motions, propose resolutions, and vote on all matters coming before the Board.

Vice President The Vice President of the Board shall:

1. Act in the capacity and perform the duties of the President of the Board in the event of the absence or incapacity of the President.
2. Automatically become President of the Board if a vacancy in that office occurs and serve in this role until the Board reorganizes.

Secretary The Secretary of the Board shall:

1. Ensure that an accurate record is kept of the proceedings of each Board meeting.
2. Ensure that notices of Board meetings are posted and sent as required by law.
3. In the absence of the President and Vice President, call the meeting to order and act as presiding officer.
4. Sign or countersign documents as directed by action of the Board.

***Note***: For advisory committees that include staff, parents, community members, or students, see BDF.

**Board Committees**

For purposes of this policy, a Board committee is a committee composed only of current Board members.

Formation of a Board committee shall be by Board action. When establishing a Board committee, the Board action shall, at a minimum, specify the:

- Number of Board members on the committee;
- Process to appoint Board members to the committee;
- Term of committee membership; and
- Responsibilities of the committee.

A Board committee shall be fact-finding, deliberative, and advisory, and shall make recommendations in the areas of their responsibility. Board committees shall report their findings and recommendations to the Board and shall not assume administrative duties or responsibilities.

Transacting Business

Unless specified by the Board, a Board committee shall not have final decision-making authority. Board committee recommendations must be reported to the Board at a regular or special meeting. The Board shall not accept a Board committee's recommendation without due consideration of the matter.

Dissolution

A Board committee shall be dissolved upon Board action.

***Note***: For committees composed only of current Board members, see BDB.

**Advisory Committees**

For purposes of this policy, an advisory committee is a committee composed primarily of District staff, parents, other community members, and/or students. An advisory committee may also include Board members in numbers less than a quorum of the Board.

Formation of an advisory committee shall be by Board action. When establishing an advisory committee, the Board action shall, at a minimum, specify the:

- Number of members on the committee;
- Process to appoint members to the committee;
- Term of committee membership; and
- Responsibilities of the committee.

An advisory committee shall be fact-finding, deliberative, and advisory and shall not assume administrative duties or responsibilities. Advisory committees shall report their findings and recommendations to the Board.

Transacting Business

An advisory committee may transact business only within the specific authority granted by the Board. To be binding, all such committee recommendations must be reported to the Board at a regular or special meeting for approval and entry into the minutes as a public record.

Dissolution

An advisory committee shall be dissolved upon completion of the assigned task or Board action.

**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 of a course and the average of both halves is lower than 70, the District shall award the student credit for the half with the passing grade.

**Safe Schools Data**

The Superintendent shall ensure that the District complies with Texas Education Agency (TEA) guidelines for the collection and maintenance of data regarding:

1. Mandatory expellable offenses committed at school or at a school-related or school-sponsored activity, on or off school property [see FOD]; and
2. Any student who becomes a victim of one of the following violent criminal offenses while on the premises of the school the student attends or while attending a school-sponsored or school-related activity, on or off school property:
    a. Attempted murder;
    b. Indecency with a child;
    c. Aggravated kidnapping;
    d. Aggravated assault on someone other than a District employee or volunteer;
    e. Sexual assault or aggravated sexual assault against someone other than a District employee or volunteer;
    f. Aggravated robbery;
    g. Continuous sexual abuse of a young child or disabled individual; or
    h. Bullying.

**School Safety Transfers**

The parent of a student who becomes a victim of a violent criminal offense as described in the state guidance for unsafe school choice options or who is assigned to a campus identified by TEA as persistently dangerous shall be offered a transfer to a safe public or charter school within the District.

For each transfer requested, the District shall explore transfer options, as appropriate. Options may include a transfer agreement with another school district.

From a Persistently Dangerous School

The parent of a student attending a school identified as persistently dangerous shall be provided notification of his or her right to request a transfer. Notification shall occur at least 14 days prior to the start of the school year or, for a student enrolling subsequently, upon the student's enrollment.

The parent must submit to the Superintendent an application for transfer. The Superintendent shall complete the transfer prior to the beginning of the school year, if applicable, or within 14 calendar days of the request for a subsequently enrolling student.

Any transfer arranged for a student from a campus identified by TEA as persistently dangerous shall be renewed so long as the campus from which the student transferred retains that designation.

The District shall maintain, in accordance with the District's record retention schedule, documentation of notification to parents of the transfer option, transfer applications submitted, and action taken.

For a Victim of a Violent Criminal Offense

Within 14 calendar days after a violent criminal offense described above occurs in or on the premises of the school the student attends or while attending a school-sponsored or school-related activity, on or off school property, the District shall notify the parent of a student who is a victim of the offense of the parent's right to request a transfer. The parent must submit to the Superintendent an application for transfer. The Superintendent shall approve or disapprove the request within 14 calendar days of its submission.

Any transfer arranged for a student who was a victim of a violent crime as described above shall be renewed so long as the threat to the student exists at the campus to which the student would typically be assigned.

For each offense, the District shall maintain for at least five years documentation of the nature and date of the offense, notification to the parent of the transfer option, transfer applications submitted, action taken, and other relevant information regarding the offense.

**Additional Transfer Options**

In circumstances described by Education Code 25.0341, a parent of a student who has been the victim of a sexual assault, regardless of whether the offense occurred on or off school property, may request a transfer of the parent's child or the student assailant from the same campus.

[For other transfer provisions, see also FDA and FDB.]

# (LOCAL) Policy Comparisons

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

In this packet, you will find:

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

Annotations are shown as follows:

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

***Note:*** While the annotation software competently identifies simple changes, large or complicated changes — as in an extensive rewrite — may be more difficult to follow. In addition, TASB's recent changes to the policy templates to facilitate accessibility sometimes make 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 us:**

School Districts and Education Service Centers, call 800-580-7529 or email policy.service@tasb.org.

Community Colleges, call 800-580-1488 or email colleges@tasb.org.

**Board Officers**

The Board shall elect a President, a Vice President, and a Secretary who shall be members of the Board. ~~The Board may assign a District employee to provide clerical assistance to the Board.~~ Officers shall be elected by majority vote of the members present and voting.

Vacancy

A vacancy among officers of the Board, other than the President, shall be filled by majority action of the Board.

**Term and Duties**

Board officers shall serve for a term of ~~one year~~one year or until a successor is elected. Officers may succeed themselves in office. Each officer shall perform any legal duties of the office and other duties as required by action of the Board.

President

In addition to the duties required by law, the President of the Board shall~~:~~:

1. Preside at all Board meetings unless unable to attend.
2. Have the right to discuss, make motions ~~and~~, propose resolutions, and vote on all matters coming before the Board.

Vice President

The Vice President of the Board shall:

1. Act in the capacity and perform the duties of the President of the Board in the event of the absence or incapacity of the President.
2. Automatically become President of the Board if a vacancy in that office occurs and serve in this role until the Board reorganizes.

Secretary

The Secretary of the Board shall:

1. Ensure that an accurate record is kept of the proceedings of each Board meeting.
2. Ensure that notices of Board meetings are posted and sent as required by law.
3. In the absence of the President and Vice President, call the meeting to order and act as presiding officer.
4. Sign or countersign documents as directed by action of the Board.

~~**Special Committees**~~

~~The President shall appoint members to special~~***Note***: For advisory committees ~~created by the Board to fulfill specific assignments, unless otherwise provided~~ that include staff, parents, community members, or students, see BDF.

**Board Committees**

For purposes of this policy, a Board committee is a committee composed only of current Board members.

Formation of a Board committee shall be by Board action. ~~These committees may include District personnel~~When establishing a Board committee, the Board action shall, at a minimum, specify the:

- Number of Board members on the committee;
- Process to appoint Board members to the committee;
- Term of committee membership; and~~ citizens. The function of committees~~
- Responsibilities of the committee.

A Board committee shall be fact-finding, deliberative, and advisory, ~~but not administrative. Special~~and shall make recommendations in the areas of their responsibility. Board committees shall report their findings and recommendations to the Board and shall ~~be dissolved upon completion of the assigned task or vote of the Board~~not assume administrative duties or responsibilities.

~~The President of the Board and the Superintendent shall be ex officio members of all Board committees, unless otherwise provided by Board action.~~

Transacting Business

~~Committees may transact business only within the specific authority granted~~Unless specified by the Board~~. To be binding, all such business~~, a Board committee shall not have final decision-making authority. Board committee recommendations must be reported to the Board at ~~the next~~a regular or special meeting~~ for approval and entry into the minutes as a public record.~~. The Board shall not accept a Board committee's recommendation without due consideration of the matter.

Dissolution

A Board committee shall be dissolved upon Board action.

***Note***: For committees composed only of current Board members, see BDB.

**Advisory Committees**

For purposes of this policy, an advisory committee is a committee composed primarily of District staff, parents, other community members, and/or students. An advisory committee may also include Board members in numbers less than a quorum of the Board.

Formation of an advisory committee shall be by Board action. When establishing an advisory committee, the Board action shall, at a minimum, specify the:

- Number of members on the committee;
- Process to appoint members to the committee;
- Term of committee membership; and
- Responsibilities of the committee.

An advisory committee shall be fact-finding, deliberative, and advisory and shall not assume administrative duties or responsibilities. Advisory committees shall report their findings and recommendations to the Board.

Transacting Business

An advisory committee may transact business only within the specific authority granted by the Board. To be binding, all such committee recommendations must be reported to the Board at a regular or special meeting for approval and entry into the minutes as a public record.

Dissolution

An advisory committee shall be dissolved upon completion of the assigned task or Board action.

**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 of a course and the ~~combined grade for~~average of both halves is lower than 70, the District shall award the student credit for the half with the passing grade.

**Safe Schools Data**

The Superintendent shall ensure that the District complies with Texas Education Agency (TEA) guidelines for the collection and maintenance of data regarding:

1. Mandatory expellable offenses committed at school or at a school-related or school-sponsored activity, on or off school property [see FOD]; and

2. Any student who becomes a victim of one of the following violent criminal offenses~~, as defined by the Penal Code,~~ while on the premises of the school the student attends or while attending a school-sponsored or school-related activity, on or off school property:

   a. Attempted murder;

   b. Indecency with a child;

   c. Aggravated kidnapping;

   d. Aggravated assault on someone other than a District employee or volunteer;

   e. Sexual assault or aggravated sexual assault against someone other than a District employee or volunteer;

   f. Aggravated robbery; ~~or~~

   g. Continuous sexual abuse of a young child or disabled individual; or

   ~~g.~~h. Bullying.

**School Safety Transfers**

The parent of a student who becomes a victim of a violent criminal offense as described in the state guidance for unsafe school choice options or who is assigned to a campus identified by TEA as persistently dangerous shall be offered a transfer to a safe public or charter school within the District.

For each transfer requested, the District shall explore transfer options, as appropriate. Options may include a transfer agreement with another school district.

From a Persistently Dangerous School

The parent of a student attending a school identified as persistently dangerous shall be provided notification of his or her right to request a transfer. Notification shall occur at least 14 days prior to the start of the school year or, for a student enrolling subsequently, upon the student's enrollment.

The parent must submit to the Superintendent an application for transfer. The Superintendent shall complete the transfer prior to the

beginning of the school year, if applicable, or within 14 calendar days of the request for a subsequently enrolling student.

Any transfer arranged for a student from a campus identified by TEA as persistently dangerous shall be renewed so long as the campus from which the student transferred retains that designation.

The District shall maintain, in accordance with the District's record retention schedule, documentation of notification to parents of the transfer option, transfer applications submitted, and action taken.

For a Victim of a Violent Criminal Offense

Within 14 calendar days after a violent criminal offense described above occurs in or on the premises of the school the student attends or while attending a school-sponsored or school-related activity, on or off school property, the District shall notify the parent of a student who is a victim of the offense of the parent's right to request a transfer. The parent must submit to the Superintendent an application for transfer. The Superintendent shall approve or disapprove the request within 14 calendar days of its submission.

Any transfer arranged for a student who was a victim of a violent crime as described above shall be renewed so long as the threat to the student exists at the campus to which the student would typically be assigned.

For each offense, the District shall maintain for at least five years documentation of the nature and date of the offense, notification to the parent of the transfer option, transfer applications submitted, action taken, and other relevant information regarding the offense.

**Additional Transfer Options**

In circumstances described by Education Code 25.0341, a parent of a student who has been the victim of a sexual assault, regardless of whether the offense occurred on or off school property, may request a transfer of the parent's child or the student assailant from the same campus.

[For other transfer provisions, see also FDA and FDB.]

# (LOCAL) Policy Comparisons

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

In this packet, you will find:

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

Annotations are shown as follows:

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

***Note:*** While the annotation software competently identifies simple changes, large or complicated changes — as in an extensive rewrite — may be more difficult to follow. In addition, TASB's recent changes to the policy templates to facilitate accessibility sometimes make 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 us:**

School Districts and Education Service Centers, call 800-580-7529 or email policy.service@tasb.org.

Community Colleges, call 800-580-1488 or email colleges@tasb.org.

**Board Officers**

The Board shall elect a President, a Vice President, and a Secretary who shall be members of the Board. ~~The Board may assign a District employee to provide clerical assistance to the Board.~~ Officers shall be elected by majority vote of the members present and voting.

Vacancy

A vacancy among officers of the Board, other than the President, shall be filled by majority action of the Board.

**Term and Duties**

Board officers shall serve for a term of ~~one year~~one year or until a successor is elected. Officers may succeed themselves in office. Each officer shall perform any legal duties of the office and other duties as required by action of the Board.

President

In addition to the duties required by law, the President of the Board shall~~:~~:

1. Preside at all Board meetings unless unable to attend.
2. Have the right to discuss, make motions ~~and~~, propose resolutions, and vote on all matters coming before the Board.

Vice President

The Vice President of the Board shall:

1. Act in the capacity and perform the duties of the President of the Board in the event of the absence or incapacity of the President.
2. Automatically become President of the Board if a vacancy in that office occurs and serve in this role until the Board reorganizes.

Secretary

The Secretary of the Board shall:

1. Ensure that an accurate record is kept of the proceedings of each Board meeting.
2. Ensure that notices of Board meetings are posted and sent as required by law.
3. In the absence of the President and Vice President, call the meeting to order and act as presiding officer.
4. Sign or countersign documents as directed by action of the Board.

~~**Special Committees**~~

~~The President shall appoint members to special~~***Note***: For advisory committees ~~created by the Board to fulfill specific assignments, unless otherwise provided~~ that include staff, parents, community members, or students, see BDF.

**Board Committees**

For purposes of this policy, a Board committee is a committee composed only of current Board members.

Formation of a Board committee shall be by Board action. ~~These committees may include District personnel~~When establishing a Board committee, the Board action shall, at a minimum, specify the:

- Number of Board members on the committee;
- Process to appoint Board members to the committee;
- Term of committee membership; and~~ citizens. The function of committees~~
- Responsibilities of the committee.

A Board committee shall be fact-finding, deliberative, and advisory, ~~but not administrative. Special~~and shall make recommendations in the areas of their responsibility. Board committees shall report their findings and recommendations to the Board and shall ~~be dissolved upon completion of the assigned task or vote of the Board~~not assume administrative duties or responsibilities.

~~The President of the Board and the Superintendent shall be ex officio members of all Board committees, unless otherwise provided by Board action.~~

Transacting Business

~~Committees may transact business only within the specific authority granted~~Unless specified by the Board~~. To be binding, all such business~~, a Board committee shall not have final decision-making authority. Board committee recommendations must be reported to the Board at ~~the next~~a regular or special meeting~~ for approval and entry into the minutes as a public record.~~. The Board shall not accept a Board committee's recommendation without due consideration of the matter.

Dissolution

A Board committee shall be dissolved upon Board action.

***Note***: For committees composed only of current Board members, see BDB.

**Advisory Committees**

For purposes of this policy, an advisory committee is a committee composed primarily of District staff, parents, other community members, and/or students. An advisory committee may also include Board members in numbers less than a quorum of the Board.

Formation of an advisory committee shall be by Board action. When establishing an advisory committee, the Board action shall, at a minimum, specify the:

- Number of members on the committee;
- Process to appoint members to the committee;
- Term of committee membership; and
- Responsibilities of the committee.

An advisory committee shall be fact-finding, deliberative, and advisory and shall not assume administrative duties or responsibilities. Advisory committees shall report their findings and recommendations to the Board.

Transacting Business

An advisory committee may transact business only within the specific authority granted by the Board. To be binding, all such committee recommendations must be reported to the Board at a regular or special meeting for approval and entry into the minutes as a public record.

Dissolution

An advisory committee shall be dissolved upon completion of the assigned task or Board action.

**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 of a course and the ~~combined grade for~~average of both halves is lower than 70, the District shall award the student credit for the half with the passing grade.

**Safe Schools Data**

The Superintendent shall ensure that the District complies with Texas Education Agency (TEA) guidelines for the collection and maintenance of data regarding:

1. Mandatory expellable offenses committed at school or at a school-related or school-sponsored activity, on or off school property [see FOD]; and

2. Any student who becomes a victim of one of the following violent criminal offenses~~, as defined by the Penal Code,~~ while on the premises of the school the student attends or while attending a school-sponsored or school-related activity, on or off school property:

   a. Attempted murder;

   b. Indecency with a child;

   c. Aggravated kidnapping;

   d. Aggravated assault on someone other than a District employee or volunteer;

   e. Sexual assault or aggravated sexual assault against someone other than a District employee or volunteer;

   f. Aggravated robbery; ~~or~~

   g. Continuous sexual abuse of a young child or disabled individual; or

   ~~g.~~h. Bullying.

**School Safety Transfers**

The parent of a student who becomes a victim of a violent criminal offense as described in the state guidance for unsafe school choice options or who is assigned to a campus identified by TEA as persistently dangerous shall be offered a transfer to a safe public or charter school within the District.

For each transfer requested, the District shall explore transfer options, as appropriate. Options may include a transfer agreement with another school district.

From a Persistently Dangerous School

The parent of a student attending a school identified as persistently dangerous shall be provided notification of his or her right to request a transfer. Notification shall occur at least 14 days prior to the start of the school year or, for a student enrolling subsequently, upon the student's enrollment.

The parent must submit to the Superintendent an application for transfer. The Superintendent shall complete the transfer prior to the

beginning of the school year, if applicable, or within 14 calendar days of the request for a subsequently enrolling student.

Any transfer arranged for a student from a campus identified by TEA as persistently dangerous shall be renewed so long as the campus from which the student transferred retains that designation.

The District shall maintain, in accordance with the District's record retention schedule, documentation of notification to parents of the transfer option, transfer applications submitted, and action taken.

For a Victim of a Violent Criminal Offense

Within 14 calendar days after a violent criminal offense described above occurs in or on the premises of the school the student attends or while attending a school-sponsored or school-related activity, on or off school property, the District shall notify the parent of a student who is a victim of the offense of the parent's right to request a transfer. The parent must submit to the Superintendent an application for transfer. The Superintendent shall approve or disapprove the request within 14 calendar days of its submission.

Any transfer arranged for a student who was a victim of a violent crime as described above shall be renewed so long as the threat to the student exists at the campus to which the student would typically be assigned.

For each offense, the District shall maintain for at least five years documentation of the nature and date of the offense, notification to the parent of the transfer option, transfer applications submitted, action taken, and other relevant information regarding the offense.

**Additional Transfer Options**

In circumstances described by Education Code 25.0341, a parent of a student who has been the victim of a sexual assault, regardless of whether the offense occurred on or off school property, may request a transfer of the parent's child or the student assailant from the same campus.

[For other transfer provisions, see also FDA and FDB.]

# BOARD OF TRUSTEES
## Agenda Item

**MEETING DATE:** 8/11/25

**MEETING TYPE:**
- [x] Regular Meeting
- [ ] Special Meeting

**AGENDA ITEM TYPE:**
- [x] Action Item
- [ ] Non-Action Item

**BOARD GOALS (check all that apply)**

***Academic Goals***
- [x] Academic Competitiveness
  - [ ] Early Literacy (HB3)
  - [ ] Early Math (HB3)
  - [x] Other
- [ ] Career Certifications (HB3)

***Operational Goals***
- [ ] Promote Community/School Partnerships
- [ ] Fiscal Responsibility
- [ ] Safe and Secure Schools

**TITLE:** Discuss, Consider, and Take Any Necessary Action Regarding the Revisions to Board Policy EFB(LOCAL), FD(LOCAL), FM(LOCAL), FNCE(LOCAL)

**RECOMMENDED ACTION:** It is recommended that the board approve the revisions to Board Policy as presented

**BOARD POLICY/STATE REGULATION/LAW REFERENCE (if applicable):** EFB(LOCAL), FD(LOCAL), FM(LOCAL), FNCE(LOCAL)

**OVERVIEW:**

It is recommended that the Board of Trustees approve the proposed revisions to the following local board policies:
EFB(LOCAL) – Instructional Resources: Updates to this policy clarify procedures regarding the selection, review, and removal of instructional materials to ensure alignment with curriculum standards and community values.
FD(LOCAL) – Admissions: Revisions address updates to student residency requirements, enrollment procedures, and documentation in compliance with recent legislative changes.
FM(LOCAL) – Student Activities: Changes include revised guidelines for student participation in extracurricular activities, ensuring equitable access and proper oversight.
FNCE(LOCAL) – Personal Telecommunications/Electronic Devices: Updates reflect the new state requirements under HB 1481 regarding the use of personal communication devices by students during instructional time.
These revisions are intended to ensure that district policy remains in compliance with current laws and best practices while supporting a safe and effective learning environment.

**FISCAL IMPACT:**

**ATTACHMENTS:** EFB(LOCAL), FD(LOCAL), FM(LOCAL), FNCE(LOCAL)

**DEPARTMENT(S) SUBMITTING FORM:** Superintendent

**DEPARTMENT SIGNATURE/APPROVAL:**

## PROPOSED POLICY 7.17.25

***Note:*** For information related to the selection of instructional materials, see EFA.

The purpose of this policy is to ensure that the District provides a wide range of library materials for students and faculty that support student achievement and present varying levels of difficulty, diversity of appeal, and a variety of points of view. This policy also provides standards for collection development and the selection and evaluation of library materials.

**Collection Development Policy**

In this policy, "library materials" is defined by law and may include printed and electronic library acquisitions, including online catalogs, and other ancillary or supplementary materials maintained in a campus library. [See EFB(LEGAL)]

The library collection development standards shall apply to all library materials available for use or display, including material contained in school libraries, classroom libraries, online catalogs, library mobile applications used in the District, and any other library catalog a student may access.

In developing library collections, the District shall consider the age groups, grade levels, and access to library material by all students on a campus.

Responsibility

The District shall ensure librarians, professional library staff, and other designated professional staff are trained or receive information on the proper collection development standards.

The Superintendent shall develop administrative procedures to ensure that library collections comply with applicable law, library standards, and the District's collection development purpose and goals.

Collection Development Goals

In addition to the requirements in state law and rules, the District's library collections shall:

1. Present multiple viewpoints related to controversial issues [see EMB regarding instruction about controversial issues].
2. Provide a wide range of background information that will enable students to make intelligent decisions in their daily lives.
3. Include accurate and authentic factual content from authoritative sources.
4. Have a high degree of potential user appeal and interest.

5. Offer a global perspective that promotes equity of access, including print and nonprint materials such as electronic and multimedia, to meet the needs of individual learners.

6. Represent diverse viewpoints and cultural groups of the state and their contributions to the state, the nation, and the world, to ensure the collection embodies the background of all students.

Recommendation and Procurement of Materials

Library materials shall be recommended and procured in accordance with guidelines adopted by the Texas State Library and Archives Commission and the District standards and priorities expressed in this policy.

Librarians and other professional staff shall develop recommendations to be presented to the Board. The librarians and other professional staff shall ensure that the materials:

1. Enrich and support the TEKS and the state and local curriculum, taking into consideration students' varied interests, maturity levels, abilities, and learning styles.

2. Foster growth in factual knowledge, literary appreciation, aesthetic values, and societal standards.

3. Encourage the enjoyment of reading, foster high-level thinking skills, support personal learning, and encourage discussion based on rational analysis.

4. Represent ethnic, religious, and cultural groups of the state and their contributions to the state, the nation, and the world.

The Superintendent shall ensure that administrative procedures regarding the development of recommendations of library materials consider at least two of the following factors:

1. Recommendations from students, parents or guardians, teachers, and District residents.

2. Consultation with District teachers and library staff.

3. Consultation with library staff from other districts.

4. Extensive review of the library material.

5. Context of the library material, including overall fit within the existing collection and support of District curriculum.

6. Reviews of the library material from sources such as professional journals in library science, recognized professional education or content journals with book reviews, national and

state award recognition lists, library science field experts, and highly acclaimed author and literacy expert recommendations.

7. Coverage of topics, authors, series, or genres that fill gaps in the school library collection.

The Board shall consider the list of library materials that have been donated or proposed by the administration for procurement. Each Board member may propose changes before the Board takes action on the list of donated or proposed library materials.

The Board shall either approve or reject the library materials that have been donated or proposed for procurement.

**Donated and Proposed Procurement List**

At least 30 days prior to the Board's vote to accept donated library materials or approve procurement of library materials, the Superintendent shall make accessible to the public the list of library materials in accordance with law.

**Access Plan**

The District shall allow efficient parental access to the District's library and any available online catalogs.

Online catalogs shall be publicly available. The District shall publish information about library material titles, including how and where material can be accessed.

Each campus shall communicate the following to parents and guardians:

- Access to policies relating to school libraries and library materials;
- Consistent access to library materials and resources; and
- Opportunities for students, parents and guardians, educators, and community members to provide feedback on library materials and services.

**Parental Involvement**

Parents and guardians are the primary decision-makers regarding their child's access to library material. In general, a student is afforded the opportunity to self-select library materials as part of literacy development and the library program. District staff may assist a student in selecting library material; however, the ultimate determination of appropriateness remains with the student and parent or guardian. Parents and guardians are encouraged to communicate with the campus librarian and their child's teacher about special considerations regarding library materials self-selected by their child.

In accordance with state law and administrative procedures, parents or guardians may submit to the principal or a staff member

designated by the principal a list of library materials that the parent's or guardian's child shall not be allowed to check out or access for use outside of the school library. The Superintendent shall develop procedures that permit a parent or guardian to submit the request in at least one of the methods permitted by law.

The parent or guardian may select alternative library materials for their child. [For information on parental rights regarding instructional materials and other instructional resources, see EFA(LEGAL).]

The District shall focus on maximizing transparency with parents while meeting student needs and providing enrichment opportunities with library materials. Parental involvement in library acquisition, maintenance, and campus activities is encouraged.

*Access Procedures*

School Library

A parent or guardian who wishes to access a school's library shall first submit a request to the principal. The principal or a staff member designated by the principal shall work with the parent or guardian to determine a time to access the library that will not interfere with the delivery of instruction or disrupt student use of library services.

Library Catalog

A parent or guardian who wishes to access the catalog of library materials for any school in the District shall submit a written request to the school's principal. The principal or a staff member designated by the principal shall respond to the request in accordance with administrative procedures.

Protection from Inappropriate Material

In accordance with law and guidance from the Texas State Library and Archives Commission, library materials shall not include "harmful material"; any library material that is pervasively vulgar or educationally unsuitable; any library material containing indecent or profane content; any library material that refers a person to a website, including by use of a link or QR code, containing content legally prohibited under law; or any other material legally prohibited from inclusion in a public school library. [See EFB(LEGAL)]

Obscene material is not protected by the First Amendment to the United States Constitution.

Library materials shall comply with the Children's Internet Protection Act (CIPA), including technology protection measures. [See CQ]

**Challenge of Library Material**

A District employee, a parent or guardian of a District student, or District resident may challenge library material maintained in the District's library program.

Guiding Principles

The following principles shall guide the review of a challenge of library material:

1. An individual may challenge library material used in the District's library program, despite the fact that the professional staff and the Board followed the proper procedure and adhered to the objectives and criteria for recommending and procuring library materials set out in this policy.
2. Access to challenged material shall be restricted during the challenge process.

In addition to compliance with state law and this policy, a criterion for the final decision on challenged library materials is the appropriateness of the material for its intended use. No challenged library material shall be removed solely because of the ideas expressed in the library material or the personal background of the library material's author or the personal background of the characters in the material.

Informal Challenge

When the District or a campus receives an objection to the appropriateness of a library material, the appropriate librarian or administrator shall try to resolve the matter informally. The librarian or administrator shall explain the selection process and discuss the intended purpose for the library material.

The librarian or administrator shall offer a concerned parent or guardian an alternative library material to be used by the child in place of the material and, if requested, shall restrict the child's access to the material objected to by the parent or guardian.

If the individual wishes to make a formal challenge, the administrator shall make available to the individual a copy of this policy and the form to request a formal challenge of the library material.

Formal Challenge

The District shall make the Texas Education Agency form to challenge library material available on the District's website.

If a District employee, a parent or guardian of a District student, or a District resident wishes to challenge library material, they shall follow the procedures to complete and submit the challenge form.

After a challenge form is submitted, the form shall be provided to the Superintendent. Copies of the form shall be provided to the school librarian, the Board, and any other staff designated in administrative procedures.

*Challenge Committee*

The principal shall appoint a challenge committee and notify committee members in accordance with administrative procedures.

The challenge committee shall include the librarian and at least one member of the instructional staff who is familiar with the material's content. Other members of the committee may include District-level staff, secondary-level students, parents or guardians, and any other appropriate individuals.

The District shall provide members of the committee the relevant materials to review in accordance with the deadlines established in administrative procedures and in accordance with law.

Any meeting of the committee must comply with the meeting requirements under Education Code 33.024(g) and (h), including required notices, meeting minutes, audio or video recordings, and submission of minutes and audio or video recordings of the meeting to the District.

All members of the committee shall review the challenged library material in its entirety and determine whether the material conforms to this policy and whether the material will continue to be available in the library. The committee shall prepare a written report of its findings.

The Superintendent, the school librarian, the individual submitting the challenge, and any other appropriate staff shall receive a copy of the committee's report.

Appeal

An individual who submitted a challenge may appeal the decision to the Board. The individual must provide the notice of appeal in accordance with administrative procedures.

The Board shall hear the appeal and render a decision in accordance with the timelines established in law.

When considering the appeal, the Board shall consider the factors in Education Code 33.027(f). The Board shall consider appeals in accordance with timelines set out in law.

*Frequency of Review*

After a library material has been challenged and the Board determines not to remove the library material from a school library catalog, it may not be challenged again before the second anniversary of the Board's final decision not to remove the material.

Removal of Library Materials

If a challenge to a library material results in the removal of the library material from the school library catalog, each teacher assigned as the classroom teacher at the grade level for which the library material was removed shall be notified and instructed to remove any copy of the library material from the teacher's classroom library, if applicable.

**Maintenance of Library Materials**

In accordance with state guidelines and District administrative procedures, collections shall be evaluated and updated regularly based on the collections' age, relevance, diversity, and variety. The Superintendent shall ensure administrative procedures are established for regular maintenance of the library collection on each campus. Standard maintenance procedures for any library collection include repair, replacement, and removal of materials as necessary. Regular maintenance shall also include scheduled inventories of the collection. Disposal of any District-owned library materials shall be in accordance with District policy and procedures. [See CI]

**Gifts and Donations**

The Board shall accept gifts and donations of library materials with the understanding that the use and disposition of the materials and monies will be in accordance with District policy and the selection criteria noted above. [See CDC]

**Policy Review**

This policy shall be reviewed at least every three years and revised as necessary.

## PROPOSED REVISIONS

**Persons Age 21 and Over**

The District shall not admit into its public schools any person age 21 or over unless otherwise required by law.

~~The District shall admit persons who are at least age 21 and under age 26 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

In accordance with administrative regulations, the parent, guardian, or other person having lawful control of the student under order of a court shall present proof of residency. 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.

**Students Not Enrolled**

A student enrolled in a private school, including a homeschool, shall not be eligible for concurrent enrollment in the District nor for participation in curricular or extracurricular activities. [See EEL and FM]

**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.
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 nonpublic 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 ensure credit, including proportionate credit, is awarded appropriately for all 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).]

**PROPOSED REVISIONS 7.17.25**

**Extracurricular Activity Absences**

The District shall make no distinction between absences for UIL activities and absences for other extracurricular activities approved by the Board.

The District shall not limit an eligible student's absences related to participation in extracurricular activities. [See Record of Absences in FM(LEGAL)]

~~A student shall be allowed ten extracurricular absences not related to post-district competition, five absences for post-district competition prior to state competition, and two absences for state competition.~~

~~A maximum of five additional absences shall be permitted for district-level competition provided that the student has a grade point average of at least 80 in each course/subject/class to be missed and has no more than nine absences in each course/subject/class to be missed.~~

[For eligibility of a private school student, including a homeschool student, to participate in extracurricular activities, see FD(LOCAL).]

**Use of District Facilities**

School-sponsored student groups may use District facilities with prior approval of the appropriate administrator. Other student groups may use District facilities in accordance with policy FNAB.

## PROPOSED POLICY 7.17.25

***Note:*** For searches of personal communication devices or other personal electronic devices, see FNF.

**Personal Communication Devices**

A student shall not use a personal communication device on school property during the school day. While on school property, the student shall store any personal communication device in accordance with administrative regulations.

A student who violates this policy or any regulations shall be subject to discipline in accordance with the Board-adopted Student Code of Conduct.

An authorized District employee shall confiscate a student's personal communication device that is used in violation of this policy or any applicable regulations.

If a personal communication device is not retrieved, the District shall dispose of the device after providing the notice required by law.

Exceptions

A student shall be authorized to use a personal communication device on school property during the school day only under the following circumstances:

1. The student's use is necessary for implementation of the student's individualized education program, a 504 plan, or a similar program or plan;
2. The student's use is required due to a documented need based on a directive from a qualified physician; or
3. The student's use is necessary to comply with a health or safety requirement imposed by law or as part of the District or campus safety protocols.

Implementation

The Superintendent shall develop regulations to implement this policy.

Compliance

Annually, the Superintendent shall report to the Board on the implementation and compliance of this policy.

# BOARD OF TRUSTEES
## Agenda Item

**MEETING DATE:** 8/11/25

**MEETING TYPE:**
- [ ] Regular Meeting
- [x] Special Meeting

**AGENDA ITEM TYPE:**
- [x] Action Item
- [ ] Non-Action Item

**BOARD GOALS (check all that apply)**

***Academic Goals***
- [ ] Academic Competitiveness
  - [ ] Early Literacy (HB3)
  - [ ] Early Math (HB3)
  - [ ] Other
- [ ] Career Certifications (HB3)

***Operational Goals***
- [x] Promote Community/School Partnerships
- [x] Fiscal Responsibility
- [ ] Safe and Secure Schools

**TITLE:** Discuss, Consider, and Take Any Necessary Action Regarding the Approval of the Board Resolution Authorizing Sale of Property Specifically Described as Approximately 2.242 Acres of Real Property Out of the T. & P. R.R. Co. Survey, Section No. 13, E.O.B., Abstract No. 701, Palo Pinto County, Texas: Being a Portion of Mineral Wells ISD's Called 23.185 Acres Tract of Land as Described in Volume 833, Page 822, Official Public Records, Palo Pinto County, Texas (the "Property") .

**RECOMMENDED ACTION:** It is recommended that the Board consider the Resolution Approving the Sale of Real Property described as approximately 2.242 acres tract of land out of the T. & P. R.R. Co. SURVEY, SECTION No. 13, E.O.B., ABSTRACT No. 701, Palo Pinto County, Texas: being a portion of Mineral Wells I.S.D.'s called 23.185 acres tract of land and act in the best interest of the district.

**BOARD POLICY/STATE REGULATION/LAW REFERENCE (if applicable):** Board Policy CDB(LEGAL), Texas Education Code 11.154, Local Gov't Code 272.001(a), (d)

**OVERVIEW:**

A board may authorize the sale of any property, other than minerals, held in trust for free school purposes.

In most cases, before land owned by a district may be sold or exchanged for other land, notice to the general public of the offer of the land for sale or exchange must be published in a newspaper of general circulation in either the county in which the land is located or, if there is no such newspaper, in an adjoining county. The notice must be published in two separate dates and the sale or exchange may not be made until after the 14th day after the date of the second publication. The board is not required to accept any bid or offer or to complete a sale or exchange.

The land under consideration is raw and unused, and not currently needed by Mineral Wells ISD for any purpose. If sold, this parcel could be returned to school tax rolls and could be used for productive purposes as the city of Mineral Wells sees development ocurring in various locations around the city.

**FISCAL IMPACT:** Immediate financial gain of atleast the appraised value of the land(appraisal to be pursued if approved), plus increase to school tax rolls

**ATTACHMENTS:** Resolution

**DEPARTMENT(S) SUBMITTING FORM:** Superintendent

**DEPARTMENT SIGNATURE/APPROVAL:**

**RESOLUTION OF THE BOARD OF TRUSTEES OF MINERAL WELLS INDEPENDENT SCHOOL DISTRICT AUTHORIZING THE SALE OF REAL PROPERTY**

**WHEREAS,** the Board of Trustees (the "Board") of the Mineral Wells Independent School District (the "District") is authorized by Texas Education Code § 11.51 to govern and oversee the management of the public schools in the District; and

**WHEREAS,** under Texas Education Code § 11.151(c) all rights and titles to the real property of the District are vested in the Board and their successors in office; and

**WHEREAS,** pursuant to Texas Education Code §§ 11.151(c) and 11.154(a), the Board may dispose of property that is no longer necessary for the operation of the District and may, by resolution, authorize the sale of such property; and

**WHEREAS,** pursuant to Texas Government Code § 272.001 and Board Policy CDB (Legal), the District seeks to sell a parcel of land which is referred to herein as the "Property" and which is legally described as 2.242 acres of real property out of the T. & P. R.R. Co. Survey, Section No. 13, E.O.B., Abstract No. 701, Palo Pinto County, Texas: being a portion of Mineral Wells ISD's called 23.185 acres tract of land as described in Volume 833, Page 822, Official Public Records, Palo Pinto County, Texas; and

**WHEREAS,** the Board has determined that the Property is no longer needed for educational purposes and operation of the District; and

**WHEREAS,** pursuant to Texas Government Code §272.001 and Board Policy CDB (Legal), the District seeks to sell the Property.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE MINERAL WELLS INDEPENDENT SCHOOL DISTRICT THAT:**

**RESOLVED,** the Board fully authorizes the sale of the Property as it is no longer needed for the educational purposes and operation of the District; and

**RESOLVED,** the Board authorizes and directs the Superintendent or designee to execute all documents necessary to complete the sale and transfer the aforementioned Property, pursuant to Texas Education Code §11.154 and Local Government Code §272.001.

**PASSED AND APPROVED** this 11th day of August, 2025, by the Board of Trustees for the Mineral Wells Independent School District.

By: _____
Sunny Lee, Board President

Attest: _____
Donna Henderson, Board Secretary

# BOARD OF TRUSTEES
## Agenda Item

**MEETING DATE:** 8/11/25

**MEETING TYPE:**
- [x] Regular Meeting
- [ ] Special Meeting

**AGENDA ITEM TYPE:**
- [x] Action Item
- [ ] Non-Action Item

**BOARD GOALS (check all that apply)**

***Academic Goals***
- [ ] Academic Competitiveness
  - [ ] Early Literacy (HB3)
  - [ ] Early Math (HB3)
  - [ ] Other
- [ ] Career Certifications (HB3)

***Operational Goals***
- [ ] Promote Community/School Partnerships
- [x] Fiscal Responsibility
- [ ] Safe and Secure Schools

**TITLE:** Discuss, Consider, and Take Any Necessary Action in Regard to the Approval of the Demolition of the Gym Located at the District Service Center

**RECOMMENDED ACTION:** It is recommended that the Board approve the Demolition of the Gym Located at the District Service Center as presented to the Board.

**BOARD POLICY/STATE REGULATION/LAW REFERENCE (if applicable):** CV(LEGAL), CV(LOCAL)

**OVERVIEW:**

Removing the structure will support the District's efforts to optimize space. All demolition activities will be carried out in accordance with safety standards and regulatory requirements.

**FISCAL IMPACT:** See Attachment

**ATTACHMENTS:** N/A

**DEPARTMENT(S) SUBMITTING FORM:** Maintenance

**DEPARTMENT SIGNATURE/APPROVAL:**

| Topic | Page Number (MEH) | Page Number (Editable Version) | Description of Change |
|---|---|---|---|
| Cover Page | | | • Updated dates and copyright statement |
| **Table of Contents** | **1-2** | **1-2** | • **Updated page numbers and order of entries**<br>• Added new topics for ADA accommodations and mental health training |
| **Board of Trustees** | **9-10** | **7-8** | • **Changed deadline for required notice of board meetings from 72 hours to three business days in the fourth paragraph** |
| **ADA Accommodations** | **18-19** | **14** | • Added new topic describing process for initiation and requests for reasonable accommodation because of a disability<br>• **Added the "or the ADA coordinator" as the department or individual who will respond to accommodation requests** |
| Breaks for Expression of Breast Milk | 19 | n/a | • Removed the implementation date in Local considerations |
| Pregnant Workers Fairness Act | 21 | n/a | • Removed the implementation date in Local considerations |
| **Outside Employment and Tutoring** | **22** | **16** | • **Added information related to restrictions on school administrator's performance of outside employment** |
| Staff Development | 23 | n/a | • Added requirement to annually review the TEA clearinghouse and update the professional development plan in Local considerations |
| Mental Health Training | 24 | 18 | • Added new topic addressing the requirements for mental health training in 19 TAC § 153.1015 which became effective December 2, 2024 |
| Paychecks | 25 | 19 | • Added placeholder for contact for questions about pay statements at the end of the first paragraph |


© 2025 Texas Association of School Boards, Inc. All rights reserved.

| Topic | Page Number (MEH) | Page Number (Editable Version) | Description of Change |
|---|---|---|---|
| **Local Procedures for Implementing Family and Medical Leave Provisions** | **42-44** | **31-32** | • **Edited the paragraph "Use of Paid Leave" to include provision in HB 2 allowing teachers the option to not use paid leave concurrently with FML for pregnancy or birth or adoption of a child**<br>• **Added note to Local considerations** |
| Temporary Disability Leave | 44 | n/a | • In Local considerations, added direction for District of Innovation districts to address whether temporary disability leave is extended to noncertified teachers |
| Standards of Conduct | 54 | n/a | • Removed the CROWN Act implementation date in the third paragraph in Local considerations |
| **Harassment of Students** | **60-61** | **43-44** | • **Edited fourth paragraph and directions for inserting local procedures for reporting harassment** |
| **Reporting Suspected Child Abuse** | **61-62** | **44-45** | • **Changes were made in the first five paragraphs to meet the new reporting deadline and procedures required by Senate Bill 571** |
| **Sexual Abuse and Maltreatment of Children** | **63** | **45** | • **Changes were made to reflect amendments to the definition of abuse in Senate Bill 571** |
| **Reports to Texas Education Agency** | **63-64** | **45-46** | • **Topic moved from the Termination section and edited as a result of SB 571 which amended reporting requirements for all employees** |
| **Technology Resources** | **65** | **47** | • **Added an optional bullet addressing appropriate use of artificial intelligence** |


© 2025 Texas Association of School Boards, Inc. All rights reserved.

| Topic | Page Number (MEH) | Page Number (Editable Version) | Description of Change |
|---|---|---|---|
| Personal Use of Electronic Communications | 66-67 | 47-48 | • Added reference to Policy CY<br>• Updated reference to Twitter to X in the first paragraph<br>• Edited third bullet in the third paragraph to reflect Policy CY(LOCAL) changes in Update 124 to include "trademarks" |
| **Criminal History Background Checks** | **72** | **51-52** | • **Edited to reflect requirement to conduct criminal history checks on all employees** |
| **Employee Arrests and Convictions** | **72-74** | **52-53** | • **Edited the third and fourth paragraphs to reflect reporting requirements in SB 571** |
| Tobacco and Nicotine Products and E-Cigarette Use | 75 | 53 | • Deleted "and nicotine products" from first paragraph since statute doesn't prohibit nicotine products<br>• Deleted "and nicotine products" in Local considerations |
| Copyrighted Materials | 77 | 55 | • Editorial change to the first sentence |
| Emergency School Closing | 82 | 58 | • Added policy reference |
| **Resignations** | **85-86** | **60-61** | • **Updated the fourth and sixth paragraph to reflect revised reporting requirements in SB 571** |
| **Dismissal or Nonrenewal of Contract Employee** | **86-87** | **61** | • **Updated policy reference**<br>• **Updated the second paragraph to reflect reporting requirements in SB 571**<br>• **Deleted the second paragraph in local considerations** |

© 2025 Texas Association of School Boards, Inc. All rights reserved.

| Topic | Page Number (MEH) | Page Number (Editable Version) | Description of Change |
|---|---|---|---|
| **Dismissal of Noncontract Employees** | **87** | **61-62** | • **Updated policy reference**<br>• **Updated the second paragraph to reflect reporting requirements in SB 571**<br>• **Deleted the second paragraph in local considerations** |
| **Discharge of Convicted Employees** | **88** | **62** | • **Updated the offenses requiring employee discharge**<br>• **Updated the Texas Education Code reference in local considerations** |
| **Reports to Texas Education Agency** | **88** | **n/a** | • **Topic was edited and moved to Employee Conduct and Welfare as a result of SB 571 which amended reporting requirements for all employees and is no longer limited to resignations and terminations** |
| **Index** | **98-100** | **67-69** | • **Updated page numbers**<br>• Added entries for ADA accommodations, Disability, and Mental health training |

© 2025 Texas Association of School Boards, Inc. All rights reserved.

# Mineral Wells ISD

# 2025-2026 Employee Handbook

If you have difficulty accessing the information in this document because of a disability, please email kbullock@mwisd.net

# Table of Contents


**Employee Handbook Receipt** **6**
**Introduction** **6**
**District Information** **7**
Description of the District 8
District Map 9
Mission Statement, Goals, and Objectives 10
Board of Trustees 10
Board Meeting Schedule 11
Administration 12
School Calendar 13
Helpful Contacts 14
School Directory 14
**Employment** **19**
Equal Employment Opportunity 19
Job Vacancy Announcements 19
Employment after Retirement 20
Contract and Noncontract Employment 20
Certification and Licenses 21
Recertification of Employment Authorization 21
Searches and Alcohol and Drug Testing 22
Health Safety Training 22
Reassignments and Transfers 23
Workload and Work Schedules 23
Staff Attendance 24
ADA Accommodations 24
Breaks for Expression of Breast Milk 25
Pregnant Workers Fairness Act 25
Notification to Parents Regarding Qualifications 25
Outside Employment and Tutoring 26
Performance Evaluation 26
Employee Involvement 27
Staff Development 27
Mental Health Training 27
**Compensation and Benefits** **28**
Salaries, Wages, and Stipends 28
Paychecks 28
Automatic Payroll Deposit 29
Payroll Deductions 29
Overtime Compensation 30

Travel Expense Reimbursement 30
Health, Dental, and Life Insurance 31
Supplemental Insurance Benefits 31
Cafeteria Plan Benefits (Section 125) 31
Workers' Compensation Insurance 32
Unemployment Compensation Insurance 32
Teacher Retirement 32
**Leaves and Absences 33**
Personal Leave 34
State Sick Leave 35
Local Leave 35
Vacation 36
Sick Leave Bank (or Pool) 36
Family and Medical Leave Act (FMLA)—General Provisions 36
Local Procedures for Implementing Family and Medical Leave Provisions 39
Temporary Disability Leave 40
Workers' Compensation Benefits 41
Assault Leave 41
Jury Duty 42
Compliance with a Subpoena 42
Truancy Court Appearances 42
Religious Observance 42
Military Leave 43
Payment for Accumulated Leave Upon Separation 43
**Employee Relations and Communications 44**
Employee Recognition and Appreciation 44
District Communications 44
**Complaints and Grievances 44**
**DGBA (Local)**
**https://pol.tasb.org/PolicyOnline/PolicyDetails?key=973&code=DGBA#localTabContentEmployee Conduct and Welfare 44**
Standards of Conduct 45
Discrimination, Harassment, and Retaliation 49
Harassment of Students 49
Reporting Suspected Child Abuse 50
Sexual Abuse and Maltreatment of Children 51
Reports to Texas Education Agency 51
Reporting Crime 52
Scope and Sequence 52
Technology Resources 53
Personal Use of Electronic Communications 53

Electronic Communications between Employees, Students, and Parents 55
Public Information on Private Devices 57
Using Social Media Responsibly 58
Cybersecurity Awareness Training 58
Information Security Handbook 58
Criminal History Background Checks 58
Employee Arrests and Convictions 59
Alcohol and Drug-Abuse Prevention 60
DH (Local)
https://pol.tasb.org/PolicyOnline/PolicyDetails?key=973&code=DH#localTabContent 60
Tobacco and Nicotine Products and E-Cigarette Use 60
Fraud and Financial Impropriety 60
Conflict of Interest 61
Gifts and Favors 62
Copyrighted Materials 62
Associations and Political Activities 62
Charitable Contributions 63
Safety and Security 63
Possession of Firearms and Weapons 64
Visitors in the Workplace 64
Asbestos Management Plan 64
Pest Control Treatment 64
**General Procedures 65**
Emergency School Closing 65
Emergencies 65
Purchasing Procedures 65
Name and Address Changes 68
Personnel Records 68
Facility Use 68
**Employees who wish to use district facilities after school hours must follow established procedures. The principal is responsible for scheduling the use of facilities on a school campus. The Athletic Director is responsible for scheduling the use of athletic facilities. The Superintendent or designee is authorized to approve use of all other District facilities. Contact the appropriate administrator to request to use school facilities and to obtain information on the fees charged. 68**
**Termination of Employment 68**
Resignations 69
Dismissal or Nonrenewal of Contract Employees 70
Dismissal of Noncontract Employees 70
Discharge of Convicted Employees 71
Exit Interviews and Procedures 71
Reports Concerning Court-Ordered Withholding 71

**Student Issues** **72**
Equal Educational Opportunities 72
Student Records 72
Parent and Student Complaints 73
Administering Medication to Students 73
Dietary Supplements 73
Psychotropic Drugs 74
Student Conduct and Discipline 74
Student Attendance 74
Bullying 74
Hazing 78
**Appendix** **78**
Activity Funds/Fund Raisers 78
Announcements/Class Interruptions 80
Assessments 81
Athletics Facilities 81
Calendar 82
Classroom Maintenance 82
Dress Code 83
Equipment Usage 84
Bicycles (Travis Campus Only) 85
Copy Machines 85
E-mail 85
Fax Machine 85
Keys 85
Laminating 85
Mailboxes 86
Personal Use of School Equipment 86
Field Trips 86
Instructional Resource Guidelines 87
Library 87
Meetings 87
Parent Communication 88
Parking 88
Parties 88
Phone Calls – Cell Phone Use 89
Staff Children on Campus 89
Surveillance 89
Visitors 89
Workrooms 89
Extracurricular Activities 90

Grading 91
Grade Reporting 91
Gradebooks 91
Homework 92
Retention and Promotion 92
Lamar Grading Policy 94
Houston Grading Policy 94
Travis Grading Policy 95
Mineral Wells Junior High Grading Policy 95
Mineral Wells High School Grading Policy 96
Recess 96
Supervision of Students 96
UIL 97
Teacher's Guide to Student Discipline 97
Mineral Wells ISD - Local Procedures & Programs Description Manual 102
Mineral Wells Independent School District - Staff Acceptable Use Policy 109
MWISD Employee Laptop Agreement 113
**Index** **114**

# Employee Handbook Receipt

## Name _____

## Campus/Department _____

I hereby acknowledge receipt of a copy of the Mineral Wells ISD Employee Handbook. I agree to read the handbook and abide by the standards, policies, and procedures defined or referenced in this document.

Employees have the option of receiving the handbook in electronic format or hard copy.

***Electronic copies may be found at www.mwisd.net***

Please indicate your choice by checking the appropriate box below:

- ❒ I choose to receive the employee handbook in electronic format and accept responsibility for accessing it according to the instructions provided.

- ❒ I choose to receive a hard copy of the employee handbook and understand I am required to contact _____ to obtain a hard copy.

The information in this handbook is subject to change. I understand that changes in district policies may supersede, modify, or render obsolete the information summarized in this document. As the district provides updated policy information, I accept responsibility for reading and abiding by the changes.

I understand that no modifications to contractual relationships or alterations of at-will employment relationships are intended by this handbook.

I understand that I have an obligation to inform my supervisor or department head of any changes in personal information such as phone number, address, etc. I also accept responsibility for contacting my supervisor or the Assistant Superintendent of Human Resources if I have questions or concerns or need further explanation.

_____ _____

Signature Date

Please sign and date this receipt and forward it to your campus principal.

# Introduction

The purpose of this handbook is to provide information that will help with questions and pave the way for a successful year. Not all district policies and procedures are included. Those that are, have been summarized. Suggestions for additions and improvements to this handbook are welcome and may be sent to Natalie Griffin, Assistant Superintendent of Human Resources.

This handbook is neither a contract nor a substitute for the official district policy manual. Nor is it intended to alter the at-will status of noncontract employees in any way. Rather, it is a guide to and a brief explanation of district policies and procedures related to employment. These policies and procedures can change at any time; these changes shall supersede any handbook provisions that are not compatible with the change. For more information, employees may refer to the policy codes that are associated with handbook topics, confer with their supervisor, or call the appropriate district office. District policies can be accessed Online at www.mwisd.net.

# District Information

## Description of the District

The Mineral Wells Independent School District is committed to excellence. Academic achievement is the top priority for MWISD's 3,300 plus students. It is truly a place where the interests of the children come first.

### Facilities and Staff

The children of this historic community attend three elementary schools, one junior high, and one high school (4A). The district has a well-established alternative education center. This year, improvements are being made to improve facilities and accommodate student growth.

### Technology

Each of the district's five schools is equipped with up-to-date computer labs and utilizes technology-assisted instruction. All schools have computerized libraries. A distance learning site and professional development center are located at the District Services Complex. The district is connected with a fiber-optics network.

### Programs

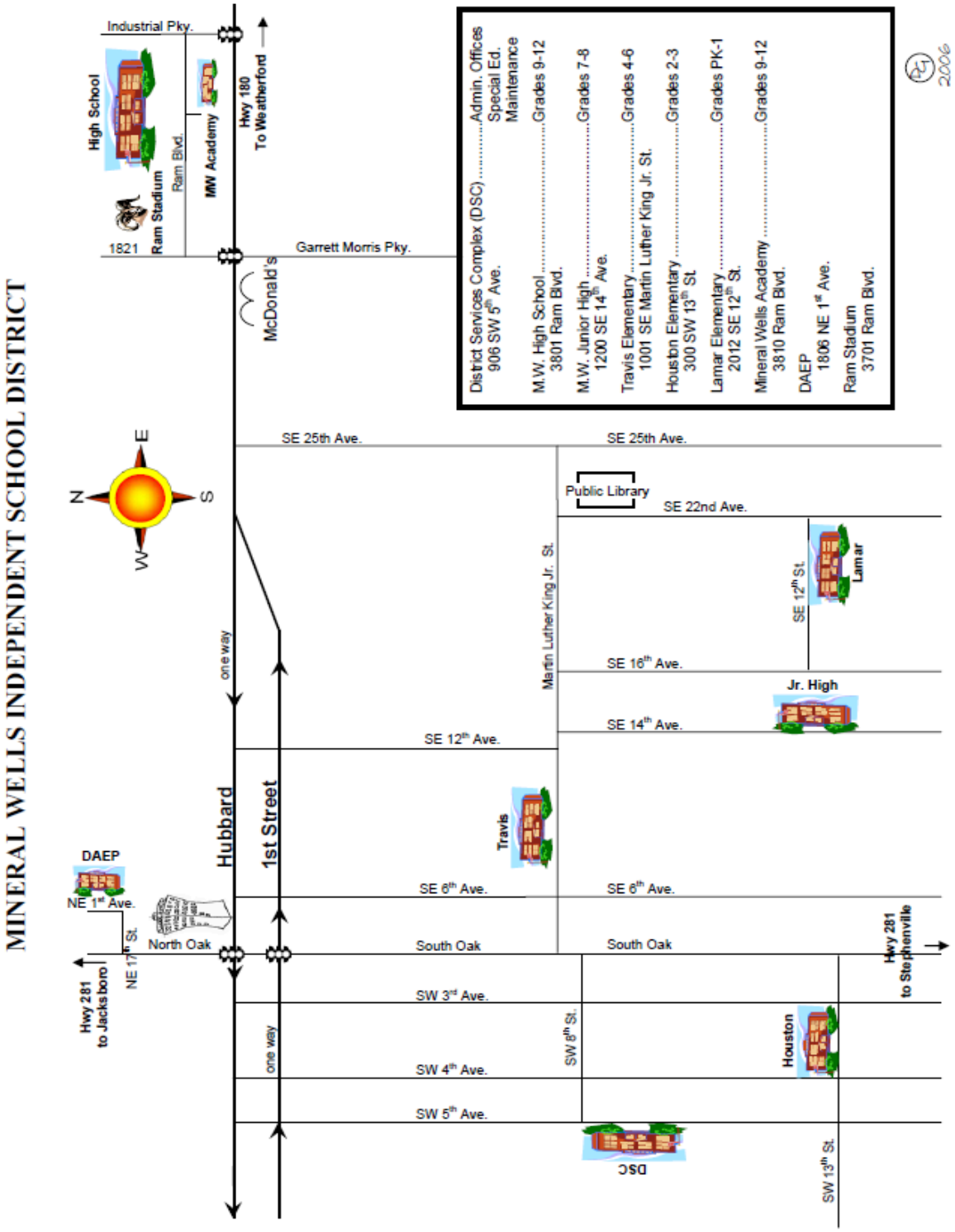
Many innovative and varied programs are used throughout the district to meet student needs and promote academic achievement. Academically gifted students in grades K-12 are provided challenging curriculum and activities. Strong fine arts and athletic programs in MWISD schools, along with solid core subjects, provide a well-balanced curriculum for all students. The high school that opened in the school year 2000-2001 has an extensive selection of technical and certification programs, varying from computer technology, career, agriculture, and culinary arts. The campus offers many advanced placement classes.

### Networking with Universities

The school district reaches beyond its boundaries by working in conjunction with Tarleton State University, University of Texas, McMurry University, and Weatherford College in various programs to bring excellence to Mineral Wells.

The Effective Schools Project, with Tarleton State University, provides for teacher staff development and training.

# District Map



## Mission Statement, Goals, and Objectives

*Policy AE*

**Mission**

Mineral Wells Independent School District is committed to building a community of life-long learners in a student-centered climate emphasizing character and responsibility.

**Vision**

Mineral Wells Independent School District will design relevant, challenging learning experiences to prepare students for our ever-changing global community.

**Goals**

| Academic Goals | Operational Goals |
|---|---|
| Academic Competitiveness | Promote Community/School Partnerships |
| Early Literacy | Fiscal Responsibility |
| Early Math | Safe and Secure Schools |
| Career Certifications | |

**Core Values**

Honesty Integrity Teamwork Excellence Belief in Students Accountability

Continuous Improvement Partnerships with Parents, Businesses, and our Community

## Board of Trustees

*Policies BA, BB series, BD series, and BE series*

Texas law grants the board of trustees the power to govern and oversee the management of the district's schools. The board is the policy-making body within the district and has overall responsibility for the curriculum, school taxes, annual budget, employment of the superintendent and other professional staff, and facilities. The board has complete and final control over school matters within limits established by state and federal laws and regulations.

The board of trustees is elected by the citizens of the district to represent the community's commitment to a strong educational program for the district's children. Board members are elected at-large and serve 3-year terms. (Positions one and two – 2024, 2027, 2030 and in three-year intervals thereafter. Positions three, four, and five – 2025, 2028, 2031 and in three-year intervals thereafter. Positions six and seven – 2026, 2029, 2032, and in three-year

intervals thereafter). Board members serve without compensation, must be qualified voters, and must reside in the district.

Current board members include:

- Maria Jones
- Sunny Lee - President
- Brandon Hons
- Joe Ruelas
- Scott Aaron
- Lauretta Poole – Vice President
- Donna Henderson – Secretary

The board usually meets at the Mineral Wells ISD District Services Complex, 906 SW 5th Ave, Mineral Wells, TX at 7:00 p.m. on the second Monday of each month. In the event that large attendance is anticipated, the board may meet at Mineral Wells High School Auditorium. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted on the district website and at the entrance of the District Services Complex at least three business days before the scheduled meeting time. The written notice will show the date, time, place, and subjects of each meeting. In emergencies, a meeting may be held with a one-hour notice.

All meetings are open to the public. In certain circumstances, Texas law permits the board to go into a closed session from which the public and others are excluded. Closed session may occur for such things as discussing prospective gifts or donations, real-property acquisition, certain personnel matters including employee complaints, security matters, student discipline, or consulting with attorneys regarding pending litigation.

## Board Meeting Schedule

September 8,2025

October 13, 2025

November 10, 2025

December 8, 2025

January 12, 2026

February 9, 2026

March 9, 2026

April 13, 2026

May 11, 2026

June 8, 2026

July 13, 2026

* Subject to change due to school holiday

## Administration

| | |
|---|---|
| • Superintendent | David Tarver |
| • Assistant Superintendent of Human Resources | Natalie Griffin |
| • Assistant Superintendent of Student Services | Angie Myrick |
| • Chief Financial Officer | Paul Hearn |
| • Director of Counseling and Assessment | Amber Moore |
| • Director of Curriculum | Lindsey Wells |
| • Director of Athletics | Cody Worrell |
| • Director of Communications | Karyn Bullock |
| • Director of Safety and Security and Food Services | David Wells |
| • Maintenance Director | Trey Evans |
| • Director of Special Education | Kendra Fowler |
| • Director of Technology | Justin Lascsak |
| • Director of Transportation | Chris Williams |

# School Calendar

# Helpful Contacts

From time to time, employees have questions or concerns. If those questions or concerns cannot be answered by supervisors or at the campus or department level, the employee is encouraged to contact the appropriate department as listed below.

# School Directory

## High School

| | |
|---|---|
| Address: | 3801 Ram Blvd. |
| Phone: | (940)325-4408 |
| Fax | (940)325-7623 |
| Principal | Shanna Spillers |
| Assistant Principal | Courtney Chaney |
| Assistant Principal | Stefany Johnston |
| Assistant Principal | Kelly Wilson |
| Counselor | Angela Cook |
| Counselor | Jilleen Kesler |

## Junior High School

| | |
|---|---|
| Address: | 1301 SE 14th Ave. |
| Phone: | (940)325-0711 |
| Fax | (940)328-0450 |
| Principal | Eric Rivas |
| Assistant Principal | Steven Parkman |
| Assistant Principal | Lori Box |
| Counselor | Katie Taylor |

## Travis Elementary

| | |
|---|---|
| Address: | 1001 SE Martin Luther King St. |
| Phone: | (940)325-7801 |
| Fax | (940)328-0972 |
| Principal | Nichole Gray |
| Assistant Principal | Esteban Flores |
| Assistant Principal | Melissa Murphy |
| Counselor | Jolene Williams |

## Houston Elementary

| | |
|---|---|
| Address: | 300 SW 13th St. |
| Phone: | (940)325-3427 |
| Fax | (940)325-7683 |
| Principal | Jaycee Roach |
| Assistant Principal | Robin Facteau |
| Counselor | Tymmie Boyd |

## Lamar Elementary

| | |
|---|---|
| Address: | 2012 SE 12th St. |
| Phone: | (940)325-5303 |
| Fax | (940)328-0152 |
| Principal | Rhonda Mack |
| Assistant Principal | Dianna Leggett |

| | |
|---|---|
| Assistant Principal | Tanya Weitzman |
| Counselor | Rebecca Holliday |

## Academy

| | |
|---|---|
| Address: | 3810 Ram Blvd. |
| Phone: | (940)325-3033 |
| Principal | Stefany Johnston |

## DAEP

| | |
|---|---|
| Address: | 906 SW 5th Ave. |
| Phone: | (940)325-6404 |
| Coordinator: | Susanna Lovern |

## Finance

| | |
|---|---|
| Address: | 906 SW 5th Ave. |
| Phone: | (940)325-6404 |
| Director: | Paul Hearn |
| Accountant: | Dorinda Brown |
| Payroll/Benefits: | Kay Hall |
| Accounts Payable Clerk | Mary Ramey |

## Food Services

| | |
|---|---|
| Address: | 906 SW 5th Ave. |
| Phone: | (940)325-6404 |

Director: David Wells

## Maintenance

Address: 906 SW 5th Ave.

Phone: (940)325-6404

Maintenance Director: Trey Evans

## Public Relations

Address: 906 SW 5th Ave.

Phone: (940)325-6404

Director: Karyn Bullock

## Safety

Address: 906 SW 5th Ave.

Phone: (940)325-6404

Director: David Wells

## Special Education

Address: 906 SW 5th Ave.

Phone: (940)325-6404

Director: Kendra Fowler

## Technology

Address: 906 SW 5th Ave.

Phone: (940)325-6404

Director: Justin Lascsak

## Transportation

Address: 966 Cross Post Rd.

Phone: (940)325-4290

Director: Chris Williams

# Employment

## Equal Employment Opportunity

*Policies DAA, DIA*

In its efforts to promote nondiscrimination and as required by law, Mineral Wells ISD does not discriminate against any employee or applicant for employment because of race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, age, disability, military status, genetic information, or on any other basis prohibited by law. Additionally, the district does not discriminate against an employee or applicant who acts to oppose such discrimination or participates in the investigation of a complaint related to a discriminatory employment practice. Employment decisions will be made on the basis of each applicant's job qualifications, experience, and abilities.

In accordance with Title IX, the district does not discriminate on the basis of sex and is prohibited from discriminating on the basis of sex in its educational programs or activities. The prohibition against discrimination extends to employment. Inquiries about the application of Title IX may be referred to the district's Title IX coordinator, to the Assistant Secretary for Civil Rights of the Department of Education, or both.

The district designates and authorizes the following employee as the Title IX coordinator for employees to address concerns or inquiries regarding discrimination based on sex, including sexual harassment: *Natalie Griffin, Assistant Superintendent of Human Resources, 906 SW 5th Ave., Mineral Wells, TX 76067 (940-325-6404)*. Reports can be made at any time and by any person, including during non-business hours, by mail, email, or phone. During district business hours, reports may also be made in person.

The district designates and authorizes the following employee as the ADA/Section 504 coordinator for employees for concerns regarding discrimination on the basis of a disability: *Amber Moore, Director of Counseling and Assessment, 906 SW 5th Ave., Mineral Wells, TX 76067 (940-325-6404).*

Questions or concerns relating to discrimination for any other reason should be directed to the Superintendent.

## Job Vacancy Announcements

*Policy DC*

Announcements of job vacancies by position and location are posted on a regular basis to the district's website.

## Employment after Retirement

*Policy DC*

Individuals receiving retirement benefits from the Teacher Retirement System (TRS) may be employed under certain circumstances on a full- or part-time basis without affecting their benefits, according to TRS rules and state law. Detailed information about employment after retirement is available in the TRS publication *Employment after Retirement*. Employees can contact TRS for additional information by calling 800-223-8778 or 512-542-6400. Information is also available on the TRS Website (www.trs.texas.gov).

## Contract and Noncontract Employment

*Policy DC series*

State law requires the district to employ all full-time professional employees in positions requiring a certificate from the State Board for Educator Certification (SBEC) and nurses under probationary, term, or continuing contracts. Employees in all other positions are employed at-will or by a contract that is not subject to the procedures for nonrenewal or termination under Chapter 21 of the Texas Education Code. The paragraphs that follow provide a general description of the employment arrangements used by the district.

**Probationary Contracts.** Nurses and full-time professional employees new to the district and employed in positions requiring SBEC certification must receive a probationary contract during their first year of employment. Former employees who are hired after a two-year lapse in district employment or employees who move to a position requiring a new class of certification may also be employed by probationary contract. Probationary contracts are one-year contracts. The probationary period for those who have been employed as a teacher in public education for at least five of the eight years preceding employment with the district may not exceed one school year.

For those with less experience, the probationary period will be three school years (i.e., three one-year contracts) with an optional fourth school year if the board determines it is doubtful whether a term or continuing contract should be given.

**Term Contracts.** Full-time professionals employed in positions requiring certification and nurses will be employed by term contracts after they have successfully completed the probationary period. The terms and conditions of employment are detailed in the contract and employment policies. All employees will receive a copy of their contract. Employment policies can be accessed Online or copies will be provided upon request.

**Noncertified Professional and Administrative Employees.** Employees in professional and administrative positions that do not require SBEC certification (such as noninstructional administrators) are employed by a one-year contract that is not subject to the provisions for nonrenewal or termination under the Texas Education Code. Others are not employed by contract. Employment is not for any specified term and may be terminated at any time by either

the employee or the district. Others are employed by a Chapter 21 probationary or term contract.

**Paraprofessional and Auxiliary Employees.** All paraprofessional and auxiliary employees, regardless of certification, are employed at will and not by contract. Employment is not for any specified term and may be terminated at any time by either the employee or the district.

## Certification and Licenses

*Policies DBA, DF*

Professional employees whose positions require SBEC certification or a professional license are responsible for taking actions to ensure their credentials do not lapse. Employees must submit documentation that they have passed the required certification exam and/or obtained or renewed their credentials to the personnel office in a timely manner. Employees licensed by the Texas Department of Licensing and Regulations (TDLR) must notify the personnel office when there is action against, or revocation of, their license.

A certified employee's contract may be voided without Chapter 21 due process and employment terminated if the individual does not hold a valid certificate or fails to fulfill the requirements necessary to renew or extend a temporary certificate, emergency certificate, probationary certificate, or permit. A contract may also be voided if SBEC suspends or revokes certification because of an individual's failure to comply with criminal history background checks. Contact the Human Resources Department if you have any questions regarding certification or licensure requirements.

## Recertification of Employment Authorization

*Policy DC*

At the time of hire all employees must complete the Employment Eligibility Verification Form (Form I-9) and present documents to verify identity and employment authorization.

Employees whose immigration status, employment authorization, or employment authorization documents have expired must present new documents that show current employment authorization. Employees should file the necessary application or petition sufficiently in advance to ensure that they maintain continuous employment authorization or valid employment authorization documents. Contact the Human Resources Department if you have any questions regarding reverification of employment authorization. Failure to verify employment authorization may result in termination.

## Searches and Alcohol and Drug Testing

*Policy CQ, DHE*

Noninvestigatory searches in the workplace including accessing an employee's desk, file cabinets, or work area to obtain information needed for usual business purposes may occur when an employee is unavailable. Therefore, employees are hereby notified that they have no legitimate expectation of privacy in those places. In addition, the district reserves the right to conduct searches when there is reasonable cause to believe a search will uncover evidence of work-related misconduct. Such an investigatory search may include drug and alcohol testing if the suspected violation relates to drug or alcohol use. The district may search the employee, the employee's personal items, and work areas including district-owned technology resources, lockers, and private vehicles parked on district premises or work sites or used in district business. Disciplinary action, up to and including termination, may result if an employee refuses to submit to testing or is found to violate district policy.

**Employees Required to Have a Commercial Driver's License.** Any employee whose duties require a commercial driver's license (CDL) is subject to alcohol and drug testing. This includes all drivers who operate a motor vehicle designed to transport 16 or more people counting the driver, drivers of large vehicles, or drivers of vehicles used in the transportation of hazardous materials. Teachers, coaches, or other employees who primarily perform duties other than driving are subject to testing requirements if their duties include driving a commercial motor vehicle.

Drug testing will be conducted before an individual assumes driving responsibilities. Alcohol and drug tests will be conducted when reasonable suspicion exists, at random, when an employee returns to duty after engaging in prohibited conduct, and as a follow-up measure. Testing may be conducted following accidents. Return-to-duty and follow-up testing will be conducted if an employee who has violated the prohibited alcohol conduct standards or tested positive for alcohol or drugs is allowed to return to duty.

All employees required to have a CDL or who otherwise are subject to alcohol and drug testing will receive a copy of the district's policy, the testing requirements, and detailed information on alcohol and drug abuse and the availability of assistance programs.

Employees with questions or concerns relating to alcohol and drug testing policies and related educational material should contact Chris Williams at 940-325-4290.

## Health Safety Training

*Policies DBA, DMA*

Certain employees who are involved in physical activities for students must maintain and submit to the district proof of current certification or training in first aid, cardiopulmonary resuscitation (CPR), the use of an automated external defibrillator (AED), concussion, and extracurricular athletic activity safety. Certification or documentation of training must be issued by the

American Red Cross, the American Heart Association, or another organization that provides equivalent training and certification. Employees subject to this requirement must submit their certification or documentation to their immediate supervisor for verification by the Human Resources Department each year.

School nurses and employees with regular contact with students must complete a Texas Education Agency approved, Online training regarding seizure disorder aware-ness, recognition, and related first aid.

## Reassignments and Transfers

*Policy DK*

All personnel are subject to assignment and reassignment by the superintendent or designee when the superintendent or designee determines that the assignment or reassignment is in the best interest of the district. Reassignment is a transfer to another position, department, or facility that does not necessitate a change in the employment contract. Campus reassignments must be approved by the principal at the receiving campus except when reassignments are due to enrollment shifts or program changes. Extracurricular or supplemental duty assignments may be reassigned at any time unless an extracurricular or supplemental duty assignment is part of a dual-assignment contract. Employees who object to a reassignment may follow the district process for employee complaints as outlined in this handbook and district policy DGBA(Local).

An employee with the required qualifications for a position may request a transfer to another campus or department. A written request for transfer must be completed and signed by the employee and the employee's supervisor. A teacher requesting a transfer to another campus before the school year begins must submit his or her request by June 1 of the current year. Requests for transfer during the school year will be considered only when the change will not adversely affect students and after a replacement has been found. All transfer requests will be coordinated by the personnel office and must be approved by the receiving supervisor.

## Workload and Work Schedules

*Policies DEAB, DK, DL*

**Professional Employees.** Professional employees and academic administrators are exempt from overtime pay and are employed on a 10-, 11-, or 12-month basis, according to the work schedules set by the district. A school calendar is adopted each year designating the work schedule for teachers and all school holidays. Notice of work schedules including start and end dates and scheduled holidays will be distributed each school year.

Classroom teachers will have planning periods for instructional preparation including conferences. The schedule of planning periods is set at the campus level but must provide at least 450 minutes within each two-week period in blocks not less than 45 minutes within the instructional day. Teachers and librarians are entitled to a duty-free lunch period of at least 30

minutes. The district may require teachers to supervise students during lunch one day a week when no other personnel are available.

**Paraprofessional and Auxiliary Employees.** Support employees are employed at will and receive notification of the required duty days, holidays, and hours of work for their position on an annual basis. Paraprofessional and auxiliary employees must be compensated for overtime and are not authorized to work in excess of their assigned schedule without prior approval from their supervisor. See Overtime Compensation for additional information.

## Staff Attendance

Teachers and staff members are encouraged to be role models for students concerning attendance. All paraprofessionals will be required to sign in using the district's electronic time clock system. If you must be out for discretionary leave, a form must be submitted to the principal and approved before leave is granted. If you are going to be out for a doctor's appointment or illness of a child, please notify the office in advance if possible. It will help us to ensure that classrooms are covered in the mornings. For all absences, you are responsible for going online and entering your request for a substitute. To login, go to: https://mwisd.sfe.powerschool.com/logOnInitAction.do. **Also, you must call your designated administrator to inform them of your absence.**

## ADA Accommodations

*Policies DAA, DBB, DIA*

The district will provide reasonable accommodations to employees with a disability if the accommodation would allow the individual to perform the essential functions of their job, unless doing so would create an undue hardship. An employee or their supervisor may initiate a request for accommodation by contacting Amber Moore, Curriculum and Assessment Director, 906 SW 5th Ave., Mineral Wells, TX 76067, (940-325-6404) and identifying an adjustment or change at work that is needed because of a disability. An employee may also submit a written request to HR using the ADA Accommodation Request Form, which is available in the MWISD Internal Documents folder.

Upon receiving the reasonable accommodation request, HR will meet with the employee and conduct an informal, interactive discussion to identify an accommodation that will allow the employee to perform the essential functions of the job effectively. The district may request medical information concerning the employee's disability and to assist in determining what accommodation(s) may be available and appropriate. The employee will be responsible for obtaining the information from their health care provider. Medical information received will be confidential and kept separate from the employee's personnel file.

After meeting with the employee and reviewing medical documentation, HR will determine whether the employee is a qualified individual with a disability and develop a reasonable

accommodation plan for the employee. Accommodation will be determined on a case-by-case basis. HR will work closely with the employee and supervisor to ensure that reasonable accommodation is provided and effective.

## Breaks for Expression of Breast Milk

*Policies DEAB, DG*

The district supports the practice of expressing breast milk and makes reasonable accommodations for the needs of employees who express breast milk. A place, other than a multiple user bathroom, that is shielded from view and free from intrusion from other employees and the public where the employee can express breast milk will be provided.

A reasonable amount of break time will be provided when the employee has a need to express milk. For nonexempt employees, these breaks are unpaid and are not counted as hours worked. Employees should meet with their supervisor to discuss their needs and arrange break times.

The Providing Urgent Maternal Protections of Nursing Mothers Act (PUMP Act) requires an employee to notify the district if they believe the district is out of compliance in providing breaks for a nursing mother. The employee must give the district 10 days to come into compliance before making any claim of liability against the district. An employee with concerns should contact Natalie Griffin, Assistant Superintendent of Human Resources at 940-325-6404.

## Pregnant Workers Fairness Act

The Pregnant Workers Fairness Act (PWFA) provides consideration of accommodations to employees who have known limitations related to pregnancy, childbirth, or related medical conditions. An employee seeking a PWFA accommodation should contact Natalie Griffin, Assistant Superintendent of Human Resources at 940-325-6404 to begin the interactive process.

## Notification to Parents Regarding Qualifications

*Policies DK, DBA*

In schools receiving Title I funds, the district is required by the Every Student Succeeds Act (ESSA) to notify parents at the beginning of each school year that they may request information regarding the professional qualifications of their child's teacher. ESSA also requires that parents be notified if their child has been assigned or taught for four or more consecutive weeks by a teacher who does not meet applicable state certification or licensure requirements.

Texas law requires that parents be notified if their child is assigned for more than 30 consecutive instructional days to a teacher who does not hold an appropriate teaching certificate. This notice is not required if parental notice under ESSA is sent. Inappropriately

certified or uncertified teachers include individuals on an emergency permit (including individuals waiting to take a certification exam) and individuals who do not hold any certificate or permit. Information relating to teacher certification will be made available to the public upon request. Employees who have questions about their certification status can call the Human Resources Department.

## Outside Employment and Tutoring

*Policy DBD*

All employees are required to disclose in writing to their immediate supervisor any outside employment that may create a potential conflict of interest with their assigned duties and responsibilities or the best interest of the district. Supervisors will consider outside employment on a case-by-case basis and determine whether it should be prohibited because of a conflict of interest.

**Administrators.** An employee (other than employees primarily responsible for in-class instruction) who has significant administrative duties relating to the operation of a school district, including the operation for a campus, program, or other subdivision of the district may not receive financial benefits for performing personal services for any business entity that conducts or solicits business with the district. With exceptions as noted below, administrators are also prohibited from receiving financial benefits for performing personal services for any education business that provides services regarding the curriculum or administration of any school district or financial benefits for performing personal services for other school districts, open enrollment charter schools, and education service centers.

Exceptions apply to an administrator who is not a superintendent, assistant superintendent, or member of a board of managers if the board approves as required by statute. To be approved, services must be performed on the administrator's personal time. Contact Natalie Griffin, Assistant Superintendent of Human Resources at 940-325-6404, for more information.

## Performance Evaluation

*Policy DN series*

Evaluation of an employee's job performance is a continuous process that focuses on improvement. Performance evaluation is based on an employee's assigned job duties and other job-related criteria. All employees will participate in the evaluation process with their assigned supervisor at least annually. Written evaluations will be completed on forms approved by the district. Reports, correspondence, and memoranda also can be used to document performance information. All employees will receive a copy of their written evaluation, participate in a performance conference with their supervisor, and have the opportunity to respond to the evaluation.

Upon receiving a report, a nursing review committee may review a nurse's nursing services, qualifications, and quality of patient care, as well as the merits of a complaint concerning a nurse, and a determination or recommendation regarding a complaint. A nurse may request, orally or in writing, a determination by the committee regarding conduct requested of the nurse believed to violate the nurse's duty to a patient.

## Employee Involvement

*Policies BQA, BQB*

At both the campus and district levels, Mineral Wells ISD offers opportunities for input in matters that affect employees and influence the instructional effectiveness of the district. As part of the district's planning and decision-making process, employees are elected to serve on district- or campus-level advisory committees. Plans and detailed information about the shared decision-making process are available in each campus office or from the Human Resources Department.

## Staff Development

*Policy DMA*

Staff development activities are organized to meet the needs of employees and the district. Staff development for instructional personnel is predominantly campus-based, related to achieving campus performance objectives, addressed in the campus improvement plan, and approved by a campus-level advisory committee. Staff development for noninstructional personnel is designed to meet specific licensing requirements (e.g., bus drivers) and continued employee skill development.

Individuals holding renewable SBEC certificates are responsible for obtaining the required training hours and maintaining appropriate documentation.

## Mental Health Training

*Policy DMA*

All district employees who regularly interact with students are required to complete an evidenced-based mental health training program that is designed to provide instruction regarding the recognition and support of children and youth who experience mental health or substance use issues that may pose a threat to school safety. Employees must provide a certificate of completion to the district that includes the name of the training course, along with supporting documentation confirming that the training meets the requirements of the commissioner rules for mental health training.

Campus staff required to complete the training includes, but is not limited to, teachers, coaches, librarians, instructional coaches, administrators, administrative support personnel, school resource officers, paraprofessionals, substitutes, custodians, cafeteria staff, bus drivers, crossing guards, and district special program liaisons, and supervisors of personnel who regularly interact with students.

# Compensation and Benefits

## Salaries, Wages, and Stipends

*Policies DEA, DEAA, DEAB*

Employees are paid in accordance with administrative guidelines and an established pay structure. The district's pay plans are reviewed by the administration each year and adjusted as needed. All district positions are classified as exempt or nonexempt according to federal law. Professional employees and academic administrators are generally classified as exempt and are paid monthly salaries. They are not entitled to overtime compensation. Other employees are generally classified as nonexempt and are paid an hourly wage or salary and receive compensatory time or overtime pay for each hour worked beyond 40 in a workweek. (See *Overtime Compensation*.)

All employees will receive written notice of their pay and work schedules before the start of each school year. Classroom teachers, full-time librarians, full-time nurses, and full-time counselors will be paid no less than the minimum state salary schedule. Contract employees who perform extracurricular or supplemental duties may be paid a stipend in addition to their salary according to the district's extra-duty pay schedule.

Employees should contact Kay Hall for more information about the district's pay schedules or their own pay.

## Paychecks

All employees are paid monthly. Paychecks will not be released to any person other than the district employee named on the check without the employee's written authorization. Employees are responsible for regularly reviewing the accuracy of their pay statement.

The schedule of pay dates for the 2025-2026 school year follows:

Payday will be the **20th of each month** unless the 20th falls on a weekend. In this case, it will be paid the last working day of that week. Cutoff is the last working day of each month. All payroll changes and forms for extra duties are due to the Payroll Department by **noon** on the next business day. Anything received after that will be paid in the following month.

For example: August payroll cutoff is July 31, 2025. All payroll changes and forms needing payment in August are due on August 1, 2025, by noon.

## Automatic Payroll Deposit

Employees can have their paychecks electronically deposited into a designated account. Any financial changes need to be received prior to the 5th day of each month to be in effect for the current payroll. Contact Kay Hall for more information about the automatic payroll deposit service.

## Payroll Deductions

*Policy CFEA*

The district is required to make the following automatic payroll deductions:

- Teacher Retirement System of Texas (TRS) or Social Security employee contributions
- Federal income tax required for all full-time employees
- Medicare tax (applicable only to employees hired after March 31, 1986)
- Child support and spousal maintenance, if applicable
- Delinquent federal education loan payments, if applicable

Other payroll deductions employees may elect include deductions for the employee's share of premiums for health, dental, life, and vision insurance; annuities; and higher education savings plans or prepaid tuition programs. Employees also may request payroll deduction for payment of membership dues to professional organizations and other identified services. Salary deductions are automatically made for unauthorized or unpaid leave.

**Overpayments**. Employees are not entitled to any funds the district overpays. An overpayment occurs if an employee is paid more than the amount the employee should have been paid under the assigned pay grade and applicable supplemental pay.

If an overpayment is reported in the current fiscal year, a payment plan will be developed to recoup the payment. Generally, an overpayment will be paid in one pay cycle. However, if this creates an undue hardship for the employee, the district has the discretion to develop a plan for regular payroll deductions in the same fiscal year.

An agreement between an employee and the district must be in place in order to deduct any overpayment.

## Overtime Compensation

*Policies DEAB, DEC*

The district compensates overtime for nonexempt employees in accordance with federal wage and hour laws. Only nonexempt employees (hourly employees and paraprofessional employees) are entitled to overtime compensation. Nonexempt employees are not authorized to work beyond their normal work schedule without advance approval from their supervisor. A nonexempt employee who works overtime without prior approval will be subject to disciplinary action up to and including termination.

Overtime is legally defined as all hours worked in excess of 40 hours in a workweek and is not measured by the day or by the employee's regular work schedule. For the purpose of calculating overtime, a workweek begins at 12:00 a.m. on Saturday and ends at 11:59 p.m. on Friday.

Nonexempt employees that are paid on a salary basis are paid for the hours set by the normal work schedule. Hours worked beyond the normal schedule up to 40 hours will be paid at a regular rate of pay.

Employees may be compensated for overtime (i.e., hours beyond 40 in a workweek) at time-and-a-half rate with compensatory time off (comp time) or direct pay. The following applies to all nonexempt employees:

- Employees can accumulate up to 60 hours of comp time.
- Comp time must be used in the duty year that it is earned.
- Use of comp time may be at the employee's request with supervisor approval, as workload permits, or at the supervisor's direction.
- An employee is required to use comp time before using available paid leave (e.g., sick, personal, vacation).
- Weekly time records will be maintained on all nonexempt employees for the purpose of wage and salary administration.

## Travel Expense Reimbursement

*Policy DEE*

Before any travel expenses are incurred by an employee, the employee's supervisor and business office must give approval. For approved travel, employees will be reimbursed for mileage and other travel expenditures according to the current rate schedule established by the district. Employees must submit receipts, to the extent possible, to be reimbursed for allowable expenses other than mileage.

## Health, Dental, and Life Insurance

*Policy CRD*

Group health insurance coverage is provided through TRS-ActiveCare, the statewide public school employee health insurance program. The district's contribution to employee insurance premiums is determined annually by the board of trustees. Employees eligible for health insurance coverage include the following:

- Employees who are active, contributing TRS members
- Employees who are not contributing TRS members and who are employed for 10 or more regularly scheduled hours per week

The insurance plan year is from September 1 through August 31. Current employees can make changes in their insurance coverage during open enrollment each year or when they experience a qualifying event (e.g., marriage, divorce, birth). Detailed descriptions of insurance coverage, employee cost, and eligibility requirements are provided to all employees in a separate booklet. Employees should contact Kay Hall for more information.

## Supplemental Insurance Benefits

*Policy CRD*

At their own expense, employees may enroll in supplemental insurance programs for dental, vision, life, cancer, and disability during open enrollment or upon loss of other coverage if done within the designated time period of the plan. Premiums for these programs can be paid by payroll deduction. Employees should contact Kay Hall for more information.

## Cafeteria Plan Benefits (Section 125)

Employees may be eligible to participate in the Cafeteria Plan (Section 125) and, under IRS regulations, must either accept or reject this benefit. This plan enables eligible employees to pay certain insurance premiums on a pretax basis (i.e., disability, accidental death and dismemberment, cancer and dread disease, dental, and additional term life insurance). A third-party administrator handles employee claims made on these accounts.

New employees must accept or reject this benefit during their first month of employment. All employees must accept or reject this benefit on an annual basis and during the specified time period.

## Workers' Compensation Insurance

*Policy CRE*

The district, in accordance with state law, provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. The district has workers' compensation coverage from Edwards Risk Management effective their first date of employment.

Benefits help pay for medical treatment and make up for part of the income lost while recovering. Specific benefits are prescribed by law depending on the circumstances of each case.

All work-related accidents or injuries should be reported immediately to your supervisor. Employees who are unable to work because of a work-related injury will be notified of their rights and responsibilities under the Texas Labor Code. See *Workers' Compensation Benefits* for information on use of paid leave for such absences.

## Unemployment Compensation Insurance

*Policy CRF*

Employees who have been laid off or terminated through no fault of their own may be eligible for unemployment compensation benefits. Employees are not eligible to collect unemployment benefits during regularly scheduled breaks in the school year or the summer months if they have employment contracts or reasonable assurance of returning to service. Employees with questions about unemployment benefits should contact Human Resources Department.

## Teacher Retirement

All personnel employed on a regular basis for at least four and one-half months are members of the Teacher Retirement System of Texas (TRS). Substitutes not receiving TRS service retirement benefits who work at least 90 days a year are eligible to purchase a year of creditable service in TRS. TRS provides members with an annual statement of their account showing all deposits and the total account balance for the year ending August 31, as well as an estimate of their retirement benefits.

Employees who plan to retire under TRS should notify their supervisor as soon as possible. Information on the application procedures for TRS benefits is available from TRS at Teacher Retirement System of Texas, 1000 Red River Street, Austin, TX 78701-2698, or call 800-223-8778 or 512-542-6400. TRS information is also available on the web (www.trs.texas.gov).

# Leaves and Absences

*Policies DEC, DECA, DECB*

The district offers employees paid and unpaid leaves of absence in times of personal need. This handbook describes the basic types of leave available and restrictions on leaves of absence. Employees who expect to be absent for an extended period of more than five days should call the Human Resources Department for information about applicable leave benefits, payment of insurance premiums, and requirements for communicating with the district.

Paid leave must be used in ½ day increments. Earned comp time must be used before any available paid state and local leave. Unless an employee requests a different order, available paid state and local leave will be used in the following order:

- State sick leave accumulated before the 1995-96 school year
- Local leave
- State personal leave

Employees must follow district and department or campus procedures to report or request any leave of absence and complete the appropriate form or certification. Any unapproved absences or absences beyond accumulated or available paid leave shall result in deduction from the employee's pay.

If an hourly employee does not report or request leave of absence(s) according to district procedures, the incident is considered a "no call/no show". An employee who is absent for 6 consecutive days without notice is considered to have abandoned their job and may face disciplinary consequences up to and including termination.

**Immediate Family.** For purposes of leave other than family and medical leave, immediate family is defined as the following:

- Spouse
- Son or daughter, including a biological, adopted, or foster child, a son- or daughter-in-law, a stepchild, a legal ward, or a child for whom the employee stands in loco parentis.
- Parent, stepparent, parent-in-law, or other individual who stands in loco parentis to the employee.
- Sibling, stepsibling, and sibling-in-law
- Grandparent and grandchild

- Any person residing in the employee's household at the time of illness or death

For purposes of family and medical leave, the definition of family is limited to spouse, parent, son or daughter, and next of kin. The definition of these are found in Policy DECA(LEGAL).

**Medical Certification.** Any employee, who is absent more than 5 days because of a personal or family illness, must submit a medical certification from a qualified health care provider confirming the specific dates of the illness, the reason for the illness, and—in the case of personal illness—the employee's fitness to return to work.

The district may require medical certification due to an employee's questionable pattern of absences or when deemed necessary by the supervisor or superintendent. The district may also request medical certification when an employee requests leave under the Family and Medical Leave Act (FMLA) for the employee's serious health condition, a serious health condition of the employee's spouse, parent, or child, or for military caregiver leave.

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits covered employers from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we ask that employees and health care providers do not provide any genetic information in any medical certification. 'Genetic information,' as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member, or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

**Continuation of Health Insurance.** Employees, on an approved leave of absence other than family and medical leave, may continue their insurance benefits at their own expense. Health insurance benefits for employees on paid leave and leave designated under the FMLA will be paid by the district as they were prior to the leave. Otherwise, the district does not pay any portion of insurance premiums for employees who are on unpaid leave.

Under TRS-Active Care rules, an employee is no longer eligible for insurance through the district after six months of unpaid leave other than FML. If an employee's unpaid leave extends for more than six months, the district will provide the employee with notice of COBRA rights.

## Personal Leave

State law entitles all employees to five days of paid personal leave per year. Personal leave is available for use at the beginning of the year. A day of personal leave is equivalent to the number of hours per day in an employee's usual assignment, whether full-time or part-time. State personal leave accumulates without limit, is transferable to other Texas school districts, and generally transfers to education service centers. Personal leave may be used for two general purposes: nondiscretionary and discretionary.

**Nondiscretionary.** Leave taken for personal or family illness, family emergency, a death in the family, or active military service is considered nondiscretionary leave. Reasons for this type of leave allow very little, if any, advance planning. Nondiscretionary may be used in the same manner as state sick leave.

**Discretionary.** Leave taken at an employee's discretion that can be scheduled in advance is considered discretionary leave. An employee wishing to take discretionary personal leave must submit a request to his or her principal or supervisor 48 hours in advance of the anticipated absence. The effect of the employee's absence on the educational program or department operations, as well as the availability of substitutes, will be considered by the principal or supervisor.

**Leave Proration.** If an employee separates from employment with the district before his or her last duty day of the year, or begins employment after the first duty day, state personal leave will be prorated based on the actual time employed. When an employee separates from employment before the last duty day of the school year, the employee's final paycheck will be reduced by the amount of state personal leave the employee used beyond his or her pro rata entitlement for the school year.

## State Sick Leave

State sick leave accumulated before 1995 is available for use and may be transferred to other school districts in Texas. State sick leave may be used for the following reasons only:

- Employee illness
- Illness in the employee's immediate family
- Family emergency (i.e., natural disasters or life-threatening situations)
- Death in the immediate family
- Active military service

## Local Leave

All employees shall earn 3 paid local leave days per school year in accordance with administrative regulations. Local leave shall accumulate without limit. Local leave shall be used according to the terms and conditions of state personal leave.

## Vacation

*Policy DED*

Each full-time maintenance employee in a position normally requiring 12 months of service shall receive 8 paid vacation days per fiscal year. Use of vacation days shall require advance approval by the employee's immediate supervisor. Vacation days shall not accumulate and will not carry over into the next year.

## Sick Leave Bank (or Pool)

An employee who has exhausted all paid leave and who suffers from a catastrophic illness or injury may request the establishment of a sick leave pool, to which district employees may donate only local leave for use by the eligible employee.

If the employee is unable to submit the request, a member of the employee's family or the employee's supervisor may submit the request to establish a sick leave pool. The pool shall cease to exist when the employee no longer needs leave for the purpose requested, uses the maximum number of days allowed under the pool, or exhausts all leave days donated to the sick leave pool.

## Family and Medical Leave Act (FMLA)—General Provisions

The following text is from the federal notice, *Your Employee Rights Under the Family and Medical Leave Act.* Specific information that the district has adopted to implement the FMLA follows this general notice.

**What is FMLA leave?**

The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with **job-protected leave** for qualifying family and medical reasons.

The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees. Eligible employees can take **up to 12 workweeks** of FMLA leave in a 12-month period for:

- The birth, adoption or foster placement of a child with you,
- Your serious mental or physical health condition that makes you unable to work,
- To care for your spouse, child or parent with a serious mental or physical health condition, and

- Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember.

An eligible employee who is the spouse, child, parent or next of kin of a covered servicemember with a serious injury or illness ***may*** **take up to 26 workweeks** of FMLA leave in a single 12-month period to care for the servicemember.

You have the right to use FMLA leave in **one block of time**. When it is medically necessary or otherwise permitted, you may take FMLA leave **intermittently in separate blocks of time, or on a reduced schedule** by working less hours each day or week. Read Fact Sheet #28M(c) for more information.

FMLA leave is ***not*** **paid leave**, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you need FMLA leave.

**Am I eligible to take FMLA leave?**

You are an **eligible employee** if *all* of the following apply:

- You work for a covered employer,
- You have worked for your employer at least 12 months,
- You have at least 1,250 hours of service for your employer during the 12 months before your leave, and
- Your employer has at least 50 employees within 75 miles of your work location

Airline flight crew employees have different "hours of service" requirements.

You work for a **covered employer** if **one** of the following applies:

- You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year,
- You work for an elementary or public or private secondary school, or
- You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of Personnel Management

**How do I request FMLA leave?**

Generally, **to request FMLA leave you *must***:

- Follow your employer's normal policies for requesting leave,

- Give notice at least 30 days before your need for FMLA leave, or
- If advance notice is not possible, give notice as soon as possible.

You **do *not* have to share a medical diagnosis** but must provide enough information to your employer so they can determine whether the leave qualifies for FMLA protection. You ***must* also inform your employer if FMLA leave was previously taken** or approved for the same reason when requesting additional leave.

Your **employer *may* request certification** from a health care provider to verify medical leave and may request certification of a qualifying exigency.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress

**What does my employer need to do?**

If you are eligible for FMLA leave, your employer ***must***:

- Allow you to take job-protected time off work for a qualifying reason,
- Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and
- Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the end of your leave.

Your **employer *cannot* interfere with your FMLA rights** or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD investigation.

After becoming aware that your need for leave is for a reason that may qualify under the FMLA, your **employer *must* confirm whether you are eligible** or not eligible for FMLA leave. If your employer determines that you are eligible, **your employer *must* notify you in writing**:

- About your FMLA rights and responsibilities, and
- How much of your requested leave, if any, will be FMLA-protected leave.

**Where can I find more information?**

Call **1-866-487-9243** or visit **dol.gov/fmla** to learn more.

If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against your employer in court. **Scan the QR code to learn about our WHD complaint process.**

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

SCAN ME

## Local Procedures for Implementing Family and Medical Leave Provisions

Eligible employees can take up to 12 weeks of unpaid leave in the 12-month period.

- measured backward from the date an employee uses FML

**Use of Paid Leave.** FML runs concurrently with accrued sick and personal leave, temporary disability leave, compensatory time, assault leave, and absences due to a work-related illness or injury. The district will designate the leave as FML, if applicable, and notify the employee that accumulated leave will run concurrently. Teachers have the option of not using paid leave during an FML absence for pregnancy or birth or adoption of a child.

**Combined Leave for Spouses.** Spouses who are employed by the district are limited to a combined total of 12 weeks of FML to care for a parent with a serious health condition; or for the birth, adoption, or foster placement of a child. Military caregiver leave for spouses is limited to a combined total of 26 weeks.

**Intermittent Leave.** When medically necessary or in the case of a qualifying exigency, an employee may take leave intermittently or on a reduced schedule. The district does not permit the use of intermittent or reduced-schedule leave for the care of a newborn child or for adoption or placement of a child with the employee.

**Fitness for Duty.** An employee that takes FML due to the employee's own serious health condition shall provide, before resuming work, a fitness-for-duty certification from the health care provider. When leave is taken for the employee's own serious health condition, the certification must address the employee's ability to perform essential job functions. The district shall provide a list of essential job functions (e.g., job description) to the employee with the FML designation notice to share with the health care provider. Fitness for duty is not required when an employee returns to work following leave to care for a family member with a serious health

condition; to care for a child following birth, adoption, or foster care placement; or for qualifying exigency leave.

**Reinstatement.** An employee returning to work at the end of FML will be returned to the same position held when the leave began or to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.

In certain cases, instructional employees desiring to return to work at or near the conclusion of a semester may be required to continue on family and medical leave until the end of the semester. The additional time off is not counted against the employee's FML entitlement, and the district will maintain the employees group health insurance and reinstate the employee at the end of the leave according to the procedures outlined in policy (see DECA(LEGAL)).

**Failure to Return.** If, at the expiration of FML, the employee is able to return to work but chooses not to do so, the district may require the employee to reimburse the district's share of insurance premiums paid during any portion of FML when the employee was on unpaid leave. If the employee fails to return to work for a reason beyond the employee's control, such as a continuing personal or family serious health condition or a spouse being unexpectedly transferred more than 75 miles from the district, the district may not require the employee to reimburse the district's share of premiums paid.

**District Contact.** Employees that require FML or have questions should contact Kay Hall for details on eligibility, requirements, and limitations.

## Temporary Disability Leave

**Certified Employees.** Any full-time employee whose position requires certification from the State Board for Educator Certification (SBEC) is eligible for temporary disability leave. The purpose of temporary disability leave is to provide job protection to full-time educators who cannot work for an extended period of time because of a mental or physical disability of a temporary nature. Temporary disability leave must be taken as a continuous block of time. It may not be taken intermittently or on a reduced schedule. Pregnancy and conditions related to pregnancy are treated the same as any other temporary disability.

Employees must request approval for temporary disability leave. An employee's notification of need for extended absence due to the employee's own medical condition shall be accepted as a request for temporary disability leave. The request must be accompanied by a physician's statement confirming the employee's inability to work and estimating a probable date of return. If disability leave is approved, the length of leave is no longer than 180 calendar days.

If an employee is placed on temporary disability leave involuntarily, he or she has the right to request a hearing before the board of trustees. The employee may protest the action and present additional evidence of fitness to work.

When an employee is ready to return to work, your supervisor should be notified at least 30 days in advance. The return-to-work notice must be accompanied by a physician's statement confirming that the employee is able to resume regular duties. Certified employees returning from leave will be reinstated to the school to which they were previously assigned if an appropriate position is available. If an appropriate position is not available, the employee may be assigned to another campus, subject to the approval of the campus principal. If a position is not available before the end of the school year, the employee will be reinstated to a position at the original campus at the beginning of the following school year.

## Workers' Compensation Benefits

An employee absent from duty because of a job-related illness or injury may be eligible for workers' compensation weekly income benefits if the absence exceeds seven calendar days.

An employee receiving workers' compensation wage benefits for a job-related illness or injury may choose to use accumulated sick leave or any other paid leave benefits. An employee choosing to use paid leave will not receive workers' compensation weekly income benefits until all paid leave is exhausted or to the extent that paid leave does not equal the pre-illness or -injury wage. If the use of paid leave is not elected, then the employee will only receive workers' compensation wage benefits for any absence resulting from a work-related illness or injury, which may not equal his or her pre-illness or -injury wage.

## Assault Leave

Assault leave provides extended job income and benefits protection to an employee who is injured as the result of a physical assault suffered during the performance of his or her job. An incident involving an assault is a work-related injury and should be immediately reported to the Human Resources Department.

An injury is treated as an assault if the person causing the injury could be prosecuted for assault or could not be prosecuted only because that person's age or mental capacity renders the person nonresponsible for purposes of criminal liability.

An employee who is physically assaulted at work may take all the leave time medically necessary (up to two years) to recover from the physical injuries he or she sustained. At the request of an employee, the district will immediately assign the employee to assault leave. Days of leave granted under the assault leave provision will not be deducted from accrued personal leave and must be coordinated with workers' compensation benefits. Upon investigation the district may change the assault leave status and charge leave used against the employee's accrued paid leave. The employee's pay will be deducted if accrued paid leave is not available.

## Jury Duty

*Policies DEC, DG*

The district provides paid leave to employees who are summoned to jury duty including service on a grand jury. The district will not discharge, threaten to discharge, intimidate, or coerce any regular employee because of juror or grand juror service or for the employee's attendance or scheduled attendance in connection with the service in any court in the United States. Employees who report to the court for jury duty may keep any compensation the court provides. An employee should report a summons for jury duty to his or her supervisor as soon as it is received and may be required to provide the district a copy of the summons to document the need for leave.

An employee may be required to report back to work as soon as they are released from jury duty. The supervisor may consider the travel time required and the nature of the individual's position when determining the need to report to work. A copy of the release from jury duty or documentation of time spent at the court may be required.

## Compliance with a Subpoena

Employees will be paid while on leave to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding and will not be required to use personal leave. Employees may be required to submit documentation of their need for leave for court appearances.

## Truancy Court Appearances

An employee who is a parent, guardian of a child, or a court-appointed guardian ad litem of a child who is required to miss work to attend a truancy court hearing may use personal leave or compensatory time for the absence. Employees who do not have paid leave available will be docked for any absence required because of the court appearance.

## Religious Observance

The district will reasonably accommodate an employee's request for absence for a religious holiday or observance. Accommodations such as changes to work schedules or approving a day of absence will be made unless they pose an undue hardship to the district. The employee may use any accumulated personal leave for this purpose. Employees who have exhausted applicable paid leave may be granted an unpaid day of absence.

## Military Leave

**Paid Leave for Military Service.** Any employee who is a member of the Texas National Guard, Texas State Guard, reserve component of the United States Armed Forces, or a member of a state or federally authorized Urban Search and Rescue Team is entitled to 15 days of paid leave per fiscal year when engaged in authorized training or duty orders by proper authority. An additional seven days of leave per fiscal year are available if called to state active duty in response to a disaster. In addition, an employee is entitled to use available state and local personal or sick leave during a time of active military service.

**Reemployment after Military Leave.** Employees who leave the district to enter into the United States uniformed services or who are ordered to active duty as a member of the military force of any state (e.g., National or State Guard) may return to employment if they are honorably discharged. Employees who wish to return to the district will be reemployed provided they can be qualified to perform the required duties. Employees returning to work following military leave should contact the Human Resources Department. In most cases, the length of federal military service cannot exceed five years.

**Continuation of Health Insurance.** Employees who perform service in the uniformed services may elect to continue their health plan coverage at their own cost for a period not to exceed 24 months. Employees should contact Kay Hall for details on eligibility, requirements, and limitations.

## Payment for Accumulated Leave Upon Separation

An employee who separates employment with MWISD will be paid for accumulated local leave at a rate established by the Board.

A full-time maintenance worker who separates employment with MWISD will also be paid for any accumulated vacation days during that fiscal year at a rate established by the Board.

The following leave provisions shall apply to state and local leave accumulated beginning on the original effective date of this program.

An employee who retires from the district shall be eligible for payment for accumulated state and local leave under the following conditions:

- The employee's retirement is voluntary, i.e., the employee is not being discharged or nonrenewed.
- The employee has at least ten years of service with the district.

The employee shall receive payment for each day of accumulated state and local leave, at a rate established by the Board. If the employee is reemployed with the district, days for which the

employee received payment shall not be available to that employee. The rate established by the Board shall be in effect until the Board adopts a new rate. Any changes to the rate shall apply beginning with the school year following the adoption of the rate change.

# Employee Relations and Communications

## Employee Recognition and Appreciation

Continuous efforts are made throughout the year to recognize employees who make an extra effort to contribute to the success of the district. Employees are recognized at board meetings, in the district newsletter, and through special events and activities. Recognition and appreciation activities also include Apple Corps Teacher of the Year, Support Services Employee of the Year, and Auxiliary Employee of the Year.

## District Communications

Throughout the school year, the Public Relations office publishes newsletters, brochures, fliers, calendars, news releases, and other communication materials. These publications offer employees and the community information pertaining to school activities and achievements. Please contact Karyn Bullock for further information or visit www.mwisd.net.

Complaints and Grievances

# Complaints and Grievances

*Policy DGBA*

In an effort to hear and resolve employee concerns or complaints in a timely manner and at the lowest administrative level possible, the board has adopted an orderly grievance process. Employees are encouraged to discuss their concerns or complaints with their supervisors or an appropriate administrator at any time.

The formal process provides all employees with an opportunity to be heard up to the highest level of management if they are dissatisfied with an administrative response. Once all administrative procedures are exhausted, employees can bring concerns or complaints to the board of trustees. For ease of reference, the district's policy concerning the process of bringing concerns and complaints is reprinted as follows:

***DGBA (Local)***
***https://pol.tasb.org/PolicyOnline/PolicyDetails?key=973&code=DGBA#localTabContent***

# Employee Conduct and Welfare

## Standards of Conduct

*Policy DH*

All employees are expected to work together in a cooperative spirit to serve the best interests of the district and to be courteous to students, one another, and the public. Employees are expected to observe the following standards of conduct:

- Recognize and respect the rights of students, parents, other employees, and members of the community.
- Maintain confidentiality in all matters relating to students and coworkers.
- Report to work according to the assigned schedule.
- Notify their immediate supervisor in advance or as early as possible in the event that they must be absent or late. Unauthorized absences, chronic absenteeism, tardiness, and failure to follow procedures for reporting an absence may be cause for disciplinary action up to and including termination.
- Know and comply with department and district policies and procedures.
- Express concerns, complaints, or criticism through appropriate channels.
- Observe all safety rules and regulations and report injuries or unsafe conditions to a supervisor immediately.
- Use district time, funds, and property for authorized district business and activities only.

All district employees should perform their duties in accordance with state and federal law, district policies and procedures, and ethical standards. Violation of policies, regulations, or guidelines, including intentionally making a false claim, offering false statements, or refusing to cooperate with a district investigation may result in disciplinary action, up to and including termination. Alleged incidents of certain misconduct by educators, including having a criminal record, must be reported to SBEC not later than the seventh day after the superintendent knew of the incident. See *Reports to the Texas Education Agency* for additional information.

The *Educators' Code of Ethics*, adopted by the State Board for Educator Certification, which all district employees must adhere to, is reprinted below:

## *Texas Educators' Code of Ethics*

**Purpose and Scope**

The Texas educator shall comply with standard practices and ethical conduct toward students, professional colleagues, school officials, parents, and members of the community and shall safeguard academic freedom. The Texas educator, in maintaining the dignity of the profession, shall respect and obey the law, demonstrate personal integrity, and exemplify honesty and good moral character. The Texas educator, in exemplifying ethical relations with colleagues, shall extend just and equitable treatment to all members of the profession. The Texas educator, in accepting a position of public trust, shall measure success by the progress of each student toward realization of his or her potential as an effective citizen. The Texas educator, in fulfilling responsibilities in the community, shall cooperate with parents and others to improve the public schools of the community. This chapter shall apply to educators and candidates for certification. (19 TAC 247.1(b))

**Enforceable Standards**

**1. Professional Ethical Conduct, Practices, and Performance**

**Standard 1.1** The educator shall not intentionally, knowingly, or recklessly engage in deceptive practices regarding official policies of the school district, educational institution, educator preparation program, the Texas Education Agency, or the State Board for Educator Certification (SBEC) and its certification process.

**Standard 1.2** The educator shall not intentionally, knowingly, or recklessly misappropriate, divert, or use monies, personnel, property, or equipment committed to his or her charge for personal gain or advantage.

**Standard 1.3** The educator shall not submit fraudulent requests for reimbursement, expenses, or pay.

**Standard 1.4** The educator shall not use institutional or professional privileges for personal or partisan advantage.

**Standard 1.5** The educator shall neither accept nor offer gratuities, gifts, or favors that impair professional judgment or that are used to obtain special advantage. This standard shall not restrict the acceptance of gifts or tokens offered and accepted openly from students, parents of students, or other persons or organizations in recognition or appreciation of service.

**Standard 1.6** The educator shall not falsify records, or direct or coerce others to do so.

**Standard 1.7** The educator shall comply with state regulations, written local school board policies, and other state and federal laws.

**Standard 1.8** The educator shall apply for, accept, offer, or assign a position or a responsibility on the basis of professional qualifications.

**Standard 1.9** The educator shall not make threats of violence against school district employees, school board members, students, or parents of students.

**Standard 1.10** The educator shall be of good moral character and be worthy to instruct or supervise the youth of this state.

**Standard 1.11** The educator shall not intentionally, knowingly, or recklessly misrepresent his or her employment history, criminal history, and/or disciplinary record when applying for subsequent employment.

**Standard 1.12** The educator shall refrain from the illegal use, abuse, or distribution of controlled substances, prescription drugs and toxic inhalants.

**Standard 1.13** The educator shall not be under the influence of alcohol or consume alcoholic beverages on school property or during school activities when students are present.

**2. Ethical Conduct toward Professional Colleagues**

**Standard 2.1** The educator shall not reveal confidential health or personnel information concerning colleagues unless disclosure serves lawful professional purposes or is required by law.

**Standard 2.2** The educator shall not harm others by knowingly making false statements about a colleague or the school system.

**Standard 2.3** The educator shall adhere to written local school board policies and state and federal laws regarding the hiring, evaluation, and dismissal of personnel.

**Standard 2.4** The educator shall not interfere with a colleague's exercise of political, professional, or citizenship rights and responsibilities.

**Standard 2.5** The educator shall not discriminate against or coerce a colleague on the basis of race, color, religion, national origin, age, gender, disability, family status, or sexual orientation.

**Standard 2.6** The educator shall not use coercive means or promise of special treatment in order to influence professional decisions or colleagues.

**Standard 2.7** The educator shall not retaliate against any individual who has filed a complaint with the SBEC or who provides information for a disciplinary investigation or proceeding under this chapter.

**Standard 2.8** The educator shall not intentionally or knowingly subject a colleague to sexual harassment.

**3. Ethical Conduct toward Students**

**Standard 3.1** The educator shall not reveal confidential information concerning students unless disclosure serves lawful professional purposes or is required by law.

**Standard 3.2** The educator shall not intentionally, knowingly, or recklessly treat a student or minor in a manner that adversely affects or endangers the learning, physical health, mental health, or safety of the student or minor.

**Standard 3.3** The educator shall not intentionally, knowingly, or recklessly misrepresent facts regarding a student.

**Standard 3.4** The educator shall not exclude a student from participation in a program, deny benefits to a student, or grant an advantage to a student on the basis of race, color, gender, disability, national origin, religion, family status, or sexual orientation.

**Standard 3.5** The educator shall not intentionally, knowingly, or recklessly engage in physical mistreatment, neglect, or abuse of a student or minor.

**Standard 3.6** The educator shall not solicit or engage in sexual conduct or a romantic relationship with a student or minor.

**Standard 3.7** The educator shall not furnish alcohol or illegal/unauthorized drugs to any person under 21 years of age unless the educator is a parent or guardian of that child or knowingly allow any person under 21 years of age unless the educator is a parent or guardian of that child to consume alcohol or illegal/unauthorized drugs in the presence of the educator.

**Standard 3.8** The educator shall maintain appropriate professional educator-student relationships and boundaries based on a reasonably prudent educator standard.

**Standard 3.9** The educator shall refrain from inappropriate communication with a student or minor, including, but not limited to, electronic communication such as cell phone, text messaging, email, instant messaging, blogging, or other social network communication. Factors that may be considered in assessing whether the communication is inappropriate include, but are not limited to:

(i) the nature, purpose, timing, and amount of the communication;

(ii) the subject matter of the communication;

(iii) whether the communication was made openly or the educator attempted to conceal the communication;

(iv) whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;

(v) whether the communication was sexually explicit; and

(vi) whether the communication involved discussion(s) of the physical or sexual attractiveness or the sexual history, activities, preferences, or fantasies of either the educator or the student.

## Discrimination, Harassment, and Retaliation

*Policies DH, DIA*

Employees shall not engage in prohibited harassment, including sexual harassment, of other employees, unpaid interns, student teachers, or students. While acting in the course of their employment, employees shall not engage in prohibited harassment of other persons including board members, vendors, contractors, volunteers, or parents. A substantiated charge of harassment will result in disciplinary action up to and including termination.

Individuals who believe they have been discriminated or retaliated against or harassed are encouraged to promptly report such incidents to the campus principal, supervisor, or appropriate district official. If the campus principal, supervisor, or district official is the subject of a complaint, the complaint should be made directly to the superintendent. A complaint against the superintendent may be made directly to the board.

Any district employee who believes that he or she has experienced prohibited conduct based on sex, including sexual harassment, or believes that another employee has experienced such prohibited conduct, should immediately report the alleged acts. The employee may report the alleged acts to his or her supervisor, the campus principal, the Title IX coordinator, or the superintendent. The district's Title IX coordinator's name and contact information is listed in the Equal Employment Opportunity section of this handbook.

The district's policy that includes definitions and procedures for reporting and investigating discrimination, harassment, and retaliation is reprinted below:

*DIA (Local) https://pol.tasb.org/PolicyOnline/PolicyDetails?key=973&code=DIA#localTabContent*

## Harassment of Students

*Policies DF, DH, DHB, FFG, FFH, FFI*

Sexual and other harassment of students by employees are forms of discrimination and are prohibited by law. Romantic or inappropriate social relationships between students and district employees are prohibited.

Employees who suspect a student may have experienced prohibited harassment are obligated to report their concerns to the campus principal or other appropriate district official. 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 based on sex, including sexual

harassment, of a student shall immediately notify the district's Title IX coordinator, the ADA/Section 504 coordinator, or superintendent and take any other steps required by district policy.

All allegations of prohibited harassment of a student by an employee or adult will be reported to the student's parents and promptly investigated. An employee who knows of or has reasonable cause to believe that child abuse or neglect occurred child abuse must also report his or her knowledge or suspicion to the appropriate authorities, as required by law. See *Reporting Suspected Child Abuse* for additional information.

Procedures for reporting and investigating harassment of students is listed below:

*https://mwisd.net/27943_3*

## Reporting Suspected Child Abuse

*Policies DG, FFG, GRA*

All employees with reasonable cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect, as defined by Texas Family Code §261.001, are required by state law to make a report to a law enforcement agency, the Department of Family and Protective Services (DFPS), or appropriate state agency (e.g., state agency operating, licensing, certifying, or registering the facility) within 24 hours after the employee has reasonable cause to believe that the child has been abused or neglected. Law enforcement agency includes the Texas Department of Public Safety (DPS), a municipal police department, a county sheriff's office, or a county constable's office and does not include the district police.

A person responsible for the care, custody, or welfare of the child (including a teacher) is required to report alleged abuse or neglect to DFPS even if a report is made to law enforcement.

Employees are also required to make a report if they have reasonable cause to believe that an adult was a victim of abuse or neglect as a child and they determine in good faith that the disclosure of the information is necessary to protect the health and safety of another child, elderly person, or person with a disability.

Reports to DFPS can be made using the Texas Abuse Hotline (https://www.txabusehotline.org/Login/Default.aspx or 800-252-5400). State law specifies that an employee may not delegate to or rely on another person or administrator to make the report.

Under state law, a person reporting or assisting in the investigation of reported child abuse or neglect is immune from liability unless the report is made in bad faith or with malicious intent. In addition, the district is prohibited from taking an adverse employment action against a

certified or licensed professional who, in good faith, reports child abuse or neglect or who participates in an investigation regarding an allegation of child abuse or neglect.

An employee's failure to make the required report may result in prosecution as a Class A misdemeanor. The offense of failure to report by a professional may be a state jail felony if it is shown the individual intended to conceal the abuse or neglect. In addition, a certified employee's failure to report may result in disciplinary procedures by SBEC for a violation of the Texas Educators' Code of Ethics.

Employees who suspect that a student has been or may be abused or neglected should also report their concerns to the campus principal. This includes students with disabilities who are no longer minors. Employees are not required to report their concern to the principal before making a report to the appropriate agency.

Reporting the concern to the principal does not relieve the employee of the requirement to report it to the appropriate state agency. In addition, employees must cooperate with investigators of child abuse and neglect. Interference with a child abuse investigation by denying an interviewer's request to interview a student at school or requiring the presence of a parent or school administrator against the desires of the duly authorized investigator is prohibited.

## Sexual Abuse and Maltreatment of Children

The district has established a plan for addressing sexual abuse and other maltreatment of children, which may be accessed at www.mwisd.net. As an employee, it is important for you to be aware of warning signs that could indicate a child may have been or is being sexually abused or maltreated. Abuse in the Texas Family Code is defined to include any sexual conduct harmful to a child's mental, emotional, or physical welfare, including conduct that constitutes the offense of continuous sexual abuse of a young child or disabled individual, indecency with a child, improper relationship between an educator and a student, sexual assault, or encouraging a child to engage in sexual conduct, as well as a failure to make a reasonable effort to prevent sexual conduct with a child. Maltreatment is defined as abuse or neglect. Anyone who has reasonable cause to believe that a child has been or may be abused or neglected has a legal responsibility under state law for reporting the suspected abuse or neglect following the procedures described above in *Reporting Suspected Child Abuse*.

## Reports to Texas Education Agency

## Policies DF, DHB, DHC

The conduct of an employee must be reported to TEA if there is evidence that the employee was involved in any of the following:

- Any form of sexual or physical abuse of a minor, or any other unlawful conduct with a student or a minor
- Soliciting or engaging in sexual contact or a romantic relationship with a student or minor
- Engaged in inappropriate communication with a student or minor
- Failed to maintain appropriate boundaries with a student or minor

For a certified employee the conduct below must also be reported:

- The possession, transfer, sale, or distribution of a controlled substance
- The illegal transfer, appropriation, or expenditure of district or school property or funds
- An attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit for the purpose of promotion or additional compensation
- Committing a criminal offense or any part of a criminal offense on district property or at a school-sponsored event.

The reporting requirements above are in addition to the superintendent's ongoing duty to notify TEA when a certified employee or an applicant for certification has a reported criminal history or engaged in conduct violating the assessment security procedures established under TEC §39.0301. "Reported criminal history" means any formal criminal justice system charges and dispositions including arrests, detentions, indictments, criminal information, convictions, deferred adjudications, and probations in any state or federal jurisdiction that is obtained by a means other than the Fingerprint-based Applicant Clearinghouse of Texas (FACT).

## Reporting Crime

*Policy DG*

The Texas Whistleblower Act protects district employees who make good faith reports of violations of law by the district to an appropriate law enforcement authority. The district is prohibited from suspending, terminating the employment of, or taking other adverse personnel action against, an employee who makes a report under the Act. State law also provides employees with the right to report a crime witnessed at the school to any peace officer with authority to investigate the crime.

## Scope and Sequence

*Policy DG*

If a teacher determines that students need more or less time in a specific area to demonstrate proficiency in the Texas Essential Knowledge and Skills (TEKS) for that subject and grade level, the district will not penalize the teacher for not following the district's scope and sequence.

The district may take appropriate action if a teacher does not follow the district's scope and sequence based on documented evidence of a deficiency in classroom instruction. This documentation can be obtained through observation or substantiated and documented third-party information.

## Technology Resources

*Policy CQ*

The district's technology resources, including its networks, computer systems, email accounts, devices connected to its networks, and all district-owned devices used on or off school property, are primarily for administrative and instructional purposes. Limited personal use is permitted if the use:

- Imposes no tangible cost to the district.
- Does not unduly burden the district's technology resources.
- Has no adverse effect on job performance or on a student's academic performance.
- Artificial intelligence (AI) should only be used as a support tool to improve student outcomes, not to replace the decisions made by teachers or students

Electronic mail transmissions and other use of the technology resources are not confidential and can be monitored at any time to ensure appropriate use.

Employees are required to abide by the provisions of the district's acceptable use agreement and administrative procedures. Failure to do so can result in suspension of access or termination of privileges and may lead to disciplinary and/or legal action. Employees with questions about computer use and data management can contact Justin Lascsak at 940-325-6404.

## Personal Use of Electronic Communications

*Policy CQ, CY, DH*

Electronic communications include all forms of social media, such as text messaging, instant messaging, electronic mail (email), web logs (blogs), wikis, electronic forums (chat rooms), video-sharing websites (e.g., YouTube), editorial comments posted on the Internet, and social network sites (e.g., Facebook, X, LinkedIn, Instagram). Electronic communications also include all forms of telecommunication such as landlines, cell phones, and web-based applications.

As role models for the district's students, employees are responsible for their public conduct even when they are not acting as district employees. Employees will be held to the same professional standards in their public use of electronic communications as they are for any other public conduct. If an employee's use of electronic communications interferes with the

employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment. If an employee wishes to use a social network site or similar media for personal purposes, the employee is responsible for the content on the employee's page, including content added by the employee, the employee's friends, or members of the public who can access the employee's page, and for web links on the employee's page. The employee is also responsible for maintaining privacy settings appropriate to the content.

An employee who uses electronic communications for personal purposes shall observe the following:

- The employee may not set up or update the employee's personal social network page(s) using the district's computers, network, or equipment.

- The employee shall limit use of personal electronic communication devices to send or receive calls, text messages, pictures, and videos to breaks, mealtimes, and before and after scheduled work hours, unless there is an emergency or the use is authorized by a supervisor to conduct district business.

- The employee shall not use district and campus trademarks, including names, logos, mascots, and symbols or other copyrighted material on social media or in texts without express written consent.

- An employee may not share or post, in any format, information, videos, or pictures obtained while on duty or on district business unless the employee first obtains written approval from the employee's immediate supervisor. Employees should be cognizant that they have access to information and images that, if transmitted to the public, could violate privacy concerns.

- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Texas Educators' Code of Ethics, even when communicating regarding personal and private matters, regardless of whether the employee is using private or public equipment, on or off campus. These restrictions include:

    - Confidentiality of student records. [See Policy FL]

    - Confidentiality of health or personnel information concerning colleagues, unless disclosure serves lawful professional purposes or is required by law. [See DH(EXHIBIT)]

    - Confidentiality of district records, including educator evaluations and private email addresses. [See Policy GBA]

    - Copyright law [See Policy CY]

- Prohibition against harming others by knowingly making false statements about a colleague or the school system. [See DH(EXHIBIT)]

See *Electronic Communications between Employees, Students, and Parents,* below, for regulations on employee communication with students through electronic media.

## Electronic Communications between Employees, Students, and Parents

*Policy DH*

A certified or licensed employee, or any other employee designated in writing by the superintendent or a campus principal, may use electronic communications with students who are currently enrolled in the district. The employee must comply with the provisions outlined below. Electronic communications between all other employees and students who are enrolled in the district are prohibited. Employees are not required to provide students with their personal phone number or email address.

An employee is not subject to the provisions regarding electronic communications with a student to the extent the employee has a social or family relationship with a student. For example, an employee may have a relationship with a niece or nephew, a student who is the child of an adult friend, a student who is a friend of the employee's child, or a member or participant in the same civic, social, recreational, or religious organization. An employee who claims an exception based on a social relationship shall provide written consent from the student's parent. The written consent shall include an acknowledgement by the parent that:

- The employee has provided the parent with a copy of this protocol;
- The employee and the student have a social relationship outside of school;
- The parent understands that the employee's communications with the student are excepted from district regulation; and
- The parent is solely responsible for monitoring electronic communications between the employee and the student.

The following definitions apply for the use of electronic media with students:

- *Electronic communications* means any communication facilitated by the use of any electronic device, including a telephone, cellular telephone, computer, computer network, personal data assistant, or pager. The term includes email, text messages, instant messages, and any communication made through an Internet website, including a social media website or a social networking website.
- *Communicate* means to convey information and includes a one-way communication as well as a dialogue between two or more people. A public communication by an

employee that is not targeted at students (e.g., a posting on the employee's personal social network page or a blog) is not a *communication*: however, the employee may be subject to district regulations on personal electronic communications. See *Personal Use of Electronic Media*, above. Unsolicited contact from a student through electronic means is not a *communication*.

- *Certified or licensed employee* means a person employed in a position requiring SBEC certification or a professional license, and whose job duties may require the employee to communicate electronically with students. The term includes classroom teachers, counselors, principals, librarians, paraprofessionals, nurses, educational diagnosticians, licensed therapists, and athletic trainers.

An employee who communicates electronically with students shall observe the following:

- The employee is prohibited from knowingly communicating with students using any form of electronic communications, including mobile and web applications, that are not provided or accessible by the district unless a specific exception is noted below.

- Only a teacher, trainer, or other employee who has an extracurricular duty may use text messaging, and then only to communicate with students who participate in the extracurricular activity over which the employee has responsibility. An employee who communicates with a student using text messaging shall comply with the following protocol:

    - The employee shall include his or her immediate supervisor as a recipient on each text message to the student so that the student and supervisor receive the same message;

    - The employee shall include his or her immediate supervisor as a recipient on each text message to the student so that the student and supervisor receive the same message; and

    - For each text message addressed to one or more students, the employee shall send a copy of the text message to the employee's district email address.

- The employee shall limit communications to matters within the scope of the employee's professional responsibilities (e.g., for classroom teachers, matters relating to class work, homework, and tests; for an employee with an extracurricular duty, matters relating to the extracurricular activity).

- The employee is prohibited from knowingly communicating with students through a personal social network page; the employee must create a separate social network page ("professional page") for the purpose of communicating with students. The employee must enable administration and parents to access the employee's professional page.

- The employee shall not communicate directly with any student between the hours of 10:00 p.m. and 6:00 a.m. An employee may, however, make public posts to a social network site, blog, or similar application at any time.

- The employee does not have a right to privacy with respect to communications with students and parents.

- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Texas Educators' Code of Ethics including:

    - Compliance with the Public Information Act and the Family Educational Rights and Privacy Act (FERPA), including retention and confidentiality of student records. [See Policies CPC and FL]

    - Copyright law [Policy CY]

    - Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student. [See Policy DH]

- Upon request from administration, an employee will provide the phone number(s), social network site(s), or other information regarding the method(s) of electronic media the employee uses to communicate with one or more currently-enrolled students.

- Upon written request from a parent or student, the employee shall discontinue communicating with the student through email, text messaging, instant messaging, or any other form of one-to-one communication.

- An employee may request an exception from one or more of the limitations above by submitting a written request to his or her immediate supervisor.

- All staff are required to use school email accounts for all electronic communications with parents. Communication about school issues through personal email accounts or text messages are not allowed as they cannot be preserved in accordance with the district's record retention policy.

- An employee shall notify his or supervisor in writing within one business day if a student engages in an improper electronic communication with the employee. The employee should describe the form and content of the electronic communication.

## Public Information on Private Devices

*Policy DH, GB*

Employees should not maintain district information on privately owned devices. Any district information must be forwarded or transferred to the district to be preserved. The district will

take reasonable efforts to obtain public information in compliance with the Public Information Act. Reasonable efforts may include:

- Verbal or written directive
- Remote access to district-owned devices and services

## Using Social Media Responsibly
### Policy FL

Employees must ensure permission has been given prior to posting student photos online. An employee shall not identify students by name when posting pictures online, out of an abundance of caution. Employees are not permitted to use work time to post personal, non-work-related content to their personal social media accounts. Employees are permitted to post work-related content to personal social media accounts during the workday. Employees may also update district-owned social media accounts that they oversee during the school day with work-related content.

## Cybersecurity Awareness Training
### Policy CQB

Training will be assigned as required by law or as determined by the district. Employees or elected officials designated for training will be notified by the district via email and given 90 days to complete the training.

## Information Security Handbook

https://drive.google.com/file/d/1XpazRHVUEVsoBWkn27mqLjqYILbfnJXR/view?usp=drive_link

## Criminal History Background Checks
*Policy DBAA*

All employees are subject to a review of their criminal history record information at any time during employment. National criminal history checks based on an individual's fingerprints, photo, and other identification will be conducted and entered into the Texas Department of Public Safety (DPS) Clearinghouse. This database provides the district and SBEC with access to an employee's current national criminal history and updates to the employee's subsequent criminal history.

## Employee Arrests and Convictions

*Policy DH, DHB, DHC*

An employee must notify his or her principal or immediate supervisor within three calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of any felony, and any of the other offenses listed below:

- Crimes involving school property or funds
- Crimes involving attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle any person to hold or obtain a position as an educator
- Crimes that occur wholly or in part on school property or at a school-sponsored activity
- Crimes involving moral turpitude

Moral turpitude includes the following:

- Dishonesty
- Fraud
- Deceit
- Theft
- Misrepresentation
- Deliberate violence
- Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor
- Crimes involving any felony possession or conspiracy to possess, or any misdemeanor or felony transfer, sale, distribution, or conspiracy to transfer, sell, or distribute any controlled substance
- Felonies involving driving while intoxicated (DWI)
- Acts constituting abuse or neglect under the Texas Family Code.

If an employee is arrested or criminally charged, the superintendent is also required to report the educator's criminal history to the Division of Investigations at TEA.

The superintendent is required to report the misconduct or criminal history of an employee to TEA. Information about misconduct or allegations of misconduct of an employee obtained by a

means other than the criminal history clearinghouse will be reported to TEA. Refer to Policies DHB(LEGAL) and DHC(LEGAL) for timelines and conduct that will result in reporting.

## Alcohol and Drug-Abuse Prevention

*Policy DH*

Mineral Wells ISD is committed to maintaining an alcohol- and drug-free environment and will not tolerate the use of alcohol and illegal drugs in the workplace and at school-related or school-sanctioned activities on or off school property. Employees who use or are under the influence of alcohol or illegal drugs as defined by the Texas Controlled Substances Act during working hours may be dismissed. The district's policy regarding employee drug use follows:

***DH (Local)***
***https://pol.tasb.org/PolicyOnline/PolicyDetails?key=973&code=DH#localTabContent***

## Tobacco and Nicotine Products and E-Cigarette Use

*Policies DH, FNCD, GKA*

State law prohibits smoking, using tobacco, or e-cigarettes on all district-owned property and at school-related or school-sanctioned activities, on or off school property. This includes all buildings, playground areas, parking facilities, and facilities used for athletics and other activities. Drivers of district-owned vehicles are prohibited from smoking, using tobacco products, or e-cigarettes while inside the vehicle. Notices stating that smoking is prohibited by law and punishable by a fine are displayed in prominent places in all school buildings.

Employees are prohibited from possessing or using any type of nicotine product, including nicotine pouches, regardless of whether the product contains tobacco, while on school property or while attending an off-campus school-related activity. Exceptions may be made for smoking cessation products with supervisor approval.

## Fraud and Financial Impropriety

*Policy CAA*

All employees should act with integrity and diligence in duties involving the district's financial resources. The district prohibits fraud and financial impropriety, as defined below. Fraud and financial impropriety include the following:

- Forgery or unauthorized alteration of any document or account belonging to the district
- Forgery or unauthorized alteration of a check, bank draft, or any other financial document

- Misappropriation of funds, securities, supplies, or other district assets including employee time
- Impropriety in the handling of money or reporting of district financial transactions
- Profiteering as a result of insider knowledge of district information or activities
- Unauthorized disclosure of confidential or proprietary information to outside parties
- Unauthorized disclosure of investment activities engaged in or contemplated by the district
- Accepting or seeking anything of material value from contractors, vendors, or other persons providing services or materials to the district, except as otherwise permitted by law or district policy
- Inappropriately destroying, removing, or using records, furniture, fixtures, or equipment
- Failing to provide financial records required by federal, state, or local entities
- Failure to disclose conflicts of interest as required by law or district policy
- Any other dishonest act regarding the finances of the district
- Failure to comply with requirements imposed by law, the awarding agency, or a pass-through entity for state and federal awards

## Conflict of Interest

*Policy CB, DBD*

Employees are required to disclose in writing to the district any situation that creates a potential conflict of interest with proper discharge of assigned duties and responsibilities or creates a potential conflict of interest with the best interests of the district. This includes the following:

- A personal financial interest
- A business interest
- Any other obligation or relationship
- Non-school employment

Employees should contact their supervisor for additional information.

## Gifts and Favors

*Policy DBD*

Employees may not accept gifts or favors that could influence, or be construed to influence, the employee's discharge of assigned duties. The acceptance of a gift, favor, or service by an administrator or teacher that might reasonably tend to influence the selection of textbooks, electronic textbooks, instructional materials or technological equipment may result in prosecution of a Class B misdemeanor offense. This does not include staff development, teacher training, or instructional materials such as maps or worksheets that convey information to students or contribute to the learning process.

Please see the policy below regarding sales and non-school employment:

DBD (Local)
https://pol.tasb.org/PolicyOnline/PolicyDetails?key=973&code=DBD#localTabContent

## Copyrighted Materials

*Policy CY*

Employees are expected to comply with the provisions of federal copyright law and policy relating to the use, reproduction, distribution, performance, or display of copyrighted materials (i.e., printed material, videos, computer data and programs, etc.). Electronic media, including motion pictures and other audiovisual works, are to be used in the classroom for instructional purposes only. Duplication or backup of computer programs and data must be made within the provisions of the purchase agreement.

## Associations and Political Activities

*Policy DGA*

The district will not directly or indirectly discourage employees from participating in political affairs or require any employee to join any group, club, committee, organization, or association. Employees may join or refuse to join any professional association or organization.

An individual's employment will not be affected by membership or a decision not to be a member of any employee organization that exists for the purpose of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work. Use of district resources including work time for political activities is prohibited.

The district encourages personal participation in the political process, including voting. Employees who need to be absent from work to vote during the early voting period or on election day must communicate with their immediate supervisor prior to the absence.

## Charitable Contributions

*Policy DG*

The Board or any employee may not directly or indirectly require or coerce an employee to make a contribution to a charitable organization or in response to a fundraiser. Employees cannot be required to attend a meeting called for the purpose of soliciting charitable contributions. In addition, the Board or any employee may not directly or indirectly require or coerce an employee to refrain from making a contribution to a charitable organization or in response to a fundraiser or attending a meeting called for the purpose of soliciting charitable contributions.

## Safety and Security

*Policy CK series*

The district has developed and promotes a comprehensive program to ensure the safety and security of its employees, students, and visitors. The safety and security program includes written guidelines and procedures for responding to emergencies and activities to help reduce the frequency of accidents and injuries. See Emergencies for additional information.

Employees must follow established protocols and response to emergencies for each campus and department. Refer to written security procedures specific to your location and work area.

To prevent or minimize injuries to employees, coworkers, and students and to protect and conserve district equipment, employees must comply with the following requirements:

- Observe all safety rules.
- Keep work areas clean and orderly at all times.
- Immediately report all accidents to their supervisor.
- Operate only equipment or machines for which they have training and authorization.

While driving on district business, employees are required to abide by all state and local traffic laws. Employees driving on district business are prohibited from texting and using other electronic devices that require both visual and manual attention while the vehicle is in motion. Employees will exercise care and sound judgment on whether to use hands-free technology while the vehicle is in motion.

Employees with questions or concerns relating to safety programs and issues can contact Natalie Griffin, Assistant Superintendent of Human Resources at 940-325-6404.

## Possession of Firearms and Weapons

*Policies DH, FNCG, GKA*

Employees, visitors, and students, including those with a license to carry a handgun, are prohibited from bringing firearms, knives, clubs, or other prohibited weapons onto school premises (i.e., building or portion of a building) or any grounds or building where a school-sponsored activity takes place. A person, including an employee, who holds a license to carry a handgun may transport or store a handgun or other firearm or ammunition in a locked vehicle in a parking lot, garage, or other district provided parking area, provided the handgun or firearm or ammunition is properly stored, and not in plain view. To ensure the safety of all persons, employees who observe or suspect a violation of the district's weapons policy should report it to their supervisor or call the administration office immediately.

## Visitors in the Workplace

*Policy GKC*

All visitors are expected to enter any district facility through the main entrance and sign in or report to the building's main office. Authorized visitors will receive directions or be escorted to their destination. Employees who observe an unauthorized individual on the district premises should immediately direct him or her to the building office or contact the administrator in charge.

## Asbestos Management Plan

*Policy CSC*

The district is committed to providing a safe environment for employees. An accredited management planner has developed an asbestos management plan for each school. A copy of the district's management plan is kept in the maintenance office and is available for inspection during normal business hours.

## Pest Control Treatment

*Policies CLB, DI*

Employees are prohibited from applying any pesticide or herbicide without appropriate training and prior approval of the integrated pest management (IPM) coordinator. Any application of pesticide or herbicide must be done in a manner prescribed by law and the district's integrated pest management program.

Notices of planned pest control treatment will be posted in a district building 48 hours before the treatment begins. Notices are generally located on the front door. In addition, individual employees may request in writing to be notified of pesticide applications. An employee who requests individualized notice will be notified by telephone, written, or electric means. Pest

control information sheets are available from campus principals or facility managers upon request.

# General Procedures

## Emergency School Closing

*Policy EB*

The district may close schools because of severe weather, epidemics, or other emergency conditions. When such conditions exist, the Superintendent will make the official decision concerning the closing of the district's facilities. When it becomes necessary to open late, to release students early, or to cancel school, district officials will post a notice on the district's website and notify the following radio and television stations:

- Notification through Fox – Channel 4, NBC – Channel 5, WFAA – Channel 8, CBS – Channel 11/21 television stations
- Automated calls and emails to phone numbers and emails parents/guardians have uploaded through Skyward through our Skyward Messenger application
- Posting on the Mineral Wells ISD Facebook page
- Posting on the Mineral Wells ISD website at www.mwisd.net

## Emergencies

*Policies CKC, CKD*

All employees should be familiar with the safety procedures for responding to emergencies, including a medical emergency. Employees should locate evacuation diagrams posted in their work areas and be familiar with shelter in place, lockout, and lockdown procedures. Emergency drills will be conducted to familiarize employees and students with safety and evacuation procedures. Each campus is equipped with an automatic external defibrillator. Fire extinguishers are located throughout all district buildings. Employees should know the location of these devices and procedures for their use.

## Purchasing Procedures

*Policy CH*

*Policies Relating to School Accounts*

***Agency Fund Accounts***

The principal is responsible for the agency funds in his/her school. Each check requisition must be approved by the principal with an original signature clearly stating the reason for the expenditure and have a quote or other sufficient information attached for inventory purposes. Any agency fund requisition received without proper documentation attached will be sent back and not processed for payment until proper documentation is received.

***Receipting/Deposit Policies***

1. All monies received by school personnel are to be receipted.

2. All monies are to be receipted and deposited as rapidly as accounting procedures permit.

3. Detail of checks and cash to be deposited must be listed on each deposit slip.

***Monthly Reports***

1. Financial statements are presented to the Board each month.

2. Summary and detail reports are available to all supervisors through our financial software.

## *Petty Cash*

1. Each campus maintains petty cash at an amount designated by the business office. The total of receipts and cash must equal this amount at all times.

2. Expenditures are to be verified with receipts.

3. Checks are not to be cashed from petty cash. I.O.U.'s are disallowed from petty cash or any other agency fund.

4. As with all other school district purchases, sales tax will not be reimbursed. Texas Sales and Use Tax Exemption Certificates are available at the business office.

## *Disbursement Policies*

1. Purchase requisitions originate at the campus level and must be approved by the supervisor.
2. The purchase requisition and proper documentation (quotes, hotel confirmations, etc.) are sent to the business office for approval.

3. After approval, the requisitions are converted to purchase orders and returned to the supervisor to be submitted to the vendor.

4. The yellow receiving copy and pink copy of the purchase order are sent back to the supervisor until merchandise has been received.

5. Once the merchandise has been received, the supervisor must sign and date the yellow receiving copy of the purchase order and send all attached original documentation to the business office. (Supervisors retain the pink copy for their own records)

6. Once invoices and yellow receiving copies of purchase orders have been received in the business office with all proper documentation, checks will be issued in a timely manner according to due date.

7. Any yellow receiving copies of purchase orders without proper documentation will be denied and sent back to the supervisor.

   Proper Documentation

   a. Signed yellow receiving copies
   b. Invoices that equal amounts on purchase orders
   c. Employee Travel Request/Expense Voucher
   d. Hotel reservation confirmations with room rates
   e. Printed state mileage guide

8. The district does not pay nor reimburse state sales tax (this includes state hotel tax).

9. At the time of purchase/hotel reservations all vendors/hotels must be informed of state sales tax exemption status. All documentation sent to the business office should not include any state sales tax.

10. All employees requesting reimbursement for approved out of town travel must complete the Employee Travel Request/Expense Voucher. Refer to the Employee Travel Request/Expense Voucher for other travel information.

11. Checks will be issued weekly. Special instructions for the distribution of checks should be noted in writing on the first page of documentation. Employee travel checks will be sent to their campus.

Contact Dorinda Brown at dorinda@mwisd.net for additional information on purchasing procedures.

## Name and Address Changes

It is important that employment records be kept up to date. Employees must notify the Human Resources office if there are any changes or corrections to their name, home address, contact telephone number, marital status, emergency contact, or beneficiary. The form to process a change in personal information can be obtained from Joanna Mitchell or Shelia Crabtree at 940-325-6404.

## Personnel Records

*Policy DBA, GBA*

Most district records, including personnel records, are public information and must be released upon request. In most cases, an employee's personal email address is confidential and may not be released without the employee's permission.

Employees may choose to have the following personal information withheld:

- Address
- Phone number, including personal cell phone number
- Emergency contact information
- Information that reveals whether they have family members

The choice to not allow public access to this information or change an existing choice may be made at any time by submitting a written request to Joanna Mitchell. New or terminated employees have 14 days after hire or termination to submit a request. Otherwise, personal information may be released to the public until a request to withhold the information is submitted or another exception for release of information under law applies. An employee is responsible for notifying the district if he or she is subject to any exception for disclosure of personal or confidential information.

## Facility Use

*Policies DGA, GKD*

Employees who wish to use district facilities after school hours must follow established procedures. The principal is responsible for scheduling the use of facilities on a school campus. The Athletic Director is responsible for scheduling the use of athletic facilities. The Superintendent or designee is authorized to approve use of all other District facilities. Contact the appropriate administrator to request to use school facilities and to obtain information on the fees charged.

# Termination of Employment

## Resignations

*Policy DFE, DHB*

**Contract Employees.** Contract employees may resign their position without penalty at the end of any school year if written notice is received at least 45 days before the first day of instruction of the following school year. A written notice of resignation should be submitted to the superintendent or other persons designated by the board of trustees. Supervisors who have not been designated by the board to accept resignations shall instruct the employee to submit the resignation to the superintendent or other person designated by board action.

Contract employees may resign at any other time only with the approval of the superintendent or the board of trustees. Resignation without consent may result in disciplinary action by the State Board for Educator Certification (SBEC).

The principal is required to notify the superintendent of an educator's resignation within seven business days of the following:

- Certain misconduct, abuse, unlawful act
- Involvement or solicitation of a romantic relationship with a student or minor
- Solicitation or engaging in sexual conduct with a student or minor
- Inappropriate communications with a student or minor
- Failure to maintain appropriate boundaries with a student or minor
- Possession, transfer, sale, or distribution of a controlled substance
- Illegal transfer, appropriation, or expenditure of district or school property or funds
- An attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit for the purpose of promotion or additional compensation
- Committing a criminal offense or any part of a criminal offense on district property or at a school-sponsored event.

The superintendent is required to report such conduct to SBEC.

**Noncontract Employees.** Noncontract employees may resign their position at any time. A written notice of resignation should be submitted to their supervisor at least two weeks prior to the effective date. Employees are encouraged to include the reasons for leaving in the letter of resignation but are not required to do so.

The principal or director is required to notify the superintendent of a noncertified employee's resignation or termination within seven business days for any of the following:

- Alleged incident of misconduct of abuse or otherwise committed an unlawful act with a student or minor,
- Was involved in or solicited a romantic relationship with a student or minor

- Engaged in inappropriate communications with a student or minor
- Failed to maintain appropriate boundaries with a student or minor

The superintendent is required to report such conduct to SBEC.

## Dismissal or Nonrenewal of Contract Employees

*Policies DF Series, DHB, DP*

Employees on probationary, term, and continuing contracts can be dismissed during the school year according to the procedures outlined in district policies. Employees on probationary or term contracts can be nonrenewed at the end of the contract term. Contract employees dismissed during the school year, suspended without pay, or subject to a reduction in force are entitled to receive notice of the recommended action, an explanation of the charges against them, and an opportunity for a hearing. The timelines and procedures to be followed when a suspension, termination, or nonrenewal occurs will be provided when a written notice is given to an employee.

The reporting requirements for termination of a contract are the same as those listed above in Resignations/Contract Employees.

Advance notification requirements do not apply when a contract employee is dismissed for failing to obtain or maintain appropriate certification or when the employee's certification is revoked for misconduct. Information on the timelines and procedures can be found in the DF series policies that are provided to employees or are available Online.

## Dismissal of Noncontract Employees

*Policies DHC, DP*

Noncontract employees are employed at will and may be dismissed without notice, a description of the reasons for dismissal, or a hearing. It is unlawful for the district to dismiss any employee for reasons of race, color, religion, sex, national origin, age, disability, military status, genetic information, any other basis protected by law, or in retaliation for the exercise of certain protected legal rights. Noncontract employees who are dismissed have the right to grieve the termination. The dismissed employee must follow the district process outlined in this handbook when pursuing the grievance. See *Complaints and Grievances*.

The reporting requirements for termination of a noncertified employee are the same as those listed above in Resignations/Noncontract Employees.

## Discharge of Convicted Employees

*Policy DF*

The district shall discharge any employee who has been convicted of a felony under Title 5 Penal Code or convicted of or placed on deferred adjudication community supervision for the following:

- An offense requiring the registration as a sex offender
- Improper relationship between an educator and a student
- Sale, distribution, or display of harmful materials to a minor
- Public indecency
- A felony offense involving school property

If the Title 5, Penal Code offense is more than 30 years before the date the person's employment began or the person satisfied all terms of the court order entered on conviction the requirement to discharge does not apply.

## Exit Interviews and Procedures

Exit interviews will be scheduled for all employees leaving the district. Information on the continuation of benefits, release of information, and procedures for requesting references will be provided at this time. Separating employees are asked to provide the district with a forwarding address and phone number and complete a questionnaire that provides the district with feedback on his or her employment experience. All district keys, books, property, including intellectual property, and equipment must be returned upon separation from employment.

## Reports Concerning Court-Ordered Withholding

The district is required to report the termination of employees that are under court order or writ of withholding for child support or spousal maintenance. Notice of the following must be sent to the support recipient and the court or, in the case of child support, the Texas Attorney General Child Support Division:

- Termination of employment not later than the seventh day after the date of termination
- Employee's last known address
- Name and address of the employee's new employer, if known

# Student Issues

## Equal Educational Opportunities

*Policies FB, FFH*

In an effort to promote nondiscrimination and as required by law, Mineral Wells ISD does not discriminate on the basis of race, color, religion, national origin, age, sex, or disability in providing education services, activities, and programs, including Career and Technical Education (CTE) programs, in accordance with Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Educational Amendments of 1972; and Section 504 of the Rehabilitation Act of 1973, as amended.

Questions or concerns about discrimination against students based on sex, including sexual harassment should be directed to Natalie Griffin, Assistant Superintendent of Human Resources, 906 SW 5th Ave., Mineral Wells, TX 76067, (940-325-6404), the district Title IX coordinator for students. Questions or concerns about discrimination on the basis of a disability should be directed to Amber Moore, Curriculum and Assessment Director, 906 SW 5th Ave., Mineral Wells, TX 76067, (940-325-6404), the district ADA/Section 504 coordinator for students. All other questions or concerns relating to discrimination based on any other reasons should be directed to the Superintendent.

## Student Records

*Policy FL*

Student records are confidential and are protected from unauthorized inspection or use. Employees should take precautions to maintain the confidentiality of all student records. The following people are the only people who have general access to a student's records:

- Parents: Married, separated, or divorced unless parental rights have been legally terminated and the school has been given a copy of the court order terminating parental rights
- The student: The rights of parents transfer to a student who turns 18 or is enrolled in an institution of post-secondary education. A district is not prohibited from granting the student access to the student's records before this time.
- School officials with legitimate educational interests

The student handbook provides parents and students with detailed information on student records. Parents or students who want to review student records should be directed to the campus principal for assistance.

## Parent and Student Complaints

*Policy FNG*

In an effort to hear and resolve parent and student complaints in a timely manner and at the lowest administrative level possible, the board has adopted orderly processes for handling complaints on different issues. Any campus office or the superintendent's office can provide parents and students with information on filing a complaint.

Parents are encouraged to discuss problems or complaints with the teacher or the appropriate administrator at any time. Parents and students with complaints that cannot be resolved to their satisfaction should be directed to the campus principal. The formal complaint process provides parents and students with an opportunity to be heard up to the highest level of management if they are dissatisfied with a principal's response.

## Administering Medication to Students

*Policy FFAC, FFAF*

Only designated employees may administer prescription medication, nonprescription medication, and herbal or dietary supplements to students. Exceptions apply to the administration of medication for respiratory distress, medication for anaphylaxis (e.g., EpiPen®), opioid antagonists, and medication for diabetes management, if the medication is administered in accordance with district policy and procedures. A student who must take any other medication during the school day must bring a written request from his or her parent and the medicine in its original, properly labeled container. Contact the principal or school nurse for information on procedures that must be followed when administering medication to students.

## Dietary Supplements

*Policies DH, FFAC*

District employees are prohibited by state law from knowingly selling, marketing, or distributing a dietary supplement that contains performance-enhancing compounds to a student with whom the employee has contact as part of his or her school district duties. In addition, employees may not knowingly endorse or suggest the ingestion, intranasal application, or inhalation of a performance-enhancing dietary supplement to any student.

## Psychotropic Drugs

*Policy FFAC*

A psychotropic drug is a substance used in the diagnosis, treatment, or prevention of a disease or as a component of a medication. It is intended to have an altering effect on perception, emotion, or behavior and is commonly described as a mood- or behavior-altering substance.

District employees are prohibited by state law from doing the following:

- Recommending that a student use a psychotropic drug
- Suggesting a particular diagnosis
- Excluding from class or school-related activity a student whose parent refuses to consent to a psychiatric evaluation or to authorize the administration of a psychotropic drug to a student

## Student Conduct and Discipline

*Policies in the FN series and FO series*

Students are expected to follow the classroom rules, campus rules, and rules listed in the Student Handbook and Student Code of Conduct. Teachers and administrators are responsible for taking disciplinary action based on a range of discipline management strategies that have been adopted by the district. Other employees that have concerns about a particular student's conduct should contact the classroom teacher or campus principal.

## Student Attendance

*Policy FEB*

Teachers and staff should be familiar with the district's policies and procedures for attendance accounting. These procedures require minor students to have parental consent before they are allowed to leave campus. When absent from school, the student upon returning to school, must bring a note signed by the parent that describes the reason for the absence. These requirements are addressed in campus training and in the student handbook. Contact the campus principal for additional information.

## Bullying

*Policy FFI*

Bullying is defined by §TEC 37.0832. All employees are required to report student complaints of bullying, including cyberbullying, to the campus administration. The district's policy includes definitions and procedures for reporting and investigating bullying of students and is reprinted below:

**Note:** This policy addresses bullying of District students. For provisions regarding discrimination and harassment involving District students, see FFH. Note that FFI shall be used in conjunction with FFH for certain prohibited conduct. For reporting requirements related to child abuse and neglect, see FFG.

**BULLYING PROHIBITED**

The district prohibits bullying as defined by this policy. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.

**DEFINITION**

Bullying occurs when a student or group of students engages in written or verbal expression, expression through electronic means, or physical conduct that occurs on school property, at a school-sponsored or school-related activity, or in a vehicle operated by the district and 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; or
2. Is sufficiently severe, persistent, and pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.

This conduct is considered bullying if it:

1. Exploits an imbalance of power between the student perpetrator and the student victim through written or verbal expression or physical conduct; and
2. Interferes with a student's education or substantially disrupts the operation of a school.

**EXAMPLES**

Bullying of a student may include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name calling, rumor spreading, or ostracism.

**RETALIATION**

The district prohibits retaliation by a student or District employee against any person who in good faith makes a report of bullying, serves as a witness, or participates in an investigation.

**EXAMPLES**

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

**FALSE CLAIM**

A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding bullying shall be subject to appropriate disciplinary action.

**TIMELY REPORTING**

Reports of bullying shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the district's ability to investigate and address the prohibited conduct.

**REPORTING PROCEDURES**

**STUDENT REPORT**

To obtain assistance and intervention, any student who believes that he or she has experienced bullying or believes that another student has experienced bullying should immediately report the alleged acts to a teacher, counselor, principal, or other District employee.

**EMPLOYEE REPORT**

Any District employee who suspects or receives notice that a student or group of students has or may have experienced bullying shall immediately notify the principal or designee.

**REPORT FORMAT**

A report may be made orally or in writing. The principal or designee shall reduce any oral reports to written form.

**PROHIBITED CONDUCT**

The principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by policy FFH, including dating violence and harassment or discrimination on the basis of race, color, religion, gender, national origin, or disability. If so, the district shall proceed under policy FFH. If the allegations could constitute both prohibited conduct and bullying, the investigation under FFH shall include a determination on each type of conduct.

**INVESTIGATION OF REPORT**

The principal or designee shall conduct an appropriate investigation based on the allegations in the report. The principal or designee shall promptly take interim action calculated to prevent bullying during the course of an investigation, if appropriate.

**CONCLUDING THE INVESTIGATION**

Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the initial report alleging bullying; however, the principal or designee shall take additional time if necessary to complete a thorough investigation.

The principal or designee shall prepare a final, written report of the investigation. The report shall include a determination of whether bullying occurred, and if so, whether the victim used reasonable self-defense. A copy of the report shall be sent to the Superintendent or designee.

**NOTICE TO PARENTS**

If an incident of bullying is confirmed, the principal or designee shall promptly notify the parents of the victim and of the student who engaged in bullying.

**DISTRICT ACTION**

**BULLYING**

If the results of an investigation indicate that bullying occurred, the district shall promptly respond by taking appropriate disciplinary action in accordance with the District's Student Code of Conduct and may take corrective action reasonably calculated to address the conduct.

**DISCIPLINE**

A student who is a victim of bullying and who used reasonable self-defense in response to the bullying shall not be subject to disciplinary action.

The discipline of a student with a disability is subject to applicable state and federal law in addition to the Student Code of Conduct.

**CORRECTIVE ACTION**

Examples of corrective action may include a training program for the individuals involved in the complaint, a comprehensive education program for the school community, follow-up inquiries to determine 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 bullying has occurred, and reaffirming the district's policy against bullying.

**TRANSFERS**

The principal or designee shall refer to FDB for transfer provisions.

**COUNSELING**

The principal or designee shall notify the victim, the student who engaged in bullying, and any students who witnessed the bullying of available counseling options.

**IMPROPER CONDUCT**

If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the district may take action in accordance with the Student Code of Conduct or any other appropriate corrective action.

**CONFIDENTIALITY**

To the greatest extent possible, the district shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation.

**APPEAL**

A student who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level.

**RECORDS RETENTION**

Retention of records shall be in accordance with CPC(LOCAL).

**ACCESS TO POLICY AND PROCEDURES**

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

## Hazing

*Policy FNCC*

Students must have prior approval from the principal or designee for any type of "initiation rites" of a school club or organization. While most initiation rites are permissible, engaging in or permitting "hazing" is a criminal offense. Any teacher, administrator, or employee who observes a student engaged in any form of hazing, who has reason to know or suspect that a student intends to engage in hazing or has engaged in hazing must report that fact or suspicion to the designated campus administrator.

# Appendix

## Activity Funds/Fund Raisers

## What is an Activity Fund?

**Fund 461 – Campus Activity Fund**

- Funds which are raised by the student body and are expended on the student body as a whole
- Example revenue sources include student pictures and vending
- Uses must comply with applicable purchasing law and policy
- Funds under the control of the campus principal

**Student Activity Fund**

- Consist of monies received and held by the campus for the benefit of students
- Monies are used to benefit particular organizations
- Expended based upon a vote of the officers in a manner consistent with policy
- Example:  membership dues

## Cash Handling Procedures for Activity Accounts

- All cash must be deposited when received
- Sponsor should be present when cash is verified
- Issue pre-numbered cash receipts for all funds with two signatures (bookkeeper and sponsor)

## Booster/PTA Accounts

- The district cannot be the accountant (or auditor) for booster clubs or other similar activities.
- Must maintain their own set of books
- District employees should not handle funds
- Sponsors should at all times be aware of board policies and administrative regulations to help offices of the club to operate within those policies and regulations
- PTA's and booster clubs are non-profit entities and cannot use the district’s tax-exempt identification number

## District Fund Raising Policies

- CFD
- FJ
- GKB

## Fund Raising Guidelines

**All fund-raising activities must be submitted on the district form and be approved by the Principal and the Superintendent.**

**Student Funds**

Receipts shall be issued by the principal or designee for all funds prior to their deposit into the appropriate District account at the district depository.

### Fiduciary Responsibility

The principal and sponsor shall be responsible for the proper administration of student funds in accordance with state and local law, District-approved accounting practices and procedures.

### Use and Expenditure

Funds collected by student groups shall be used only for purposes authorized by the organization or upon approval of the sponsor.

### Approval

Approval from the immediate supervisor or designee shall be obtained prior to a disbursement being made to the principal.

### School-Sponsored

Fund-raising activities by student groups and/or for school-sponsored projects shall be allowed, **ONLY** with prior administration approval and under the supervision of the project sponsor, for students in all grades.

All fund-raising projects shall be subject to the approval of the principal and Superintendent.

### Loss of Class Time

The collection of monies that takes the time of the students or teachers during school hours is strictly forbidden, unless the monies collected represent payment for school lunches, monies that will benefit the school or its students, or other authorized fees.

### Charitable Raffles

A raffle is the awarding of one or more prizes by chance at a single occasion among a pool or group of persons who have paid or promised a thing of value for a ticket that represents a chance to win a price. *Occupations Code 2002.002(6)*

A "qualified nonprofit organization" for purposes of the Charitable Raffle Enabling Act may conduct raffles in accordance with the Act to benefit the district or school. A parent-teacher organization may be qualified to hold such raffles if it meets the requirements of the Act. *Occupations Code 2002.003, 2002.051; Atty. Gen. Op. JM-1176 (1990)*

## Announcements/Class Interruptions

The principal or designated administrator must approve all announcements prior to their being read.

No one may use the P.A. System without the expressed approval of the Administration – the principal or his/her designee when he/she is not available. Announcements will not be made at other than the appointed times except in cases of necessity, and only with the expressed approval of the Administration.

### Class Interruptions

Interruptions of class non-academic activities are to be severely limited. Use of the intercom for other than emergency announcements is limited to one time per school day. Teachers and administrators are to avoid class interruptions wherever possible. The privilege of planning activities that take students from other teachers' classes is to be reduced and tightly controlled by the principal.

Any teacher desiring to take students from class for any activity must arrange through the principal's office for such absence in advance, so that other teachers affected may plan their work, arrange for students to make up work, and properly account for the student's absence.

Teachers are not to use class time to talk with salesmen, parents, or other non-school persons. If it becomes necessary for a teacher to have a conference during his/her class time, the authorization will come through the office and necessary arrangements will be made.

## Assessments

Mineral Wells ISD uses the state assessment program and locally developed assessments to monitor the progress of individual students and to evaluate our instructional programs.

### Purposes of Assessments

1. The Mineral Wells ISD will use the information provided from state and local assessments to determine needs and target resources
2. The campuses will use the information from state and local assessments to provide appropriate professional development for teachers and to plan instruction and services to meet the needs of all students
3. Teachers will use the information from assessments to make classroom instructional decisions and provide the necessary support for students to be successful
4. Parents will be informed about the assessments, so they can monitor the progress of their student

**See the Student Handbook for More Information**

## Athletics Facilities

### Gymnasium

Students must be supervised by their teacher at all times, proper clothing (with regard to safety) must be worn, sneakers or other appropriate footwear.

### Locker Rooms
Must be supervised by adult employees at all times when students are present. The floor must be kept free of debris – soap, glass, etc. Locker rooms are to be secured and locked during class periods and athletic events.

### Weight room
Must be locked when not used. It may only be used when adult supervision is available.

### Field House
The fieldhouse must be supervised at all times when in use, either by coaches, faculty members or the designated employees. Keys to the field house will be issued by the administration to specific individuals. Students are not to have keys, nor are unauthorized persons. Any person found in the area without proper authority will be considered trespassing without permission.

## Calendar
The official school calendar with dates of school activities scheduled will be kept in the office. Teachers will need to fill out an information sheet whenever they need to add an event to the master calendar. It is important that every teacher who expects to place activities on the calendar does so at the earliest date possible. The calendar should show athletic events, UIL events, plays, musical programs, assemblies, class meetings, banquets, field trips, practices, and all other activities involving students.

An official district-wide activities calendar will be maintained on the MWISD website by Karyn Bullock. All events must be entered on this calendar, which will be the official check against conflicts, availability of facilities and dates for school functions.

## Classroom Maintenance

### Classroom Maintenance
Your room sets the tone for learning. Neatness and orderliness influence students, visitors, and you. Use the following guide:

1. Teach students to pick up papers at all times.
2. Maintain current, attractive bulletin boards at all times. Replace faded paper and tattered items.
3. Only teachers will remove staples/pins from walls and empty pencil sharpeners. When you take down student work, take the time to remove staples and/or tape.
4. Please limit coffee, tea, coke, or greasy food being brought into classrooms.
5. Teachers are responsible for keeping all desks, cabinets, etc. free of pencil and crayon marks. Students are not to use the cleaners due to possible allergic reactions.

### Room Care

- All bulletin boards should be in use with orderly materials that pertain to the subject being taught.
- The applicable fire code will be strictly enforced.
- No candles.
- No animals

### Repair

The need for repairs or maintenance to the room, furniture, or equipment should be reported to the principal on the work order form.

### Inventory

Each teacher will prepare an inventory of his assigned room in the fall and spring under the supervision of the Assistant Principal or Principal.

## Dress Code

Faculty and staff will dress professionally at all times. The MWISD school board has determined that business casual or job appropriateness is the dress code of MWISD employees in determining what is acceptable wear under the new code:

*Acceptable*

**Minimal Business Casual**

| **Men** | | **Women** | |
|---|---|---|---|
| | | | |
| 1 | Collared dress or polo shirts | 1 | Slacks |
| 2 | Docker type slacks | 2 | Shirts and blouses |
| 3 | Dress slacks | 3 | Capri pants |
| 4 | Dress shoes (no sandals) | 4 | Sweaters |
| 5 | Boots | 5 | Shoes |
| 6 | Belts (if required by slacks) | 6 | Sandals |

| | | | |
|---|---|---|---|
| 7 | Sweaters | 7 | Skirts |
| | | 8 | Dresses |
| Note: *All skirts and dresses must extend beyond the length of the middle fingertip. Capri pants hem must be mid-calf or lower.* | | | |

### Unacceptable

1. Denim jeans of any color*
2. Wind suits
3. Shorts

*Exception*

Thursday at MWISD will continue to be "School Spirit Day." Nice blue jeans and a Mineral Wells Rams spirit building shirt will be acceptable wear for this day. Business casual/job appropriate will remain the standard for all other types of clothing on Thursday. Campus administrators may approve other "special occasion" dress.

### Other Dress Information

- ID badges are required at all times.
- Coaches in the main building will meet the expected dress requirements.
- Coaches in the gym, weight room, and engaged in outside coaching may dress as is appropriate to the activity.
- Jeans are deemed appropriate for teachers working in non-air-conditioned environments such as auto tech, woodworking, metal trades, ag, or any area approved by the principal.

## Equipment Usage

### Audio-Visual Equipment

Teachers may obtain camera equipment, TV, and/or VCR from their department head. Teachers are responsible for ensuring that all equipment is maintained in working order and is securely kept in the classroom.

## Bicycles (Travis Campus Only)

The school has approximately 24 ten-speed bikes that teachers are allowed to use for their class. You will need to get permission from the assistant principal. They are located in the building on the playground. They will probably need to be aired up so plan ahead to ask campus maintenance about getting this accomplished.

## Copy Machines

Each campus has copy machines available in the teacher workrooms. At some campuses, each user is given a code for use and should use the code for all copies made. Copies are to be for school use only.

## E-mail

E-mail will be an expected means of communication on this campus. You will need to check your e-mail once in the morning and once in the afternoon. The e-mail address you have been issued is a district privilege. It should be used for professional communication and should adhere to the district acceptable use policy.

## Fax Machine

The fax machine is located in the main office. The instructions for use are located on the machine.

## Keys

School keys **ARE NEVER** to be loaned to students, student managers, student aides, or anyone at any time for any reason. There is **NO** reason at any time for keys to be in the possession of someone other than authorized personnel. Teachers will be held accountable for violations of this policy.

In the event a key is lost, the Principal or Assistant Principal will be notified immediately, and the teacher will be charged a fee ($50.00) to replace the lost key.

Classrooms will be kept locked when they are not occupied. Doors should not be left propped open. All visiting adults should be greeted with common courtesy and directed to the front office to sign in and receive a visitor's pass.

## Laminating

Due to the cost of laminating film, we are asking that you be mindful of the items that you are laminating. Lamination should be limited to bulletin board items, special student recognition projects (not a project that all students have done), and products that will be used on a yearly basis.

## Mailboxes

Please check your mailbox twice a day. Telephone messages will be placed in your box unless there is an emergency. You will be notified immediately in case of an emergency.

Due to legal constraints, handouts are not to be placed in boxes until cleared by an administrator. All persons wanting to place handouts in boxes must have it initialed by an administrator. All persons wanting to place handouts in boxes must have it initialed by an administrator one day prior to the date it is needed. All handouts should be put in boxes before 7:30 a.m., *especially field trip lists.*

NO STUDENTS ARE ALLOWED IN THE WORKROOM OR LOUNGE. THEREFORE, DO NOT SEND STUDENTS TO THE OFFICE TO PICK UP THINGS FROM YOUR MAILBOX.

## Personal Use of School Equipment

Teachers desiring to use school equipment for school use at home preparing lessons for MWISD may do so by requesting in writing to the principal. This signed request is to be presented to the principal to retain as a receipt until the equipment is returned. The principal will determine whether or not the equipment is available and that the loan of the equipment will not interfere with normal school use.

Teachers are welcome to use material and equipment with the provision that proper care will be taken at all times and the equipment is returned promptly to the principal.

## Field Trips

Whenever possible these trips should be scheduled during the teacher's regularly scheduled class periods, not to conflict with other teacher and student schedules. The trips should have educational value to the subject taught. Teachers should fill out a field trip request form to be given to the principal. A list of eligible students must be attached to the field trip application at the time it is submitted. Establish timeline/deadline and no additional students can be added with prior administration approval.

Before the field trip is taken, faculty sponsors will:

- Make an adequate time schedule of the trip to ensure that the situation will produce a maximum educational effect.
- For trips lasting more than two hours and involving the noon meal, see that lunches are taken or that lunch arrangements are made. Request sack lunches from the cafeteria one week in advance. Let the cafeteria know how many students will miss lunch.
- For trips lasting more than two hours, check to see that adequate restroom facilities are available.
- Make a personal visit, if possible, to the area or organization to be visited to make necessary arrangements.

- Make sure students have a field trip permission form completed (This must be on file in the office. Emergency numbers must be included).
- If the planned trip should cause students to be absent from other classes, an alphabetized list of students involved should be submitted to the office (preferably via email) one week before the trip. These lists will be distributed to classroom teachers.

Once students have boarded the bus and prior to departure, attendance must be taken and an accurate list must be submitted to the office before the bus departs on school days to positively identify those people on the bus, including chaperones.

Attendance must be taken during the trip each time students re-board the bus during the trip – not a head count, but a name roll call. Do not leave a student unless you have the verbal permission of the administration at which time a chaperone is left behind to help locate the student. Physical attendance must be taken at least every two (2) to two and one-half (2½) hours on trips covering entire days where students are permitted to move on their own in parks, museums, etc.

School rules apply for all trips. Additional rules per trip may be drafted for a particular trip by the administration and/or the Board of Education.

Students may be refused trips where previous problems have existed from such.

School day trips must be school-related and no student may be refused because of inability to pay.

A telephone number must be available for reaching an administrator on school and non-school days. It is the head chaperone's responsibility to secure this number.

## Instructional Resource Guidelines

Policies regulating Instructional resources may be found in Board Policy EFA (Local).

## Library

Classroom teachers should work closely with the librarian to arrange in advance for all full class assignments in the library. **THE TEACHER MUST ALWAYS ACCOMPANY HIS OR HER CLASS TO THE LIBRARY**. Small groups of individuals sent from class for library assignments shall be given a written pass with definite instructions concerning their study assignments. Upon entering the library, individual students must sign in. Students who wish to use the internet must have an internet usage permission form signed by their parents on file. Students will not be permitted to check out computers or books without a student ID.

## Meetings

All professional staff are expected to attend and remain for each meeting in its entirety.

All professional staff will be responsible for the information presented.

Meetings may include, but are not limited to:

- Department meetings
- Faculty meetings
- Team meetings
- Grade level meetings

Faculty meeting schedules will be supplied by the campus principals at the beginning of each school year.

Called meeting will usually be announced in an e-mail or via the intercom.

## Parent Communication

Our task is to initiate contact with parents and keep them informed. It is always more effective to call/visit with a parent about an individual student issue first. Written messages are easily misinterpreted. Be sure to be truthful, yet tactful in both written and oral communication. A colleague should read any notes before you send them to a parent. When you write a class or grade level letter, have the message approved by the principal and give a copy to the office. Be sure to document all conferences with the date, time, who attended, and subject addressed. Designated days for communication with parents and community will be set by campus administrators. There should be personal communication with every parent within your room each nine weeks (elementary only). Face-to-face contact shall be made with parents when it becomes obvious that the success of the student and the support of the parents may be enhanced by such contact.

## Parking

Each campus has a parking lot provided for faculty and staff. All personnel are encouraged to park in designated areas. Parking in the front of the building is reserved for parents and visitors.

## Parties

In the interest of creating a positive school climate and encouraging parental involvement, Mineral Wells ISD encourages elementary and secondary campuses to have a reasonable number of class parties during the school year. Principals are expected to use good judgment by monitoring the amount of time taken away from academics for class parties.

Principals are expected to use good judgement in ensuring that classrooms are cared for appropriately during and after parties. It is also the campus principal's responsibility to ensure that parties are non-discriminatory and culturally appropriate.

Parties cannot be held in the classroom during class time without permission from the administration. It is encouraged that parties have a TEKS connection.

## Phone Calls – Cell Phone Use

Staff will not be called to the telephone except in an emergency. Messages will be taken and left in your mailbox. You may return calls during your planning period. *Please do not make extended telephone calls for personal reasons during school time.* Cell phones *must* be used appropriately during the *instructional time*.

## Staff Children on Campus

Staff children will be allowed on campus before our students arrive in the classroom and after dismissal of the students. No staff children should be in their parent's classrooms during instructional day or for special events during the school day. When your children are on campus, they should be supervised at all times in your classroom and be respectful of school property and other staff members. Children are not allowed in the teacher workroom or lounge.

## Surveillance

This district employs video/audio surveillance equipment for security purposes. This equipment may or may not be monitored at any time.

## Visitors

All visitors must first check in at the office and secure permission to visit the school and be directed to the area desired. **Visitors must have a visitor's badge. Local Law Enforcement Agencies are not required to wear a visitor's badge if in uniform.**

**Salesmen are not permitted on campus without a letter from the Assistant Superintendent and approval from the principal. They are only allowed to see employees based on previously scheduled appointments. They will not be allowed to sit in the workrooms to solicit business.**

Parents wishing to discuss problems with teachers should make an appointment with the teacher through the school secretary for a conference during the teacher's conference period. Teachers cannot take time away from their students to visit with the parents during class. Parents wishing to visit a particular class should make arrangements with the teacher at least one day in advance. We do not permit students to bring visitors or friends to school.

## Workrooms

Room is provided in the building for the exclusive use of the faculty. This room is available for relaxation, for correcting papers and other clerical duties; for holding conferences and exchanging ideas, and for location of materials of professional interest during non-assigned time.

Use of the faculty room is to be restricted to those times when teachers do not have obligations, such as hall duty or supervisory responsibilities. Students are not to be in these rooms at any time. It is incumbent upon each faculty member to keep students from facilities provided for faculty use at all times.

Teachers shall make every effort to keep these areas clean and tidy. All cafeteria trays should be returned to the cafeteria at the end of the lunch period. Teachers should remove items they place in the refrigerators so that they remain free of clutter and old food. **NO** students or staff member's children should be in the teacher's workroom or lounges.

# Extracurricular Activities

## Definition of Extracurricular Activity

**19 TAC §76.1001, Subchapter AA**

(1) 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 specified in paragraph (2) of this subsection.

(2) In addition, an activity shall be subject to the provisions for an extracurricular activity if any one of the following criteria applies:

(A) the activity is competitive;

(B) the activity is held in conjunction with another activity that is considered to be extracurricular;

(C) the activity is held off campus, except in a case in which adequate facilities do not exist on campus;

(D) the general public is invited; or

(E) an admission is charged.

(2) A student ineligible to participate in an extracurricular activity, but who is enrolled in a state-approved course that requires demonstration of the mastery of the essential knowledge and skills in a public performance, may participate in the performance subject to the following requirements and limitations.

(A) Only the criterion listed in paragraph (1)(D) of this subsection applies to the performance.

(B) The requirement for student participation in public is stated in the essential knowledge and skills of the course.

*The commissioner of education is not authorized to approve extracurricular organizations outside of school sponsored or UIL sponsored groups. Local boards of trustees are responsible for the sanctioning and approval of outside organizations as "extracurricular organizations" for their individual districts.*

**For more information see Board Policies FM, FMF**

## Grading

The instructional objectives are derived from the Texas Essential Knowledge and Skills for each grade-level subject and course. Assignments, tests, projects, classroom activities, and other instructional activities are designed so that the student's performance indicates the level of mastery of the instructional objectives. Mineral Wells ISD guidelines for grading are established to ensure that grading reflects student achievement and that a sufficient number of grades are taken to support the grade assigned. These guidelines will be clearly communicated to students and parents.

## Grade Reporting

Students will receive report cards at the end of each nine-week period. If a student receives a failing grade in any class on the report card, the parents will be notified of the need for a conference with the teacher who issued the failing grade. All conferences will be documented by the teacher, and this documentation will be given to the principal. The report card must be returned to the district and signed by the parent [Board Policy EIA (Legal)].

At the end of the first three weeks of a grading period, teachers will send home progress reports for all students. Teachers will phone parents of those students who do not return their progress reports signed. Teachers will phone the parents of any child who begins to fail after the progress reports are sent home at the third week. If a parent cannot be contacted by phone after reasonable attempts, a letter must be sent informing the parent of the child's progress. The progress report must be returned to the district and signed by the parent [Board Policy EIA (Legal)].

## Gradebooks

Teachers are responsible for routinely entering grades in all subjects taught in the electronic grade book in the Skyward System. At the end of the nine weeks, the teacher should print a copy of all the grades entered and retain for their records. At the end of the year, the teacher will be responsible for turning into the principal a copy of each nine-week grade as a means of documenting grades given. These records will be retained by the district for a period of two years. Pre-kindergarten teachers will be responsible for keeping a hard copy grade book and giving it to the principal at the end of the school year.

Progress reports and nine-week grade reports will be printed for distribution to students. Nine-week grade reports will be printed by the office. The office will inform teachers of the date when grades must be exported to the office. It is imperative that teachers meet these deadlines and make certain that reports are accurate. Any corrections will need to be reported to the office immediately, so corrections can be made. For pre-kindergarten, progress reports and nine-week grade reports will be done by hand.

## Homework

The Mineral Wells ISD Staff recognizes that homework is an integral component of the learning process. The homework assigned should enhance the learning of necessary concepts and direct students toward mastery of the Texas Essential Knowledge and Skills (TEKS). Homework should provide students with opportunities to apply learning and experience necessary practice. It should also develop a certain amount of independence among students and provide an opportunity to take personal responsibility for their own achievement.

### Guidelines for Teachers:

1. Homework should be directly related to the instructional objectives of the class.
2. The amount of homework should vary with the difficulty of the instructional objectives.
3. Homework should be utilized to reinforce, clarify, and achieve the instructional objectives that have previously been taught.
4. Time should be given to teach homework procedures and establish a routine with the students under your guidance.
5. Homework tasks should be appropriate to students' levels of achievement and individual differences in ability must be considered. Expectations for homework tasks must then be adapted accordingly. Homework may be varied where appropriate to provide support for learning differences.
6. Homework should be collected by the teacher, graded, and returned in a timely fashion.
7. When homework assignments are consistently not being completed, parental contact is essential (phone calls, notes in planners, etc.). An appropriate plan of action should be developed between the student, parent, and teacher. This plan should be appropriate to the child's needs and home influences.
8. Long-term assignments should have established check points for the teacher to give feedback on the progress being made and to notify parents if satisfactory progress is not being made.

## Retention and Promotion

### CURRICULUM MASTERY

Promotion and course credit shall be based on mastery of the curriculum. Expectations and standards for promotion shall be established for each grade level, content area, and course and shall be coordinated with compensatory, intensive, and/or accelerated services. [See EHBC] The

District shall comply with applicable state and federal requirements when determining methods for students with disabilities [see FB] or students who are English language learners [see EHBE and EKBA] to demonstrate mastery of the curriculum.

## STUDENTS Receiving Special Education Services

Any modified promotion standards for a student receiving special education services shall be determined by the student's admission, review, and dismissal (ARD) committee and documented in the student's individualized education program (IEP). [See EHBA series and EKB]

## STANDARDS FOR MASTERY

In addition to the factors in law that must be considered for promotion, mastery shall be determined as follows:

Course assignments and unit evaluation shall be used to determine student grades in a subject. An average of 70 or higher shall be considered a passing grade.

Mastery of the skills necessary for success at the next level shall be validated by assessments that may either be incorporated into unit or final exams or may be administered separately. Mastery of at least 70 percent of the objectives shall be required.

## GRADES 1–3

In grades 1–3, promotion to the next grade level shall be based on an overall average of 70 or above on a scale of 100 based on course-level, grade-level standards (essential knowledge and skills) for the following subject areas: language arts, reading, mathematics, science, and social studies.

## GRADES 4–8

In grades 4–8, promotion to the next grade level shall be based on a passing score on the applicable exit-level examination or an overall average of 70 or above on a scale of 100 based on course-level, grade-level standards (essential knowledge and skills) for the following subject areas: language arts, mathematics, science, and social studies.

## GRADES 9–12

Grade-level advancement for students in grades 9–12 shall be earned by course credits. [See EI]

## Accelerated Instruction

If a student fails to demonstrate proficiency on a state-mandated assessment, the student shall be provided accelerated instruction in accordance with state law.

## DEFINITION OF 'PARENT'

For purposes of this policy and decisions related to grade advancement requirements, a student's "parent" shall be defined to include either of the student's parents or guardians; a person designated by the parent, by means of a power of attorney or an authorization agreement as provided in Chapter 34 of the Family Code, to have responsibility for the student in all school-related matters [see FD]; a surrogate parent acting on behalf of a student with a

disability; a person designated by the parent or guardian to serve on the grade placement committee (GPC) for all purposes; or in the event that a parent, guardian, or designee cannot be located, a person designated by the Superintendent or designee to act on behalf of the student. [See EIE(LEGAL)]

### ASSIGNMENT OF RETAINED STUDENTS

In the event a student is not promoted to the next grade level, the district shall nevertheless assign the student to an age-appropriate campus, unless:

1. The student's parent requests that the student be assigned to the same or a similar campus setting.

### REDUCING STUDENT RETENTION

The district shall establish procedures designed to reduce retaining students at a grade level, with the ultimate goal being elimination of the practice of retaining students. [See EHBC]

**Re-teaching, Re-testing, and Tutorials**

Re-teaching and remediation are important parts of instruction. Throughout a daily lesson, the teacher should monitor student understanding which should alert the teacher to possible re-teaching. Providing practice with teacher assistance will reduce student failures.

Tutorials will be provided for any student who fails any subject during the nine-week period. Tutorials can occur before, during, and after the school day. Principals will develop a system for monitoring tutorials on each campus.

## Lamar Grading Policy

### Policy for retaking or redoing failed assignments/tests

Grades will reflect where students are developmentally. Daily/weekly assessments will show where students are in mastery of those skills. Students may be given a replacement assignment/test at the discretion of the individual teacher. Assignments/tests exempt from retaking are benchmarks and formative running record assignments.

**Note:** Extenuating circumstances shall be addressed by each individual teacher.

## Houston Grading Policy

### Policy for retaking or redoing failed assignments/tests

Students who fail an assignment will be given an opportunity to redo the work with a maximum grade of 70 allowed. It is the responsibility of the student to make arrangements with the teacher to redo assignments. Final Exams/End of Unit Assessments and long-term projects such

as research papers are exempt from this requirement. The student will have five (5) school days after receiving the failing grade to complete the retake of the assignment or test. Extenuating circumstances shall be addressed by each individual teacher.

**Clarification**: If a student makes a 50 on an assignment or test and is reassessed and makes an 80, the student will receive a 70. If a student fails the reassessment, the student will receive the higher of the two grades made.

**Tests**: A student may correct a unit test at school. If they score 0-49, they are eligible to make it up to 50. If they make a 51-69, they are eligible to make it up to a 70. This is for tests only. Students typically have one to two tests a nine-week period.

**Note:** A student may be given a replacement assignment/test when retaking or redoing failed assignments/tests at the discretion of the individual teacher. Also, second grade teachers will follow standards-based grading requirements

# Travis Grading Policy

## Policy for retaking or redoing failed assignments/tests

Students who fail an assignment or test will be given an opportunity to redo the work, providing the work is eligible for redo, with a maximum grade of 70 allowed. Checkpoints, benchmarks, end of the unit assessments, and long-term projects such as research papers are exempt from this requirement. If a student makes a 50 on an assignment or test and is re- assessed and makes an 80, the student will receive a 70. If a student fails the reassessment, the student will receive the higher of the two grades made. Assignments and/or tests eligible for redo will be determined by the teachers at each grade level. It is the responsibility of the student to make arrangements with the teacher to redo assignments and/or tests. Long-term projects are exempt from this requirement. The student will have three (3) school days after receiving the failing grade to complete the retake of the assignment or test. Extenuating circumstances shall be addressed by each individual teacher.

**Note:** A student may be given a replacement assignment/test when retaking or redoing failed assignments/tests at the discretion of the individual teach

# Mineral Wells Junior High Grading Policy

## Policy for retaking or redoing failed assignments/tests

Students who fail an assignment or test will be given an opportunity to redo the work with a maximum grade of 70. It is the responsibility of the students to make arrangements with the teacher to redo assignments or retake tests. Mid-term and final exams, labs, concerts/performances, and long-term projects such as research papers are exempt from this requirement. The students will have three (3) school days after receiving the failing grade to complete the retake of the assignment or test. Extenuating circumstances shall be addressed by

each individual teacher. A student may be given a replacement assignment/test when retaking or redoing failed assignments/tests at the discretion of the individual teacher.

**Clarification**: If a student makes a 50 on an assignment or test and is reassessed and makes an 80, the student will receive a 70. If a student makes a 55 on the re-assessment, he/she will receive a 55. If a student fails the reassessment, the student will receive the higher of the two grades made.

Advanced classes may use a grading policy which is different from that used in other classes. The details of these grading policies will be supplied in the syllabus for each advanced class. This syllabus is sent home at the beginning of the year.

## Mineral Wells High School Grading Policy

### Policy for retaking or redoing failed assignments/tests

Students who fail an assignment or test will be given an opportunity to redo the work with a maximum grade of 70 allowed. It is the responsibility of the student to make arrangements with the teacher to redo assignments or retake tests. Teachers are permitted to require a student to attend before- or after-school tutoring in order to qualify for a redo. Final and mid-term exams and long-term projects such as research papers are exempt from this requirement. The student will have three (3) school days after receiving the failing grade to complete the retake of the assignment or test. Extenuating circumstances shall be addressed by each individual teacher.

**Clarification:** If a student makes a 50 on an assignment or test and is reassessed and makes an 80, the student will receive a 70. If a student makes a 55 on the re-assessment, he/she will receive a 55. If a student fails the re-assessment, the student will receive the higher of the two grades made.

**Note:** A student may be given a replacement assignment/test when retaking or redoing failed assignments/tests, at the discretion of the individual teacher.

## Recess

### (Elementary only)

Each class has a scheduled recess time. The recess time is a part of each teacher's assigned duties. Teachers *should be* directing activities and monitoring the playground. It is not a time for *sitting and observing or visiting with other teachers.* Your close supervision will help to prevent student conflict and will enhance student safety during recess time.

## Supervision of Students

Teachers are expected to attend and help supervise school functions during the school day.

When the dismissal bell rings, be at your door in the hall to clear the halls and direct students to their assigned rooms and be sure to greet your class.

Check students in the hall to determine the legality of their presence. If there is any question on a student's presence in the halls, return the student to the responsible teacher. If the situation demands, bring the student to the office. Students must have a signed, written passes in order to be in the corridors during class time.

Check visitors and strangers in the building, both within the building and outside of the building. Refer or report all strangers to the office. (Visitors should be guided personally to the office unless it would put the staff member in imminent danger)

Never leave your students in class unattended.

# UIL

## Limitations of Awards

A participant school or member of the school district may not give an award in excess of $50 in money, product, or service to a student during his high school enrollment at the same school for participation in an interschool contest for which the UIL has a contest plan but may give once a year an additional symbolic award generally sold for no more than $8 (retail) for each interschool contest activity.

## UIL Sponsorship

All UIL sponsors must attend training on the UIL Constitution and Contest Rules every year. Campus administration will indicate the amount of stipends for any UIL event. The stipend is not considered part of the employee's contract.

# Teacher's Guide to Student Discipline

This general overview of discipline is designed to inform teachers of issues that arise in disciplinary situations. This is a supplementary document that complements the District's Student Code of Conduct. When in doubt, consult with appropriate administrators regarding disciplinary decisions.

## Student Code of Conduct FAQ's

**What is the Student Code of Conduct? Does the district need one?**

Chapter 37 of the Texas Education Code requires all districts to have a Student Code of Conduct (SCOC), which includes the following:

**Standards for student conduct:**

- Circumstances under which a student may be removed from a classroom, campus, or Disciplinary Alternative Education Program (DAEP);

- Conditions that authorize or require a principal or other appropriate administrator to place a student in a DAEP; and
- Conditions under which a student may be suspended or expelled from school.
- The scope of the SCOC should be limited to establishing the behaviors that are acceptable and unacceptable to the district and the resulting consequences for unacceptable behavior.

**Where can I get a copy of our Student Code of Conduct?**

Teachers may request a copy from the principal or assistant principal. The district will post and prominently display the SCOC at each campus or make it available for review in the principal's office and on the MWISD website.

**Does the Student Code of Conduct change from year to year?**

There are several ways that the SCOC could change. First, the Texas Legislature meets every other year and may enact legislation that requires changes in the SCOC. TASB revises the Model Student Code of Conduct as needed after a legislative session and district administrators incorporate those changes into the local SCOC. TASB also incorporates other changes that are required by law, including relevant federal legislation, federal and state regulations, and federal and state court decisions. Finally, district administrators, with the approval of the Board of Trustees, might make changes that affect the local SCOC at any time. Generally, however, changes are made in order to start the school year with a new Student Code of Conduct.

**How does the district go about revising the Student Code of Conduct?**

Revisions to the district's SCOC are usually initiated by the administrators with input from the district-level planning and decision-making committee. The SCOC must be adopted by the Board and has the same weight as any policy in the district's Local Policy Manual. All changes to the SCOC must be presented to the Board for adoption.

**What happened to the discipline management plan some districts had?**

The legislature amended the Education Code in 1995 mandating a shift from the discipline management plan to a discipline management program anchored by the Student Code of Conduct. The district-level planning and decision-making committee is now tasked to include a discipline management program in the district improvement plan and the Board is required to adopt an SCOC.

**Is it a good idea to categorize disciplinary offenses and punishments by "levels"?**

The use of "levels" is no longer workable for an SCOC due to the structure and complexity of the Education Code's provisions related to discipline. Now, particular disciplinary measures, including expulsion or placement in a DAEP, are prescribed for a series of specific offenses. As a result, TASB Legal Services recommends that districts eliminate the use of, or reference to, levels

in their SCOC. The TASB Model Student Code of Conduct does not categorize disciplinary actions by levels of offenses.

## Classroom Discipline

**Besides the Student Code of Conduct, what else is relevant in disciplinary situations?**

There may be campus and classroom rules in addition to expectations and requirements found in the SCOC. The rules may be posted in the classroom, given to students, or printed in the Student Handbook and may overlap with some behaviors listed in the SCOC. For instance, the dress code is referred to in the SCOC, but it should be disseminated in the Student Handbook.

For violations of campus and classroom rules or SCOC behaviors that do not have mandatory consequences, the district may designate discipline management techniques for teachers to employ, such as the following:

- Verbal correction
- Seating changes within the classroom
- Temporary confiscation of items that disrupt the educational process
- "Cooling off" time
- Rewards or demerits
- Behavioral contracts
- Detention
- Counseling by teachers, counselors, or administrative personnel
- Parent-teacher conferences

**When can I remove a student from the classroom?**

Teachers may use discipline management techniques such as a "time out" either in or out of the classroom when a student misbehaves or is disruptive.

There are also three categories of teacher removals to the principal's office:

- Informal removal
- Discretionary formal removal
- Mandatory formal removal

**What is an informal removal to the principal's office?**

An informal removal occurs when a student exhibits problem behavior and the teacher sends the student to the principal's office for a short period of time. The principal uses an appropriate discipline management technique consistent with the district's SCOC, such as detention, parent/teacher conference, assignment of tasks, or withdrawal of privileges. Generally, the student returns to the classroom later the same day or the next school day.

**What is a discretionary formal removal to the principal's office?**

In some instances, a teacher has the discretion to remove a student from the classroom. Such discretionary formal removals may result in a longer student absence from the classroom. A teacher may initiate a discretionary formal removal from the classroom in one of two circumstances:

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

When a teacher initiates a formal removal, the principal may place the student into another appropriate classroom, into in-school suspension, or into a Disciplinary Alternative Education Program, depending on the nature of the behavior. The principal may also use other discipline management techniques.

**What is a mandatory formal removal to the principal's office?**

If the student's behavior requires mandatory placement in a Disciplinary Alternative Education Program or expulsion, the teacher must remove the student from class and send the student to the principal's office. The SCOC lists the offenses that receive mandatory consequences, some of which are identified by law and some of which have been designated by the district.

**What is an emergency removal?**

The Education Code includes a provision that allows administrators to place a student in a Disciplinary Alternative Education Program or to expel the student from the regular classroom in an emergency situation. To order an emergency removal to a DAEP, the principal or his or her designee must reasonably believe that the student's behavior is so unruly, disruptive, or abusive that it seriously interferes with one or more of the following:

1. A teacher's ability to communicate effectively with the students in a class;
2. The ability of the student's classmates to learn; or
3. With the operation of school or a school-sponsored activity.

To order an emergency expulsion, the principal or his or her designee must reasonably believe that the action is necessary to protect persons or property from imminent harm. At the time of an emergency placement or expulsion, the student must be given oral notice of the reason for the action. It must be a reason for which placement in a DAEP or expulsion could also be made on a non-emergency basis. The district must conduct further due process proceedings as set out in the SCOC. The appropriate administrator should be contacted for directions.

**Do I have a choice whether to report a student who violates the Student Code of Conduct?**

Many violations of the SCOC are handled through discipline management techniques in the classroom. Violations that carry a mandated consequence through law or district choice, however, must be reported.

**What can I do if I object to a student being returned to my classroom after he or she has been removed for disciplinary reasons?**

After a formal teacher removal, if the teacher objects to the return of the student to the classroom, a placement review committee will review the situation. The placement review committee consists of three members: two teachers who are chosen by campus faculty and one professional staff member appointed by the campus principal. If the placement review committee determines that returning the student to the teacher's class is the best or only alternative available, then the student shall be returned to the class.

**What can I do if I disagree with how a disciplinary situation has been handled?**

A teacher should first attempt to resolve the differences informally with the administrators responsible for the disciplinary decision. If the teacher is not satisfied after attempts at informal resolution, he or she may file a grievance by following the process described at DGBA (LOCAL) in the district's Local Policy Manual.

**Why do I no longer have to prepare written reports of disciplinary actions?**

The law has changed to give districts greater local control over written reports related to discipline. The Education Code requires school boards to include information about written disciplinary reports in their Student Codes of Conduct. Also, the Education Code limits the type of written reports that a teacher can be required to prepare. School districts are not precluded from collecting additional essential information from a classroom teacher upon agreement between a teacher and the district.

**How is the educational process continued when a student is placed in a Disciplinary Alternative Education Program (DAEP), a Juvenile Justice Alternative Education Program (JJAEP), or in-school suspension?**

The Education Code obligates districts to provide students in a DAEP and in-school suspension with the opportunity to complete coursework before the beginning of the next school year through some method, which may include correspondence courses, distance learning, or summer school.

**How does discipline in extracurricular activities relate to the Student Code of Conduct?**

The SCOC applies to students in extracurricular activities outside of the instructional day and away from district facilities. With the principal's approval, sponsors and coaches may also establish higher standards of discipline and dress for participating students. These standards should be distributed to students upon joining an activity. In addition, when a student's behavior requires placement in a DAEP according to state law, the law also prohibits that

student from participating in school-sponsored or school-related extracurricular activities. Local policy may also prohibit a student from participating in these activities if the student is placed in a DAEP for discretionary reasons.

These higher standards may include, but are not limited to:

- The Athletic Code of Conduct
- Cheerleader Constitutions
- Student Council Handbook
- NHS Rules
- Ag Handbook
- Safe Rider Handbook

**How can I learn more about the law and policy governing student discipline?**

Section 37.018 of the Education Code directs all districts to provide each teacher and administrator with a copy of Education Code Chapter 37 Subchapter A and any local policies relating to this subchapter. The Student Code of Conduct is adopted by the Board and constitutes local policy regarding discipline in the District.

Chapter 37 Subchapter A (https://www.tasb.org/services/policy-service/resources/documents/chapter37_2021_annotated.aspx)

# Mineral Wells ISD - Local Procedures & Programs Description Manual

## State Compensatory Education

(Supplemental Intensive & Accelerated Instruction)

Section I: Overview

Program Purpose

Program Goals

General Use of Funds

Use of Funds on Title I Campus

Section II: Student Eligibility

Section III: Identification Procedures

Responsibilities – Campus Contact

Procedures for Identifying Students

Periodic Updates and Reviews

Section IV: Provision for Services

Services

Monitoring

Section V: Exit Procedures

Exit Review

Monitoring

Section VI: Program Evaluation

Overall Evaluation

Additional Measures

Section VII: Campus Services

Lamar

Houston

Travis

Junior High

High School

Academy

## Section 1: Program Overview

### Program Purpose

In keeping with the intent and purpose of Section 29.081 of the Texas Education Code addressing Compensatory, Intensive, and Accelerated Instruction, Mineral Wells ISD provides compensatory education services, hereafter referred to as State Compensatory Education (SCE) services, which are **supplemental** to the regular education program for students identified as at risk of dropping out of school. The district ensures that these funds remain supplemental to those used to implement the regular education program and that the intent and purpose of the SCE Program are met - to increase the academic achievement and reduce the drop-out rate of students meeting the State-defined eligibility criteria.

### Program Goals

The goals of all MWISD SCE services provided to identified students are to reduce any disparity in performance on assessment instruments under Subchapter B, Chapter 39 and to reduce/eliminate any disparity in the rates of high school completion between students identified in at-risk situations and all other district students (§29.081, Texas Education Code and 77 ® SB 702 Enrolled – Bill Text).

### General Use of Funds

Mineral Wells ISD uses all SCE funds to supplement services beyond those offered through the regular education program, including the percentage allowable to provide baseline services at the District's AEP. The only exception to this ruling is where SCE funds are used to support one or more of the four components on our Title I, Part A school-wide campuses. SCE funds do not supplant funds for the Regular Education Program, defined as those basic instructional services to which all eligible students are entitled and consists of the required curriculum for each school district that serves grades K-12 (e.g., English language arts, mathematics, science, social studies) and enrichment curriculum (e.g., languages other than English, health, physical education, fine arts, economics, career and technology education and technology applications).

### Use of funds on Title I, Part A Campuses

As appropriate and necessary, SCE funds will be used to support one or more of the three Title I, Part A School-wide Elements, so long as the campuses continues to meet, at minimum, the 40% poverty threshold. The district ensures that all campuses shall continue to receive their fair share of state and local funds for conducting the regular education program and ensures that the intent and purpose of the SCE Program will be met.

## Section 2: Student Eligibility

Mineral Wells ISD has adopted the thirteen criteria delineated in Texas Education Code §29.081 and redefined by Senate Bill 702 as the sole criteria used in identifying students who are eligible to receive intensive, supplemental services. These criteria include the following:

For purposes of this section, "student at risk of dropping out of school" includes each student who is under 21 years of age and who:

(1) was not advanced from one grade level to the next for one or more school years;

(2) if the student is in grade 7, 8, 9, 10, 11, or 12, did not maintain an average equivalent to 70 on a scale of 100 in two or more subjects in the foundation curriculum during a semester in the preceding or current school year or is not maintaining such an average in two or more subjects in the foundation curriculum in the current semester;

(3) did not perform satisfactorily on an assessment instrument administered to the student under Subchapter B, Chapter 39, and who has not in the previous or current school year subsequently performed on that instrument or another appropriate instrument at a level equal to at least 110 percent of the level of satisfactory performance on that instrument;

(4) if the student is in prekindergarten, kindergarten, or grade 1, 2, or 3, did not perform satisfactorily on a readiness test or assessment instrument administered during the current school year;

(5) is pregnant or is a parent;

(6) has been placed in an alternative education program in accordance with Section 37.006 during the preceding or current school year;

(7) has been expelled in accordance with Section 37.007 during the preceding or current school year;

(8) is currently on parole, probation, deferred prosecution, or other conditional release;

(9) was previously reported through the Public Education Information Management System (PEIMS) to have dropped out of school;

(10) is a student of limited English proficiency, as defined by Section 29.052;

(11) is in the custody or care of the Department of Family and Protective Services or has, during the current school year, been referred to the department by a school official, officer of the juvenile court, or law enforcement official;

(12) is homeless, as defined by 42 U.S.C. Section 11302, and its subsequent amendments;

(13) resided in the preceding school year or resides in the current school year in a residential placement facility in the district, including a detention facility, substance abuse treatment facility, emergency shelter, psychiatric hospital, halfway house, cottage home operation, specialized child-care home, or general residential operation; or

(14) has been incarcerated or has a parent or guardian who has been incarcerated, within the lifetime of the student, in a penal institution as defined by Section 1.07, Penal Code.

## Section 3: Identification Procedures

### Responsibilities – Campus Contact

The Directors of Elementary and Secondary Education, in consultation with each campus principal, shall appoint an At-Risk contact at each campus. Responsibilities of each contact include the following:

- Oversee processes for identification of students
- Maintain a list of identified students with the qualifying criterion/criteria listed
- Advise campus staff, as appropriate, of the status of identified students
- Oversee processes for timely review of student progress to determine the need for continued services and/or continued eligibility
- Oversee, at a minimum, a semi-annual review of student data to determine the student's continued eligibility
- Collaborate with campus administration and staff (SBDM) to ensure appropriate services are available to identified students
- Plan and conduct, in coordination with the district contact, an annual evaluation of program effectiveness at the campus level
- Collaborate with the principal and SBDM or campus staff to provide appropriate staff development sessions

### Procedures for Identifying Eligible Students

The Executive Director of Special Programs shall establish uniform procedures for identifying students, utilizing the district-adopted/created document for identifying and monitoring the status of students in at-risk situations according to the criteria outlined by the State (see Section 11). Each campus contact shall oversee identification processes at his/her respective campus and shall ensure that PEIMS data is updated.

### Periodic Updates and Eligibility Review

The campus contact, in consultation with the Executive Director of Special Programs, the Executive Director of Curriculum and Instruction, the Executive Director of Assessment and Counseling, and the campus principal and/or his designee(s), shall establish procedures to conduct periodic reviews semiannually, at a minimum, to identify additional eligible students, as well as to review the status of previously identified students, ensuring that all students receive services as needed.

Student data to be reviewed shall include, but may not be limited to, the following:

- For PK-2 students only – students' performance on a readiness test or assessment instrument administered during the current school year.

- For students in grades 3-12 only – student grades in subjects in the foundation curriculum to determine maintenance of grades of 70 or above in a semester preceding the current school year or maintenance within the current school year (failure to maintain less than 70 in two or more subjects qualify students to be identified as at-risk)
- Retention rates
- Performance on State assessments,
- Parental or pregnancy status (if the child is adopted, then, natural parents are no longer identified at-risk if this criterion is the only qualifying criterion);
- Alternative education program placement (current or preceding school year)
- Expulsion records (current or preceding school year)
- To the extent possible, data regarding parole, probation, deferred prosecution, or other conditional release
- Previous dropout information
- LEP status
- DPRS referrals (current year)
- Homeless status
- Residential facility placement data (preceding or current school year)

**Section 4: Provision of Services**

**Services**

Upon identification of students, the campus contact, in collaboration with appropriate campus staff, shall ensure that identified students are provided appropriate services that address the student's qualifying criteria. These services may include, but are not limited to, the following:

- Intensive remediation services for State assessments
- Extended learning opportunities (e.g., before-, during- and/or after-school tutoring sessions
- Basic course extensions (e.g., Algebra labs, extended writing labs, content mastery – like services)
- Counseling sessions
- Peer, teacher, community – member mentoring sessions
- ACT/SAT preparation sessions for identified students
- Teen parenting sessions
- Training sessions for parents of identified students
- Intensive, supplemental reading programs
- Summer enhancement programs
- Individualized instruction
- Extended early childhood programs
- Class – size reduction measures

**Monitoring**

In addition to provision of services, the campus contact, in consultation with appropriate staff and representatives from external agencies, where appropriate, will establish measures for timely monitoring of the student's progress. Such measures may include the following:

- Periodic interviews with service providers
- Written progress reports
- Review of subject area performance
- Periodic benchmark assessments
- Review of nine-week failure lists
- To the extent possible, quarterly, and/or other timely consultations with law enforcement agents and representatives from DPRS
- As appropriate, review impact of counseling services offered to identified students

## Section 5: Exit Procedures

### Exit Review

Since some criteria may only temporarily qualify students for SCE services (e.g., performance in subject area curriculum, on readiness tests, on State assessments, expulsion timeframe, LEP status, residential placement timeframes), the campus contact, in consultation with the principal and/or the appropriate staff, will determine through periodic review of student data the student's continued eligibility and need for continued services. All decisions for exiting a student from the SCE program will be based upon the review of student data and may include the following:

- 110% level of satisfactory performance on state assessments
- Retention status
- Maintenance of passing grades with a score of 70 or greater
- Residential placement status
- Condition of pregnancy or parent status
- Alternative education program placement timeframe
- LEP status

### Continued Monitoring

To ensure that previously identified and served students receive timely and appropriate assistance, as needed, the campus contact will establish periodic reviews of students' performance for those students who have been exited from the SCE Program services.

## Section 6: Program Evaluation

### Required Overall Program Evaluation

The Executive Director of Assessment and Instruction will conduct an annual program evaluation, with assistance from the campus-level contacts, to assess the impact of SCE services/programs on the level of disparity between identified students in at-risk situations in relation to all other student populations for the following:

1. The disparity in performance on Chapter 39 Assessments; and
2. The disparity in the rates of high school completion.

**Additional Evaluation Measures**

Other evaluation measures may include a review of evaluation data arising from specific services provided at each of the campuses. This information will include the campus' individual assessments of the progress made toward achieving the goals of services provided. Additional evaluation measures, both formative and summative, may be found in each campus plan.

**Section 7: Campus-Level Services**

Based upon students' qualifying criteria, each campus' specific services funded by State Compensatory dollars are located within the campus plan. As additional students are identified, additional services may be added, and others may be modified or deleted.

# Mineral Wells Independent School District - Staff Acceptable Use Policy

Mineral Wells Independent School District (MWISD) makes a variety of communications and information technologies available to district employees through computers, networks, internet, e-mail, enterprise systems, and other means. When properly used, these technologies promote educational excellence by facilitating resource sharing, innovation, and communication within the district. Illegal, unethical, or inappropriate use of these technologies can have dramatic consequences that harm the district, its students, and its employees.

Please note that the Internet is a network of many types of communication and information resources. It is possible that you may come across some material that you find objectionable. While the district uses filtering technology to restrict access to such material, it is not possible to absolutely prevent such access. The district firmly believes that the valuable information and interaction available through the appropriate use of technology far outweighs the possibility that users may procure material that is not consistent with the district's educational goals. It will be your responsibility to follow the rules for appropriate use. If you encounter a web site that you believe should be blocked, please notify the Technology Department.

Access to the network or other technology resources or systems is a privilege—not a right—and it may be revoked by the district at any time. For purposes of this use agreement, vendors and independent contractors are considered district employees.

## Mandatory Review

All district employees shall be required to acknowledge receipt and understanding in writing of this Acceptable Use Policy (AUP) each school year.

## Scope of this agreement

This AUP applies to any technology system provided or managed by the district, including, but not limited to computers, networks, internet, phones, servers, files, data, enterprise systems, software, mobile technologies, and cloud-based storage and resources.

## Subject to Monitoring

All MWISD technology system access and usage shall not be considered confidential and is subject to monitoring by designated staff at any time to ensure appropriate use. System users should not use the MWISD technology systems to send, receive, or store any information (e.g. e-mail, documents, etc.) that they consider personal or confidential and wish to keep private. Users should treat MWISD technology systems like a shared or common file system with the expectation that electronic files sent, received, or stored anywhere in the MWISD technology system will be available for review by any authorized representative of the district for any purpose. The district reserves the right to monitor, review, copy, modify, delete, or disclose such files for any purpose.

## Mineral Wells ISD Employee Code of Conduct

District employees are expected to maintain appropriate and professional conduct when accessing the communications and information technologies available through the district's technology systems. All employees must always comply with the AUP when accessing any part of the technology system.

## Use of System Resources

System users are asked to purge e-mail or outdated files on a regular basis, but to remain in compliance with record retention requirements.

**Inappropriate Use**

Inappropriate use includes, but is not limited to, uses that violate the law, that are specifically named as violations in this document, that violate the rules of network etiquette, or that hamper the integrity or security of any components that are connected to the district's technology systems. Electronically posting messages or accessing materials that are abusive, obscene, sexually oriented, threatening, harassing, illegal, or damaging to another's reputation are prohibited

The following actions are also considered inappropriate uses and are prohibited:

- Violations of law including improper use of copyrighted materials, plagiarism, or other protected materials.
- Tampering with or theft of components from district systems may be regarded as criminal activity under applicable state and federal laws.
- Modifying or changing computer settings and/or internal or external configurations without appropriate permission.
- Use of the system for any type of income-generating activity or advertising the sale of products, whether commercial or personal.

- Use of the system for promoting activities or events for individuals or organizations not directly affiliated with or sanctioned by the district.
- Vandalism, abuse of school owned equipment, deliberate attempts to degrade or disrupt equipment or systems.
- Attempts to circumvent district security measures or to compromise security.
- Sharing usernames and passwords with others and/or borrowing someone else's username, password, or account access.
- Other actions commonly viewed as inappropriate technology use or illegal.

## Confidential or Sensitive Data

Employees will maintain the confidentiality of all protected information to which they have access, including student and personnel information.

Employees shall comply with all applicable laws and regulations pertaining to the release of student information, including but not limited to, the Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. Section 1232g, and district policies and procedures.

Employees using electronic or printed confidential or sensitive information should exercise reasonable care in its use, storage, and destruction. It is the individual's responsibility to prevent unauthorized access to confidential data and to prevent dissemination beyond the scope of its original purposes. Immediately report any known or suspected data breaches to the district.

External requests for the disclosure of student and sensitive data shall not be released without authorization and shall be routed through proper channels for approval and delivery.

Reasonable security precautions and protections should be used to ensure that unauthorized persons do not gain access to the data.

**Prohibited practices that undermine confidentiality or security include, but are not limited, to the following:**

1. Leaving your computer unattended while student information is visible on the screen or otherwise inappropriately accessible. **You must lock your computer screen when your computer is unattended.**

2. Sharing personally sensitive / confidential data, including passwords, with unauthorized individuals.

3. Failing to exercise reasonable care in student data use, storage, and appropriate destruction.

4. **Saving and/or exchanging student data via non-district supported cloud services (e.g. DropBox, etc.).** Student data **may only be saved** and/or exchanged on district authorized, managed, and supported cloud-based resources (i.e. Google Workspace Drive or Microsoft OneDrive).

5. Downloading and/or storing sensitive/confidential data on non-district devices (e.g. personal computer, USB-based external drives, etc.).

6. Retaining sensitive/confidential information longer than necessary for specific work-related task or purpose.

7. Intentionally releasing sensitive/confidential information (including rosters) via printed listings or through viewing of access screens to circumvent controls.

8. Use of public Wi-Fi that is not encrypted (password not required to join) to conduct school business.

## Mobile Devices, Personal Devices, and Remote Access

The access, use, and storage of any district provided data, system, or resource on a personal or mobile device, or using any form of remote access is subject to all of the terms, practices, and requirements of this AUP. This includes, but is not limited to, use of cell phones for e-mail access, data access or synchronization on non-district devices, VPN or other remote access methods, and the use of any district computing resources from a non-district location.

By configuring e-mail and/or data synchronization on a mobile device such as a cell phone, due to privacy and public information data contained therein, you agree to notify the Technology Department if the device is stolen, lost, or infected with a virus or malware. All data on the device should be remotely wiped, including all messages, contacts, calendar, pictures, etc. and reset to the factory default state. The employee should also contact their carrier to disable cellular phone service and prevent unauthorized phone use. In the event that the district determines that the data on a mobile device poses a security risk to the district, the district reserves the right to notify the user and remotely wipe the device.

## Participation in Social Media Learning Environments

Employees may participate in social media learning environments (e.g. blogs, discussion forums, RSS feeds, wikis, and message boards, etc.) within a district-approved, curriculum-supported, safe and secure, learning opportunity. The use of these social media environments must be directly related to school assignments or class projects and not for personal use. Electronically posting personal information about yourself or others (e.g. addresses, phone numbers, etc.) is strictly prohibited.

## Reporting Security Problems

A user should immediately notify the district's Technology Department if knowledge of inappropriate material or a security problem on the district's technology systems is identified; the security problem should not be shared with others.

### Disclaimer

The district's technology systems are provided on an "as is, as available" basis. The district does not make any warranties, whether express or implied, including, without limitation, those of merchantability and fitness for a particular purpose with respect to any services provided by the system and any information or software contained therein. The district does not warrant that the functions or services performed by, or that the information or software contained on the system will meet the system user's requirements, or that the system will be uninterrupted or error free, or that defects will be corrected.

Opinions, advice, services, and all other information expressed by system users, information providers, service providers, or other third-party individuals in the system are those of the providers and not the district.

The district will cooperate fully with local, state, or federal officials in any investigation concerning or relating to misuse of the district's technology system.

### Elastic Clause

The school and administration reserve the right to establish fair and reasonable rules and regulations for circumstances that may arise requiring actions that are not covered under these guidelines. In all cases, rules, regulations, and possible consequences shall be as consistent as possible with previously established rules, regulations, and consequences for similar incidents.

Matters omitted from these guidelines should not be interpreted as a limitation to the scope of the district’s responsibility or authority in dealing with any type of infraction that may not be in the best interest of the safety and security of the students or staff.

### Consequences for Violations

If a violation of the AUP occurs, employees will be subject to one or more of the following actions:

1. Revocation of access**;**
2. Disciplinary action;
3. Loss of employment with the district;
4. Appropriate legal action.

## MWISD Employee Laptop Agreement

Employees are often issued laptops to meet their teaching and professional computing needs. A laptop provides great flexibility and movement in your classroom and the ability to take the laptop to other rooms or home. Use of the laptop, district systems or networks, internet, or other technology resources must comply with the staff acceptable use policy and this agreement.

- The assigned laptop remains the property of Mineral Wells ISD and must be returned by the end of the business day if the employee ends employment with the district or changes to a position that does not require a laptop.
- Writing on or placing labels or stickers on the laptop is prohibited. Laptops returned with writing, stickers, or residue from stickers will incur a cleaning fee of $15.
- Attempts to circumvent any security, district systems, or to install unauthorized software on the laptop is prohibited.
- Internet access on an employee laptop is filtered for content and logged.
- School-related communication/business must not be conducted on unsecure/public Wi-Fi networks.
- Any issues or problems with the laptop must be reported via the ticket (Technology Support) system so they can be addressed or fixed. Only MWISD technology personnel may attempt any form of remediation.
- Staff-issued laptops must not be used by students.
- Reasonable care and precautions must always be taken to prevent damage, loss, or theft. This includes, but is not limited to:
    - Do not leave the laptop on the seat of your car
    - Do not leave the laptop visible and unsupervised in a non-secure location
    - Keep food and drink away from the laptop
    - When transporting the laptop, use the provided bag or another protective case
    - Do not leave the laptop where it may be exposed to extreme heat or cold
    - Place the laptop solidly on a safe surface to avoid falls or being knocked over

While we understand that normal wear and tear will occur and unexpected situations arise, any damage, loss, or theft resulting from negligence or not taking reasonable precautions will incur a replacement fee of $100 or actual repair cost, whichever is less. If damage, loss, or theft occurs and reasonable precautions were taken, there will be no fee incurred. Loss of the laptop power cord will incur a replacement fee of $30.

Any loss or theft must be reported to the MWISD Technology Department within 3 business days and a police report is required for any theft. If theft is covered by your insurance claims, the laptop replacement value should be included and reimbursed to the district.

We strongly recommend using the Google Drive for Desktop software installed on your laptop to automatically back-up your documents to your district-issued Google Drive.

# Index


Accommodations
  ADA, 14
  pregnancy, 15
Administering medication, 65
Administration, 8
Alcohol and drug
  abuse prevention, 52
  testing, 12
Arrests and convictions, 50
Asbestos management plan, 56
Assault leave, 32
Associations and political activities, 54
At-will employment, 11
Automatic payroll deposits, 18
Background checks, 50
Bad weather closing, 58
Benefits
  cafeteria plan, 22
  health insurance, 21
  leave, 24
  retirement, 23
  supplemental insurance, 21
  workers' compensation, 22, 32
Bereavement leave, 33
Board of Trustees
  information, 7
  meeting schedule, 8
  members, 7
Breaks, 15
Breast milk, 15
Bullying, 66
Cafeteria plan benefits, 22
Certification
  health and safety training, 13
  maintaining, 11
  parent notification, 16
Change of address, 58
Charitable contributions, 55
Child abuse
  reporting, 43
  sexual, 44
Code of ethics, 39
Committees, 17
Compensation, 18
Complaints
  employee, 37
  parent and student, 65
Compliance coordinators, 9, 64
Compliance with a subpoena, 33
Conduct and welfare, 38
Conflict of interest, 53
Contract
  employment, 10
  noncertified employees, 10
  nonrenewal, 60
Copyright materials, 54
Court appearances, 33
Court-ordered withholding, 63
Crime reporting, 44
Criminal history, 50
Dietary supplements, 65
Directories
  helpful contacts, 8
  school, 8
Disability, 14
Discrimination
  employee, 42
  student, 64
Dismissal
  contract employees, 60
  noncontract employees, 60
District
  communications, 36
  description, 7
  information, 7
  map, 7
  mission statement, 7
Drug
  abuse prevention, 52
  psychotropic, 66
  testing, 12
E-cigarettes, 52
Electronic communications, 45, 47
Emergencies, 58

Employee
conduct and welfare, 38
involvement, 17
recognition, 36
Employment
after retirement, 10
at-will, 11
authorization documents, 11
contract, 10
noncontract, 10
outside, 16
Equal opportunity
educational, 64
employment, 9
Every Student Suceeds Act, 16
Exit interviews, 62
Facility use, 59
Family and medical leave, 27
Firearms, 56
Form I-9, 11
Fraud, 53
General procedures, 58
Gifts and favors, 54
Grievances, 37
Harassment, 42
Hazing, 67
Health insurance, 21
Health safety training, 13
Helpful contacts, 8
Insurance
health, 21
supplemental, 21
unemployment, 22
Internet use, 45, 47
Job vacancy announcements, 9
Jury duty, 33
Leave
assault, 32
bank, 27
bereavement, 33
court appearance, 33
discretionary, 26
extended, 26
family and medical, 27
jury duty, 33
local, 26
medical certification, 25
mental health, 34
military, 34
nondiscretionary, 26
payment upon separation, 35
peace officers, 34
personal, 25
police officer, 34
pool, 27
proration, 26
quarantine, 34
religious observance, 34
sick, 26
telecommunicator, 34
temporary disability, 31
truancy court appearance, 33
workers' compensation, 32
Maltreatment of children, 44
Medications, 65
Mental health training, 17
Military leave, 34
Mission statement, 7
Mother-Friendly Worksite, 15
Name and address changes, 58
Nicotine
products, 52
use, 52
Nonrenewals, 60
Nursing mothers, 15
Outside employment, 16
Overpayments, 19
Overtime, 19
Parent and student complaints, 65
Parent notification, 16
Paychecks, 18
Payroll
automatic deposits, 18
deductions, 19
schedule, 18
Peace officer
mental health leave, 34
quarantine leave, 34

Performance evaluation, 16
Personal leave, 25
Personnel records, 59
Pest control treatment, 56
Police officer
  illness or injury, 34
Political activities, 54
Possession of firearms and weapons, 56
Pregnant Workers Fairness Act, 15
Psychotropic drugs, 66
Public information, 50
Purchasing procedures, 58
Qualifying exigency, 30
Quarantine leave, 34
Reassignments, 13
Religious observance, 34
Resignations, 60
  contract employees, 60
  noncontract employees, 60
Retaliation, 42
Retirement
  benefits, 23
  employment after, 10
Safety, 55
Salaries, 18
School
  calendar, 8
  closing, 58
  directory, 8
Scope and sequence, 45
Searches, 12
Security, 55
Sexual harassment, 42
Sick leave, 26
Staff development, 17
Standards of conduct, 38
Student
  attendance, 66
  bullying, 66
  complaints, 65
  dietary supplements, 65
  discipline, 66
  equal educational opportunities, 64
  harassment, 42
  hazing, 67
  medication, 65
  records, 64
Supplemental insurance, 21
TEA reports, 62
Teacher retirement, 23
Technology resources, 45
Telecommunicator leave, 34
Temporary disability leave, 31
Termination
  discharge of convicted employees, 61
  disimissal during the contract term, 60
  exit interviews, 62
  noncontract employees, 61
  nonrenewal, 60
  reports to TEA, 60, 62
  resignation, 60
Texas Mother-Friendly Worksite, 15
Text messaging, 47
Tobacco
  products, 52
  use, 52
Training
  health and safety, 13
  staff development, 17
Transfers, 13
Travel expenses, 20
Truancy court appearances, 33
Tutoring, 16
Unemployment insurance, 22
Vacancy announcements, 9
Vacation, 27
Visitors, 56
Wages, 18
Weapons, 56
Whistleblower Act, 44
Work schedule, 13
Workers' compensation benefits, 22, 32
Workload, 13

# MWISD Student Handbook Changes

2025-26

**Key**

New Student Code of Conduct will be located in this window on each slide.

Old Student Code of Conduct will be located in this window on each slide.

# New P. 17

Teachers are required to provide a copy of the teacher's instructional plan or course syllabus for each class to the parent of each student enrolled in that class before the beginning of each semester. A parent may obtain additional copies of plan or syllabus by request.

Parents and guardians will be provided access to each teacher's instructional plan or course syllabus at the beginning of the school year or upon a student's enrollment in a course. This information outlines the general scope, sequence, and expectations for instruction.

Instructional plans and syllabi will be made available through one or more of the following methods:

- Posted in the district's learning management system or parent portal (e.g., Google Classroom, Canvas, or Skyward)
- Sent directly via email by the classroom teacher
- Provided in hard copy upon request

# New P. 29-30

**Texas Driving with Disability Program**

In accordance with state law, the district will provide notification of the Texas Driving with Disability Program to students who have a health condition or disability that may impede effective communication with a peace officer and receive special education or are covered by Section 504 of the Rehabilitation Act of 1973. This notification will be provided annually to an eligible student aged 16 years or older until the student's graduation or 21st birthday and to the student's parents.

The Texas Driving with Disability Program focuses on improving the interaction between law enforcement and drivers with disabilities that have unique communication needs.

# New P. 43 - Just the Title

**Duty to Report**

Anyone who suspects that a child has been or may be abused or neglected has a legal responsibility, under state law, to report the suspected abuse or neglect to law enforcement or to Child Protective Services (CPS). See below for information about how to report and respond to allegations of child abuse or neglect.

# P. 50 UT Admission Percentage Update

From the summer/fall 2026 term through the spring 2027 term, the University will admit the top **five** percent of a high school's graduating class who meet the above requirements. Additional applicants will be considered by the University through a holistic review process.

From the summer 2023 term through the spring 2025 term, the University will admit the top **six** percent of a high school's graduating class who meet the above requirements. Additional applicants will be considered by the University through a holistic review process.

# New P. 61

**Pregnancy or Related Conditions**

The district does not discriminate on the basis of pregnancy or a related condition.

Please contact the campus counselor for pregnancy-related accommodations.

# Virtual vs Virtual and Hybrid

**Virtual and Hybrid Instruction**

A student has the option, with certain limitations, to enroll in virtual or hybrid instruction through virtual or hybrid courses offered by the district or by another district or school to earn course credit for graduation.

Depending on the virtual or hybrid course in which a student enrolls, the course may be subject to the “no pass, no play” rules. [See Extracurricular Activities, Clubs, and Organizations (All Grade Levels)] In addition, a student who enrolls in a virtual or hybrid course for which an end-of-course (EOC) assessment is required must still take the corresponding EOC assessment.

A parent may ask questions or request that their child be enrolled in a virtual or hybrid course offered by the district by contacting the school counselor.

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

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

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

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

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

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

# P. 66 Cell Phones

Students must keep a personal communication device powered off the entirety of the school day while on school property and must keep it out of reach in the student's locker or in a backpack. When the school day begins, each student shall power off all personal communication devices and ensure their personal communication device(s) remains unused by securing the device(s) in the student's backpack for the entirety of the school day; students should not hold / have a device in their hands at any time during the school day; students found physically accessing the device, either in the open or by attempting to access within a backpack, are in violation of the policy. At the conclusion of the school day, subject to any other limitations contained in this policy, each student may begin using their personal communication devices.

# New P. 69

**Parental Consent**

State law requires the district to obtain written parental consent before a student may participate in a student club that is authorized or sponsored by the district. A parent may obtain consent forms for student clubs from the campus office.

# New P. 70

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

# New P. 80 Health-Related Services

The district is required to provide notice of each health-related service offered at a student's campus. A parent may withhold consent for or decline a health-related service.

# New P. 105

**Safe Storage of Firearms**

A firearm should be stored unloaded in a safe or locked container, with ammunition stored elsewhere.

It is unlawful to store, transport, or abandon an unsecured firearm in a place where children are likely to be and can obtain access to the firearm. Under the Penal Code, a person commits the offense of making a firearm accessible to a child if the child gains access to a readily dischargeable firearm, and the person with criminal negligence:

· Failed to secure the firearm; or

· Left the firearm in a place to which the person knew or should have known the child would gain access

The penalty for allowing a child access to a firearm can range from a Class C misdemeanor (punishable by a $500 fine) to a Class A misdemeanor (punishable by a $4000 fine, a year in jail, or a combination of the two).

# New P. 111

The district provides a wide range of library materials for students and faculty that support student achievement and present varying levels of difficulty, diversity of appeal, and a variety of points of view. The district follows the Texas State Library and Archive Commission's standards for school library collection development.

Parents are the primary decision makers regarding their student's access to library material. The district encourages parental involvement in library acquisition, maintenance, and campus activities. Parents are encouraged to communicate with the campus librarian and their child's teacher about special considerations regarding library materials self-selected by their student. A parent may submit to the district a list of library materials that their child may not be allowed to check out or otherwise access for use outside of the school library by submitting the list to the campus principal.

A parent may access to the school's library or any available online catalog contacting the campus librarian.

The district welcomes student and parent feedback on library materials and services. Parents may contact Cathy Hammond, Coordinator of Library Services at (940)325-4408 with questions or comments about their child's campus library. A district employee, parent, or person residing in the district may submit a written challenge to the inclusion of any library material in the catalog of the school library by submitting the form available on the district's website.

# P. 128-135 Add FNG (LOCAL)

# Mineral Wells ISD Student Handbook
# 2025-26 School Year

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

## Contents

Mineral Wells ISD Student Handbook ..... 1
Preface Parents and Students: ..... 7
Accessibility ..... 8
Section One: Parental Rights ..... 8
Consent, Opt-Out, and Refusal Rights ..... 9
Removing a Student from Instruction or Excusing a Student from a Required Component of Instruction ..... 16
Right of Access to Student Records, Instructional Materials, and District Records/Policies ..... 18
A Student with Exceptionalities or Special Circumstances ..... 24
Section Two: Other Important Information for Parents and Students ..... 32
Absences/Attendance ..... 32
Accountability under State and Federal Law (All Grade Levels) ..... 37
Armed Services Vocational Aptitude Battery Test (Grades 10-12) ..... 38
Bullying (All Grade Levels) ..... 38
Career and Technical Education (CTE) and Other Work-Based Programs (Secondary Grade Levels Only) ..... 41
Celebrations (All Grade Levels) ..... 42
Child Sexual Abuse, Neglect, Trafficking, and Other Maltreatment of Children (All Grade Levels) ..... 43
Class Rank/Highest-Ranking Student (Secondary Grade Levels Only) ..... 46
Class Schedules (Secondary Grade Levels Only) ..... 49
College and University Admissions and Financial Aid (All Grade Levels) ..... 49
College Credit Courses (Secondary Grade Levels Only) ..... 50
Communications (All Grade Levels) ..... 52
Complaints and Concerns (All Grade Levels) ..... 53
Conduct (All Grade Levels) ..... 53
Counseling ..... 56
Course Credit (Secondary Grade Levels Only) ..... 57
Credit by Examination — If a Student Has Taken the Course/Subject (Grades 6-12) 57
Credit by Examination for Advancement/Acceleration — If a Student Has Not Taken the Course/Subject ..... 58

Dating Violence, Discrimination, Harassment, and Retaliation (All Grade Levels). 59
Discrimination..... 62
Distance Learning (All Grade Levels)..... 62
Distribution of Literature, Published Materials, or Other Documents (All Grade Levels)..... 63
Dress and Grooming (All Grade Levels)..... 64
Electronic Devices and Technology Resources (All Grade Levels)..... 65
End-of-Course (EOC) Assessments..... 68
Emergent Bilingual Students (All Grade Levels)..... 68
Extracurricular Activities, Clubs, and Organizations (All Grade Levels)..... 69
Fees (All Grade Levels)..... 71
Fundraising (All Grade Levels)..... 72
Gang-Free Zones (All Grade Levels)..... 72
Grade-Level Classification (Grades 9-12 Only)..... 72
Grading Guidelines (All Grade Levels)..... 72
Graduation (Secondary Grade Levels Only)..... 73
Harassment..... 79
Hazing (All Grade Levels)..... 79
Health — Physical and Mental..... 80
Health-Related Resources, Policies, and Procedures..... 89
Homework (All Grade Levels)..... 92
Law Enforcement Agencies (All Grade Levels)..... 93
Leaving Campus (All Grade Levels)..... 94
Lost and Found (All Grade Levels)..... 95
Makeup Work..... 95
Nondiscrimination Statement (All Grade Levels)..... 97
Nontraditional Academic Programs (All Grade Levels)..... 98
Parent and Family Engagement (All Grade Levels)..... 98
Parking and Parking Permits (Secondary Grade Levels Only)..... 100
Pledges of Allegiance and a Minute of Silence (All Grade Levels)..... 100
Prayer (All Grade Levels)..... 100
Promotion and Retention..... 101
Release of Students from School..... 101

Remote Instruction..... 102
Report Cards/Progress Reports and Conferences (All Grade Levels)..... 102
Retaliation..... 102
Required State Assessments..... 102
Safe Storage of Firearms..... 105
Safety (All Grade Levels)..... 105
SAT, ACT, and Other Standardized Tests..... 107
Schedule Changes (Middle/Junior High and High School Grade Levels)..... 107
School Facilities..... 107
Asbestos Management Plan (All Grade Levels)..... 107
School-Sponsored Field Trips (All Grade Levels)..... 112
Searches and Investigations..... 112
Sexual Harassment..... 113
Special Programs (All Grade Levels)..... 114
Standardized Testing..... 115
Student Speakers (All Grade Levels)..... 115
Summer School (All Grade Levels)..... 115
Tardies (All Grade Levels)..... 116
Textbooks, Electronic Textbooks, Technological Equipment, and Other Instructional Materials (All Grade Levels)..... 116
Transfers (All Grade Levels)..... 116
Transportation (All Grade Levels)..... 116
Vandalism (All Grade Levels)..... 119
Video Cameras (All Grade Levels)..... 119
Visitors to the School (All Grade Levels)..... 119
Volunteers (All Grade Levels)..... 120
Withdrawing from School (All Grade Levels)..... 121
Glossary..... 122
Appendix I: Freedom from Bullying Policy..... 125
Student Welfare: Freedom from Bullying..... 125
Appendix II: Student Rights and Responsibilities Policy..... 129
Student Rights and Responsibilities: Student and Parent Complaints/Grievances..... 129
Appendix III: New Student and Transfer Requests..... 135

Appendix IV: Lamar Elementary..... 136
Visitors to the School..... 136
Dress Code..... 136
Grading System..... 137
The following grades will be reported:..... 137
Incomplete Work..... 138
Pre-Kindergarten Enrollment..... 138
Late Arrival to School / Tardy Policies..... 138
Bell Schedule..... 138
Appendix V: Houston Elementary..... 139
Visitors to the School..... 139
Dress Code..... 139
Grading System..... 139
Extracurricular Activities..... 140
Late Arrival to School / Tardy Policies..... 140
Bell Schedule..... 140
Appendix VI: Travis Elementary..... 141
Grade 4-6—Language Arts..... 141
Grades 4-6 Math..... 141
Grades 4-6 Science..... 141
Grades 4-6 Social Studies..... 141
Grades 4-6 Physical Education/Health, Art, Music..... 141
Conduct..... 141
Tardy Policy..... 141
Bell Schedule..... 142
Camp Grady Spruce..... 142
Attendance at PTO Socials and Specified PBIS Events..... 142
Student Dress Code..... 142
Appendix VII: Mineral Wells Junior High School..... 145
Grading System..... 145
Mineral Wells Jr. High School Tardy Policy..... 146
Mineral Wells Junior High Extracurricular Activities, Clubs and Organizations..... 146
Student Dress Code..... 147

Appendix VIII: Mineral Wells High School ..... 151
Grading System ..... 151
Award of Credit ..... 151
Grade Calculation ..... 152
Accelerated Instruction with no prior instruction ..... 152
Schedule Changes ..... 153
Early Graduation ..... 153
Semester Exam Exemptions ..... 153
2025-2026 MWHS Semester Exam Exemptions ..... 154
Mineral Wells High School Tardy Policy ..... 154
Mineral Wells High School UIL Offerings ..... 155
Mineral Wells High School Extracurricular Standards ..... 156
Student Dress Code ..... 156
Appendix IX: Campus Grading Policies for Failed Assignments ..... 161
Lamar Grading Policy ..... 161
Houston Grading Policy ..... 162
Travis Grading Policy ..... 162
Mineral Wells Junior High Grading Policy ..... 162
Mineral Wells High School Grading Policy ..... 163
Appendix X: Student AUP ..... 164

## Preface Parents and Students:

Welcome to the new school year!

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

The Mineral Wells ISD Student Handbook is a general reference guide that is divided into two sections:

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

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

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

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

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

Therefore, parents and students should become familiar with the Mineral Wells ISD Student Code of Conduct. To review the Code of Conduct, visit the district’s website at www.mwisd.net. State law requires that the Code of Conduct be prominently displayed or made available for review at each campus.

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

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

A hard copy of either the Student Code of Conduct or Student Handbook can be requested at the campus principal’s office.

**Note:** References to board policy codes are included for ease of reference. The hard copy of the district's official policy manual is available for review in the district administration office, and an unofficial electronic copy is available at www.mwisd.net.

The policy manual includes:

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

For questions about the material in this handbook, please contact:

Angie Myrick, Assistant Superintendent – Student Services
906 SW 5th Ave, Mineral Wells, TX 76067
amyrick@mwisd.net
940-325-6404

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

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

[See Objecting to the Release of Directory Information and Consent Required Before Student Participation in a Federally Funded Survey for more information.]

### Accessibility

If you have difficulty accessing this handbook because of a disability, please contact:

Angie Myrick, Assistant Superintendent – Student Services
906 SW 5th Ave, Mineral Wells, TX 76067
amyrick@mwisd.net
940-325-6404

## Section One: Parental Rights

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

## Consent, Opt-Out, and Refusal Rights

### Consent to Conduct a Psychological or Psychiatric Evaluation

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

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

### Consent to Human Sexuality Instruction

*Annual Notification*

As a part of the district's curriculum, students receive instruction related to human sexuality. The School Health Advisory Council (SHAC) makes recommendations for curriculum materials, and the school board adopts the materials and determines the specific content of the instruction.

The Wellness and Sexual Health curriculum for grade 6 – high school consists of 10 lessons. The curriculum includes instruction for the following topics: Puberty, Anatomy, Physiology, Pregnancy, Sexually Transmitted Diseases, Legal Issues/Sexual Abuse, Essential Needs, Communication Skills & Relationships, and Health Risk Behaviors Avoidance/Reduction.

In accordance with state law, a parent may:

- Review, receive a copy of, or purchase a copy of curriculum materials depending on the copyright of the materials.
- Remove their child from any part of the human sexuality instruction without academic, disciplinary, or other penalties.
- Become involved in the development of this curriculum by becoming a member of the district's SHAC or attending SHAC meetings. See the campus principal for details.
- Use the district's grievance procedure concerning a complaint. [See Complaints and Concerns (All Grade Levels) and FNG(LOCAL).]

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

- Present abstinence from sexual activity as the preferred choice in relationship to all sexual activity for unmarried persons of school age
- Devote more attention to abstinence from sexual activity than to any other behavior
- Emphasize that abstinence, if used consistently and correctly, is the only method that is 100 percent effective in preventing pregnancy, sexually transmitted infections, and the emotional trauma associated with adolescent sexual activity

- Direct adolescents to abstain from sexual activity before marriage as the most effective way to prevent pregnancy and sexually transmitted diseases
- If included in the content of the curriculum, teach contraception and condom use in terms of human use reality rates instead of theoretical laboratory rates

[See Consent to Instruction on Prevention of Child Abuse, Family Violence, Dating Violence, and Sex Trafficking]

### *Consent Before Human Sexuality Instruction*

Before a student receives human sexuality instruction, the parent must give written consent. Parents will be sent a request for written consent at least 14 days before the instruction will begin.

## Consent to Instruction on Prevention of Child Abuse, Family Violence, Dating Violence, and Sex Trafficking

Before a student receives instruction on the prevention of child abuse, family violence, dating violence, and sex trafficking, the district must obtain written consent from the student's parent. Parents will be sent a request for written consent at least 14 days before the instruction will begin.

### *Annual Notification*

Students receive instruction related to the prevention of child abuse, family violence, dating violence, and sex trafficking. The School Health Advisory Council (SHAC) makes recommendations for curriculum materials, and the school board adopts the materials and determines the specific content of the instruction.

The district has established a plan for addressing child sexual abuse, trafficking, and other maltreatment of children, which may be accessed at https://www.mwisd.net/. Trafficking includes both sex and labor trafficking. For more information, see the district's abuse prevention instruction website at www.mwisd.net.

In accordance with state law, a parent may:

- Review, receive a copy of, or purchase a copy of curriculum materials depending on the copyright of the materials. As required by law, any curriculum materials in the public domain used in this instruction will be posted on the district's website at the location indicated above.
- Remove their child from any part of this instruction without academic, disciplinary, or other penalties.
- Become involved in the development of this curriculum by becoming a member of the district's SHAC or attending SHAC meetings. See the campus principal for details.
- Use the district's grievance procedure concerning a complaint. [See Complaints and Concerns (All Grade Levels) and policy FNG for information on the grievance and appeals process.]

[See Consent Before Human Sexuality Instruction, Dating Violence, and Child Sexual Abuse, Neglect, Trafficking, and Other Maltreatment of Children (All Grade Levels)]

**Consent to Provide a Mental Health Care Service**

The district will not provide a mental health care service to a student or conduct a medical screening of a student as part of the district's intervention procedures except as permitted by law.

The district has established procedures for recommending to a parent an intervention for a student with early warning signs of mental health concerns, substance abuse, or suicide risk. The district's mental health liaison will notify the student's parent within a reasonable amount of time after the liaison learns that a student has displayed early warning signs and provide information about available counseling options.

The district has established procedures to identify and evaluate the mental health needs of our students. A student can be put into contact with a member of the safe and supportive school program team through a student outcry or through reports from other students, staff, teachers, counselors, and/or administration. Once a team member has received the recommendation, a meeting will be set to establish the severity of the need. In needed cases, the team member will complete an at-risk assessment to determine the level of the student's need. The assessment will guide the actions moving forward, as well as any other resources and/or agencies that may need to be contacted.

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

The mental health liaison can be reached at:

*Hope Mesler*
*Mental Health Counselor*
*3801 Ram Blvd, Mineral Wells, TX 76067*
*hmesler@mwisd.net*
*(940) 325-4408*

*Or*

*Amanda Berdine*
*Mental Health Counselor*
1001 SE MLK Jr St, Mineral Wells, TX 76067
aberdine@mwisd.net
(940)325-7801

The mental health liaison can provide further information about these procedures as well as curriculum materials on identifying risk factors, accessing resources for treatment or support on and off campus, and accessing available student accommodations provided on campus.

[See Mental Health Support (All Grade Levels)]

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

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

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

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

**Consent to Receive Parenting and Paternity Awareness Instruction If a Student is Under Age 14**

A student under age 14 must have parental permission to participate in the district's Parenting and Paternity Awareness Program (https://www.texasattorneygeneral.gov/child-support/programs-and-initiatives/parenting-and-paternity-awareness-papa/papa-educators/papa-curriculum). This program was developed by the Office of the Texas Attorney General and the State Board of Education (SBOE) to be incorporated into health education classes.

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

State law permits the school to make a video or voice recording without parental permission when the recording is to be used for:

- School safety
- Classroom instruction or a cocurricular or extracurricular activity
- Media coverage of the school
- Promotion of student safety, as provided by law for a student receiving special education services in certain settings

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

Please note that parents and visitors to a classroom, both virtual and in-person, may not record video or audio or take photographs or other still images without permission from the teacher or other school official.

**Opting Out of Advanced Mathematics in Grades 6-8**

The district will automatically enroll a student in grade 6 in an advanced mathematics course if the student performed in the top 60 percent on the grade 5 mathematics

STAAR or in the top 40 percent on a local measure that demonstrates proficiency in the student's grade 5 mathematics course work.

Enrollment in an advanced mathematics course in grade 6 will enable students to enroll in Algebra I in grade 8 and advanced mathematics in grades 9-12.

The student's parent may opt the student out of automatic enrollment in an advanced mathematics course.

**Limiting Electronic Communications between Students and District Employees**

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

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

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

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

**AND**

The employee is required to send a copy of the text message to the employee's district email address.

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

**Objecting to the Release of Directory Information**

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

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

- A student's photograph (for publication in the school yearbook)
- A student's name and grade level (for communicating class and teacher assignments)
- The name, weight, and height of an athlete (for publication in a school athletic program)
- A list of student birthdays (for generating schoolwide or classroom recognition)
- A student's name and photograph (posted on a district-approved and-managed social media platform)

- The names and grade levels of students submitted by the district to a local newspaper or other community publication (to recognize the A/B honor roll for a specific grading period)

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

However, a parent or eligible student may object to the release of this information. Any objection must be made in writing to the principal within 10 school days of the student's first day of instruction for this school year. [See Notice Regarding Directory Information and Parent's Response Regarding Release of Student Information, included in the forms packet.]

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

As allowed by state law, the district has identified two directory information lists — one for school-sponsored purposes and a second for all other requests. For district publications and announcements, the district has designated the following as directory information: student name;

- electronic email address;
- photograph;
- honors and awards received;
- grade level;
- most recent educational institution attended;
- participation in officially recognized activities and sports;
- weight and height of members of athletic teams; and
- enrollment status.

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

For all other purposes, the district has identified the following as directory information:

- student name;
- photograph;
- date and place of birth;
- honors and awards received;
- grade level;
- enrollment status;
- participation in officially recognized activities and sports; and
- weight and height of members of athletic teams

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

**Note:** Also see Authorized Inspection and Use of Student Records.

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

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

- Name
- Address
- Telephone listing

Military recruiters may also have access to a student's district-provided email address, unless a parent has advised the district not to release this information.

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

### Participation in Third-Party Surveys

#### *Consent Required Before Student Participation in a Federally Funded Survey*

The Protection of Pupil Rights Amendment (PPRA) provides parents certain rights regarding participation in surveys, the collection and use of information for marketing purposes, and certain physical exams.

A parent has the right to consent before a student is required to submit to a survey funded by the U.S. Department of Education that concerns any of the following protected areas:

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

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

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

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

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

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

A parent may inspect:

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

The ED provides extensive information about the Protection of Pupil Rights Amendment (https://studentprivacy.ed.gov/resources/protection-pupil-rights-amendment-ppra-general-guidance), including a PPRA Complaint Form (https://studentprivacy.ed.gov/file-a-complaint).

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

See Consent to Human Sexuality Instruction and Consent to Instruction on Prevention of Child Abuse, Family Violence, Dating Violence, and Sex Trafficking for information on a parent's right to remove a student from such instruction.

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

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

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

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

- A parent provides a written statement requesting that their child be excused

- The district determines that the student has a conscientious objection to the recitation
- A parent is a representative of a foreign government to whom the U.S. government extends diplomatic immunity

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

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

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

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

[See Pledges of Allegiance and a Minute of Silence (All Grade Levels) and policy EC(LEGAL) for more information.]

**Religious or Moral Beliefs**

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

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

**Tutoring or Test Preparation**

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

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

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

In accordance with state law and policy EC, districts must obtain parental permission before removing a student from a regularly scheduled class for remedial tutoring or test preparation for more than 10 percent of the days the class is offered.

If a district offers tutorial services to students, state law requires a student with a grade below 70 for a reporting period to attend.

[For questions about school-provided tutoring programs, contact the student's teacher and see policies EC and EHBC. See Standardized Testing for information regarding required accelerated instruction after a student fails to perform satisfactorily on certain state-mandated tests.]

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

### Parent Review of Instructional Materials and Plan

A parent has the right to review teaching materials, textbooks, and other teaching aids and instructional materials used in the curriculum, and to examine tests that have been administered, whether instruction is delivered in-person, virtually, or remotely.

The district will make instructional materials available for parent review no later than 30 days before the school year begins and for at least 30 days after the school year ends. However, tests that have not yet been administered will not be made available for parent examination.

The district will provide login credentials to each student's parent for any learning management system or online learning portal used in instruction to facilitate parent access and review.

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

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

Teachers are required to provide a copy of the teacher's instructional plan or course syllabus for each class to the parent of each student enrolled in that class before the beginning of each semester. A parent may obtain additional copies of plan or syllabus by request.

Parents and guardians will be provided access to each teacher's instructional plan or course syllabus at the beginning of the school year or upon a student's enrollment in a course. This information outlines the general scope, sequence, and expectations for instruction.

Instructional plans and syllabi will be made available through one or more of the following methods:

- Posted in the district's learning management system or parent portal (e.g., ParentSquare, Google Classroom or Canvas)
- Sent directly via email by the classroom teacher
- Provided in hard copy upon request

[For information about parental access to any online library catalog and library materials, including records of their child's checked out library materials, see Library (All Grade Levels).]

### District Review of Instructional Materials

A parent may request that the district conduct an instructional material review in a math, English Language Arts, science, or social studies class in which the parent's student is enrolled to determine alignment with state standards and the level of rigor for the grade level.

The district is not required to conduct an instructional material review for a specific subject area or grade level at a specific campus more than once per school year.

For more information about requesting an instructional material review, contact the campus principal.

### Notices of Certain Student Misconduct to Noncustodial Parent

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

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

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

### Student Records

#### *Accessing Student Records*

A parent may review their child's records, including:

- Attendance records
- Test scores
- Grades
- Disciplinary records
- Counseling records
- Psychological records
- Applications for admission
- Health and immunization information
- Other medical records
- Teacher and school counselor evaluations
- Reports of behavioral patterns
- Records relating to assistance provided for learning difficulties, including information collected regarding any intervention strategies used with the child, as the term "intervention strategy" is defined by law
- Records relating to school library materials the child obtains from a school library [See Library (All Grade Levels) for more information.]
- State assessment instruments that have been administered to the child

- Teaching materials and tests used in the child's classroom

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

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

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

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

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

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

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

Inspection and release of student records is restricted to an eligible student or a student's parent unless the school receives a copy of a court order terminating parental rights or the right to access a student's education records. A parent's rights regarding access to student records are not affected by the parent's marital status.

Federal law requires that control of the records goes to the student as soon as the student meets at least one of the following criteria:

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

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

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

officials have what federal law refers to as a “legitimate educational interest” in a student’s records.

Legitimate educational interest may include:

- Working with the student
- Considering disciplinary or academic actions, the student’s case, or an individualized education program for a student with disabilities
- Compiling statistical data
- Reviewing an educational record to fulfill the official’s professional responsibility
- Investigating or evaluating programs

School officials may include:

- Board members and employees, such as the superintendent, administrators, and principals
- Teachers, school counselors, diagnosticians, and support staff (including district health or medical staff)
- A person or company with whom the district has contracted or allowed to provide a specific institutional service or function (such as an attorney, consultant, third-party vendor that offers online programs or software, auditor, medical consultant, therapist, school resource officer, or volunteer)
- A person appointed to serve on a team to support the district’s safe and supportive school program
- A parent or student serving on a school committee
- A parent or student assisting a school official perform their duties

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

- To authorized representatives of various governmental agencies, including juvenile service providers, the U.S. Comptroller General’s office, the U.S. Attorney General’s office, the U.S. Secretary of Education, the Texas Education Agency, the U.S. Secretary of Agriculture’s office, and Child Protective Services (CPS) caseworkers or, in certain cases, other child welfare representatives
- To individuals or entities granted access in response to a subpoena or court order
- To another school, district/system, or postsecondary educational institution to which a student seeks or intends to enroll or in which the student already is enrolled
- In connection with financial aid for which a student has applied or has received
- To accrediting organizations to carry out accrediting functions
- To organizations conducting studies for, or on behalf of, the school to develop, validate, or administer predictive tests; administer student aid programs; or improve instruction
- To appropriate officials in connection with a health or safety emergency

- When the district discloses directory information-designated details. [See Objecting to the Release of Directory Information to prohibit this disclosure.]

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

The campus principal is custodian of all records for currently enrolled students at the assigned school. The high school principal or principal of last grade completed is the custodian of all records for students who have withdrawn or graduated.

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

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

A parent or eligible student who submits a written request and pays copying costs of 10 cents per page may obtain copies. If circumstances prevent inspection during regular school hours and the student qualifies for free or reduced-price meals, the district will either provide a copy of the records requested or make other arrangements for the parent or student to review the records.

You may contact the custodian of records for currently enrolled students at:

**Mineral Wells HS**
Shanna Spillers
3801 Ram Blvd
Mineral Wells, TX 76067
sspillers@mwisd.net
(940) 325-4408

**Mineral Wells Academy**
Stefany Johnston
3810 Ram Blvd
Mineral Wells, TX 76067
Sjohnston@mwisd.net
(940) 325-4408

**Mineral Wells Junior High**
Eric Rivas
1301 SE 14th Ave
Mineral Wells, TX 76067
erivas@mwisd.net
(940) 325-0711

**Travis Elementary School**
Nichole Gray

1001 SE MLK, Jr. St.
Mineral Wells, TX 76067
ngray@mwisd.net
(940) 325-7801

**Houston Elementary School**
Jacy Roach
300 SW 13th St.
Mineral Wells, TX 76067
jroach@mwisd.net
(940)325-3427

**Lamar Elementary School**
Rhonda Mack
2012 SE 12th St.
Mineral Wells, TX 76067
rmack@mwisd.net
(940)325-5305

You may contact the custodian of records for students who have withdrawn or graduated at:

**Mineral Wells HS**
Shanna Spillers
3801 Ram Blvd
Mineral Wells, TX 76067
sspillers@mwisd.net
(940) 325-4408

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

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

Although improperly recorded grades may be challenged, contesting a student's grade in a course or on an examination is handled through the complaint process found in policy FNG(LOCAL). A grade issued by a teacher can be changed only if the board of trustees determines that the grade is arbitrary, erroneous, or inconsistent with the district's grading guidelines.

[See Report Cards/Progress Reports and Conferences (All Grade Levels), Complaints and Concerns (All Grade Levels), and Finality of Grades at policy FNG(LEGAL)]

The district's student records policy is found at policy FL(LEGAL) and FL(LOCAL) and is available at the principal's or superintendent's office or on the district's website www.mwisd.net.

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

### Teacher and Staff Professional Qualifications

A parent may request information about the professional qualifications of their child's teachers, including whether the teacher:

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

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

## A Student with Exceptionalities or Special Circumstances

### Children of Military Families

The Interstate Compact on Educational Opportunities for Military Children (https://www.dodea.edu/education/partnership-and-resources/military-interstate-compact) entitles children of military families to flexibility regarding certain district and state requirements, including:

- Immunization requirements
- Grade level, course, or educational program placement
- Eligibility requirements for participation in extracurricular activities
- Enrollment in virtual or hybrid courses offered by the district or another district or school
- Graduation requirements

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

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

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

More information is available at Military Family Resources at the Texas Education Agency (https://tea.texas.gov/about-tea/other-services/military-family-resources).

### Parental Role in Certain Classroom and School Assignments

#### *Multiple-Birth Siblings*

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

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

#### *Safety Transfers/Assignments*

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

The board may transfer a student who has engaged in bullying to another classroom.

[See Bullying (All Grade Levels), and policies FDB and FFI for more information.]

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

[See policy FDE for more information.]

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

### Student Use of a Service/Assistance Animal

A parent of a student who uses a service/assistance animal because of the student's disability must submit a written request to the principal before bringing the service/assistance animal on campus. The district will try to accommodate a request as soon as possible but will do so within 10 district business days.

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

In an effort to provide educational stability, the district will provide enrollment and registration assistance, as well as other educational services throughout the student's enrollment, to any student who is currently placed or newly placed in foster care (temporary or permanent custody of the state, sometimes referred to as substitute care).

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

The district will assess the student's available records to determine transfer of credit for subjects and courses taken before the student's enrollment in the district.

The district will award partial course credit when the student only passes one half of a two-half course. [For provisions on partial course credit for students who are not in the conservatorship of the state, see EI(LOCAL).]

A student in the conservatorship of the state who is moved outside the district's or school's attendance boundaries — or who is initially placed in the conservatorship of the state and moved outside the district's or school's boundaries — is entitled to remain at the school the student was attending before the placement or move until the student reaches the highest grade level at that particular school.

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

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

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

If you have questions, please contact the district's foster care liaison:

Lindsey Wells

Director of Curriculum
906 SW 5th Ave, Mineral Wells, TX 76067
lwells@mwisd.net
(940) 325-6404

[See Credit by Examination for Advancement/Acceleration — If a Student Has Not Taken the Course/Subject and Course Credit (Secondary Grade Levels Only)]

**A Student Who Is Homeless**

A parent is encouraged to inform the district if their child is experiencing homelessness. District staff can share resources that may be able to assist families.

Please also check the campus website for information related to services available in the area that can help families who are homeless.

A student who is homeless will be provided flexibility regarding certain district provisions, including:

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

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

If a student who is homeless in grade 11 or 12 transfers to another district but does not meet the graduation requirements of the receiving district, state law allows the student to request a diploma from the previous district if the student meets the criteria to graduate from the previous district.

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

For more information on services for students who are homeless, contact the district's homeless education liaison:

Lindsey Wells
Director of Curriculum
906 SW 5th Ave, Mineral Wells, TX 76067
lwells@mwisd.net
(940) 325-6404

[See Credit by Examination for Advancement/Acceleration — If a Student Has Not Taken the Course/Subject and Course Credit (Secondary Grade Levels Only)]

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

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

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

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

*Special Education Referrals*

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

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

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

by the number of school days equal to the number of school days that the student is absent.

There is an exception to the 45-school-day timeline. If the district receives a parent's consent for the initial evaluation at least 35 but less than 45 school days before the last instructional day of the school year, it must complete the written report and provide a copy of the report to the parent by June 30 of that year. However, if the student is absent from school for three or more days during the evaluation period, the June 30 due date no longer applies. Instead, the general timeline of 45 school days plus extensions for absences of three or more days will apply.

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

Additional information about special education is available from the school district in a companion document titled *Parent's Guide to the Admission, Review, and Dismissal Process* (https://fw.escapps.net/Display_Portal/publications).

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

The designated contact person regarding options for a student experiencing learning difficulties or regarding a referral for evaluation for special education services is:

Kendra Fowler
Director of Special Education
906 SW 5th Ave, Mineral Wells, TX 76067
kfowler@mwisd.net
(940) 325-6404

For questions about post-secondary transitions, including the transition from education to employment, for students receiving special education services, contact the district's transition and employment designee:

Kendra Fowler
Director of Special Education
906 SW 5th Ave, Mineral Wells, TX 76067
kfowler@mwisd.net
(940) 325-6404

***Section 504 Referrals***

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

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

- A review procedure

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

The designated person to contact regarding options for a student experiencing learning difficulties or regarding a referral for evaluation for Section 504 services is:

Amber Moore
Director of Counseling and Assessment
906 SW 5th Ave, Mineral Wells, TX 76067
amoore@mwisd.net
(940) 325-6404

[See A Student with Physical or Mental Impairments Protected under Section 504]

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

- Legal Framework for the Child-Centered Special Education Process (https://fw.escapps.net/Display_Portal?destination=/)
- Partner Resource Network (http://prntexas.org/)
- SPEDTEX: Special Education Information Center (https://www.spedtex.org/)
- Texas First Project (http://www.texasprojectfirst.org/)
- TEA Special Education Parent and Family Resources (https://tea.texas.gov/academics/special-student-populations/special-education/parent-and-family-resources)

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

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

**Texas Driving with Disability Program**

In accordance with state law, the district will provide notification of the Texas Driving with Disability Program to students who have a health condition or disability that may impede effective communication with a peace officer and receive special education or are covered by Section 504 of the Rehabilitation Act of 1973. This notification will be provided annually to an eligible student aged 16 years or older until the student's graduation or 21st birthday and to the student's parents.

The Texas Driving with Disability Program focuses on improving the interaction between law enforcement and drivers with disabilities that have unique communication needs.

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

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

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

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

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

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

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

[See Emergent Bilingual Students (All Grade Levels) and Special Programs (All Grade Levels)]

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

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

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

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

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

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

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

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

Parents and children should take a moment together to become familiar with the issues addressed in this section. For guidance on a particular topic, please contact Angie Myrick at (940)325-6404.

### Absences/Attendance

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

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

#### Compulsory Attendance

Prekindergarten and Kindergarten

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

##### *Ages 6-18*

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

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

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

##### *Age 19 and Older*

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

## Compulsory Attendance — Exemptions

### *All Grade Levels*

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

- Religious holy days
- Required court appearances
- Appearing at a governmental office to obtain U.S. citizenship
- Taking part in a US naturalization oath ceremony
- Serving as an election clerk
- Health-care appointments for the student or a child of the student, including absences related to autism services and mental health appointments
- Absences resulting from a serious or life-threatening illness or related treatment that makes a student's attendance infeasible, with certification by a physician on the district's form
- Absences for attendance in a released time course in religious instruction
- For students in the conservatorship of the state:
    - An activity required under a court-ordered service plan
    - Any other court-ordered activity, provided it is not practicable to schedule the student's participation in the activity outside of school hours

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

Note that documented health-care appointments may include telehealth appointments. Students who are physically on campus will not be allowed to participate in telehealth or other online appointments without specific authorization from an appropriate administrator. Students should not use district-issued technology, including Wi-Fi or internet, for telehealth appointments because use of district-owned equipment and its network systems is not private and may be monitored by the district. For more information, see Personal Communications and Other Electronic Devices (All Grade Levels).

### *Secondary Grade Levels*

The district will allow a student who is 15 years of age or older to be absent for one day to obtain a learner license and one day to obtain a driver's license, provided that the board has authorized such excused absences under policy FEA(LOCAL). The student will be required to provide documentation of the visit to the driver's license office for each absence and must make up any work missed.

[See Driver License Attendance Verification (Secondary Grade Levels Only)]

The district will allow junior and senior students to be absent for up to two days per year to visit a college or university if the following conditions are met:

- The board has authorized such excused absences under policy FEA(LOCAL)
- The principal has approved the student's absence
- The student follows campus procedures to verify the visit and makes up any work missed

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

The district will allow a student to be absent for up to two days during the student's junior year and two days during the student's senior year for a career investigation day to visit a professional at that individual's workplace to determine the student's interest in pursuing a career in the professional's field, provided the student verifies these activities to the district.

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

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

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

**Compulsory Attendance — Failure to Comply**

*All Grade Levels*

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

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

*Students with Disabilities*

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

*Ages 6-18*

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

The notice will:

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

The truancy prevention facilitator for the district is:

Susanna Lovern
DAEP and Attendance Coordinator
906 SW 5th Ave, Mineral Wells, TX 76067
slovern@mwisd.net
(940) 325-6404

For any questions about student absences, parents should contact the facilitator or any other campus administrator.

A court of law may impose penalties against the parent if a school-aged student is deliberately not attending school. The district may file a complaint against the parent if the student incurs 10 or more unexcused absences within a six-month period in the same school year.

If a student age 12-18 incurs 10 or more unexcused absences within a six-month period in the same school year, the district, in most circumstances, will refer the student to truancy court.

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

*Age 19 and Older*

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

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

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

If a student attends fewer than 75 percent of the class days or does not complete the principal-approved plan, then the attendance review committee will determine whether

there are extenuating circumstances for the absences and how the student can regain credit or a final grade. [See policy FEC for more information.]

Except for absences due to serious or life-threatening illness or related treatment, all absences, excused or unexcused, may be held against a student's attendance requirement. To determine whether there were extenuating circumstances for any absences, the attendance committee will consider:

- Whether the student has mastered the essential knowledge and skills and maintained passing grades in the course or subject.
- Whether the student has completed makeup work satisfactorily. If the student completes makeup work, absences listed under Compulsory Attendance — Exemptions and absences for extracurricular activities will be considered extenuating circumstances.
- Whether the student or the student's parent had any control over the absences.
- Any information presented by the student or parent to the committee about the absences.

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

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

The district will take official attendance every day. Contact the campus for official attendance taking time.

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

**Documentation After an Absence (All Grade Levels)**

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

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

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

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

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

Within two (2) days of returning to school, a student who is absent for more than five (5) consecutive days because of a personal illness must bring a statement from a doctor or

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

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

*Certification of Absence Due to Severe Illness or Treatment*

If a student is absent because of a serious or life-threatening illness or related treatment that makes a student's attendance infeasible, a parent must provide certification from a physician licensed to practice in Texas specifying the student's illness and the anticipated period of absence related to the illness or treatment on the district's form.

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

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

More information is available on the Texas Department of Public Safety website (https://www.dps.texas.gov/section/driver-license/how-apply-texas-driver-license-teen).

[See Compulsory Attendance — Exemptions for Secondary Grade Levels for information on excused absences for obtaining a learner license or driver's license.]

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

Mineral Wells ISD and each of its campuses are held to certain standards of accountability under state and federal law. A key component of accountability is the dissemination and publication of certain reports and information, including:

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

Accountability information can be found on the district's website at www.mwisd.net. Hard copies of any reports are available upon request to the district's administration office.

TEA maintains additional accountability and accreditation information at TEA Performance Reporting Division

(https://tea.texas.gov/texas-schools/accountability/academic-accountability/performance-reporting).

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

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

The test shall be offered during the fall semester at Mineral Wells High School.

Contact the principal for information about this opportunity.

### Bullying (All Grade Levels)

The district strives to prevent bullying, in accordance with the district's policies, by promoting a positive school culture; building healthy relationships between students and staff; encouraging reporting of bullying incidents, including anonymous reporting; and investigating and addressing reported bullying incidents.

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

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

Bullying includes cyberbullying. Cyberbullying is defined in state law as bullying that is done using any electronic communication device, including:

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

Bullying is prohibited by the district and could include:

- Hazing

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

The district will integrate into instruction research-based content designed to reduce bullying that is appropriate for students' age groups.

Students in elementary grades will participate in:

- Instruction designed so that students can recognize bullying behaviors and how to report them
- Age-appropriate discussions that encourage peers to intervene when they observe bullying occur
- Instruction that characterizes bullying as a behavior that results from the student's need to acquire more mature social or coping skills, not an unchangeable trait

Students in secondary grades will participate in:

- Instruction on the brain's ability to change and grow so the student recognizes bullying behavior can come from a developmental need to acquire more social skills, can change when the brain matures and learns better ways of coping, and is not an unchangeable trait
- Discussions that portray bullying as undesirable behavior and a means for attaining or maintaining social status at school, and that discourage students from using bullying as a tool for social status
- Instruction designed so that students recognize the role that reporting bullying behaviors plays in promoting a safe school community

The district will use an age-appropriate survey about school culture that includes relevant questions on bullying to identify and address student concerns.

Each campus has a committee that addresses bullying by focusing on prevention efforts and health and wellness initiatives. The committee will include parents and secondary students. For more information on this committee, including interest in serving on the committee, contact the campus principal.

If a student believes that they have experienced bullying or witnessed the bullying of another student, the student or parent should notify a teacher, school counselor, principal, or another district employee as soon as possible. Any district employee aware

of a report of a bullying incident will relay the report to an appropriate administrator. Procedures for reporting allegations of bullying may be found on the district's website.

A student may anonymously report an alleged incident of bullying by by reporting online at http://www.stayalert.info/ or sending an email to report@stayalert.info. A student may also report online at P3Campus (P3Campus.com). P3 Campus also has a mobile app that students can download to their device.

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

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

The district will provide research-based interventions, which may include counseling options, for students who engage in bullying behaviors, students who are targeted by bullying behaviors, and any student who witnessed bullying behaviors.

Any action taken in response to bullying will comply with state and federal law regarding students with disabilities.

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

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

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

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

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

[See Safety Transfers/Assignments, Dating Violence, Discrimination, Harassment, and Retaliation (All Grade Levels), Hazing (All Grade Levels), policy FFI, the district's Student Code of Conduct, and the district improvement plan, a copy of which can be viewed in the campus office.]

### Career and Technical Education (CTE) and Other Work-Based Programs (Secondary Grade Levels Only)

Mineral Wells High School Career and Technical Education offers courses that will satisfy graduation endorsements in Business & Industry, Public Service, and/or STEM.

MWHS offers 18 Programs of Study which include the following courses:

- Animal Science: Principles of Ag, Food, & Natural Resource, Livestock Production, Advanced Animal Science, and Veterinary Medical Applications or Practicum in Ag, Food and Natural Resources
- Applied Agricultural Engineering: Agricultural Mechanics, Agricultural Structures Design & Fabrication, Agricultural Equipment Design & Fabrication, and Practicum in Ag, Food and Natural Resources
- Plant Science: Principles of Ag, Food, & Natural Resource, Horticultural Science, Floral Design, and Practicum in Ag, Food and Natural Resources
- Architectural Design: Principles of Architecture, Architectural Design I, Architectural Design II, and Practicum in Architectural Design
- Carpentry: Principles of Construction, Construction Technology I, Construction Technology II, and Practicum in Construction Technology
- Digital Communications: Principles of Arts, A/V Technology & Communications, Audio/Video Production I, Audio/Video Production II, and Practicum in Audio/Video Production
- Design and Multimedia Arts: Principles of Arts, A/V Technology & Communications, Graphic Design and Illustration I, Graphic Design and Illustration II, and Practicum in Graphic and Illustration
- Business Management: Principles of Business, Marketing, & Finance, Business Information Management I, Business Information Management II, Practicum in Business Management
- Teaching/Training: Principles of Education, Child Development, Instructional Practices, and Practicum in Education and Training
- Healthcare Therapeutic: Principles of Health Science, Medical Terminology, World Health Research, and Health Science Theory/Clinical
- Healthcare Diagnostics: Principles of Health Science, Medical Terminology, Anatomy and Physiology, and Health Science Theory/Clinical
- Culinary Arts: Principles of Hospitality & Tourism, Introduction to Culinary Arts, Culinary Arts I, and Advanced Culinary Arts
- Manufacturing Technology: Principle of Manufacturing, Diversified Manufacturing I, Diversified Manufacturing II, and Practicum in Manufacturing
- Welding: Agricultural Mechanics, Welding I, Welding II, and Practicum in Manufacturing
- Engineering: Introduction to Engineering, Engineering Science, Engineering Design & Presentation I, and Engineering Design and Presentation II

- Automotive: Principles of Transportation, Automotive Technology I, Automotive Technology II, and Practicum in Transportation
- Drone: Introduction to Unmanned Aerial Vehicle Flight, Robotics, Scientific Research and Design, Practicum in Manufacturing
- Computer Science: Principles of Computer Science, Computer Science I, Computer Science II, and Computer Science III

Any student who is interested in the above programs may participate by following the coherent sequence of courses.

These courses are subject to change from time to time. Students with an interest in CTE classes should visit with their counselors about this course of study.

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

District policy also prohibits discrimination on the basis of race, color, national origin, sex, handicap, or age in its employment practices as required by Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975, as amended; and Section 504 of the Rehabilitation Act of 1973, as amended.

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

For information about your rights or grievance procedures, contact the Title IX coordinator and the ADA/Section 504 coordinator.

[See Nondiscrimination Statement (All Grade Levels) for the name and contact information for the Title IX coordinator and ADA/Section 504 coordinator.]

### Celebrations (All Grade Levels)

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

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

**Only prepackaged goods are permitted. <u>No Home-Baked Goods</u>.**

[See Food Allergies (All Grade Levels)]

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

The district has established a plan for addressing child abuse, neglect, trafficking, and other maltreatment of children. The plan is available at www.mwisd.net. Abuse includes physical abuse, including sexual abuse, and mental and emotional abuse. Trafficking includes both sex and labor trafficking.

### Duty to Report

Anyone who suspects that a child has been or may be abused or neglected has a legal responsibility, under state law, to report the suspected abuse or neglect to law enforcement or to Child Protective Services (CPS). See below for information about how to report and respond to allegations of child abuse or neglect.

### Possible Warning Signs of Child Abuse, Neglect, Trafficking, and Other Maltreatment of Children

#### *Physical abuse*

Possible warning signs of physical abuse include:

- Frequent injuries such as bruises, cuts, black eyes, or burns without adequate explanations
- Frequent complaints of pain without apparent injury
- Burns or bruises in unusual patterns that may indicate the use of an instrument or human bite; cigarette burns on any part of the body
- Lack of reaction to pain
- Extreme fear of going home or seeing parents
- Injuries that appear after a child has not been seen for several days
- Unseasonable clothing that may hide injuries to arms or legs

#### *Sexual Abuse*

Possible warning signs of sexual abuse include:

- Physical signs of sexually transmitted diseases
- Evidence of injury to the genital area
- Pregnancy in a young girl
- Difficulty in sitting or walking
- Extreme fear of being alone with adults of a certain sex
- Sexual comments, behaviors, or play beyond what is considered age-appropriate behavior
- Knowledge of sexual relations beyond what is expected for a child's age
- Sexual victimization of other children

Children and adolescents who have experienced dating violence may show similar physical, behavioral, and emotional warning signs. [See Dating Violence, Discrimination, Harassment, and Retaliation (All Grade Levels) and Consent to

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

*Emotional Abuse*

Possible warning signs of emotional abuse include:

- Over-compliance or low self-esteem caused by scapegoating or verbal abuse by caregivers
- Severe depression, anxiety, or aggression
- Lag in physical, emotional, and intellectual development
- Indicators of a caregiver who belittles the child, withholds love, and seems unconcerned about the child's problems
- Significant changes to behavior, such as withdrawal or over-aggression
- Significant changes to weight, such as substantial weight gain or weight loss

*Neglect*

Possible warning signs of neglect include:

- Obvious malnourishment
- Consistent lack of personal hygiene that poses a health risk
- Stealing or begging for food
- Child unattended for long periods of time
- Unaddressed need for dental care or other medical attention

**Description and Warning Signs of Trafficking**

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

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

Possible warning signs of sexual trafficking in children include:

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

- Older romantic partners

Additional warning signs of labor trafficking in children include:

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

[See Consent to Instruction on Prevention of Child Abuse, Family Violence, Dating Violence, and Sex Trafficking]

**Reporting and Responding to Child Abuse, Neglect, Trafficking, and Other Maltreatment of Children**

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

If your child is a victim of abuse, neglect, trafficking, or other maltreatment, the school counselor or principal will provide information on counseling options for you and your child available in your area. Texas Health and Human Services also manages early intervention counseling programs.

To find out what services may be available in your county, see Texas Health and Human Services' Family Support Services Program Locator (https://fss.hhs.texas.gov/Programs_Available_In_Your_County/default.asp).

Reports of abuse, trafficking, or neglect may be made to the CPS division of the DFPS at 1 800-252-5400 or online at Texas Abuse Hotline Website (www.txabusehotline.org).

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

The following websites include resources to help increase awareness of child abuse and neglect, sexual abuse, trafficking, and other maltreatment of children:

- Child Welfare Information Gateway (https://www.childwelfare.gov/pubPDFs/whatiscan.pdf)

- KidsHealth, For Parents, Child Abuse (https://kidshealth.org/en/parents/child-abuse.html)
- Office of the Texas Governor's Child Sex Trafficking Team (https://gov.texas.gov/organization/cjd/childsextrafficking)
- Human Trafficking of School-aged Children (https://tea.texas.gov/about-tea/other-services/human-trafficking-of-school-aged-children)
- Child Sexual Abuse: A Parental Guide from the Texas Association Against Sexual Assault (https://www.nsvrc.org/publications/booklets/child-sexual-abuse-parental-guide)
- National Center of Safe Supportive Learning Environments: Human Trafficking in America's Schools (https://safesupportivelearning.ed.gov/human-trafficking-americas-schools)

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

The District shall include in the calculation of class rank grades earned in all high school credit courses regardless of when the credit was earned, unless excluded below.

#### Exclusions

For the graduating classes of 2025, 2026, and 2027, the calculation of class rank shall exclude grades earned in or by a local credit course, summer school, distance learning, and credit by examination (with or without prior instruction) unless the student earned state graduation credit.

Beginning with the class of 2028, the calculation of class rank shall exclude grades earned in any course for which credit is earned outside the regular school day or regular school year, including summer school; any local credit course; any credit recovery program, whether for credit recovery or for original credit; a distance learning course, unless the course is either assigned to the student by the District or offered as a course option along with traditional District courses; and credit by examination, with or without prior instruction.

#### Weighted Grade Point Average (GPA)

For students graduating in the classes of 2022 and thereafter, the District shall convert grades earned in eligible courses designated in the student handbook to grade points and shall calculate a weighted GPA in accordance with the following chart:

| Grade | AP / Dual Credit | Honors | Regular |
|---|---|---|---|
| **100** | 5.3 | 5.0 | 4.0 |
| **99** | 5.2 | 4.9 | 3.9 |

| | | | |
|---|---|---|---|
| **98** | 5.1 | 4.8 | 3.8 |
| **97** | 5.0 | 4.7 | 3.7 |
| **96** | 4.9 | 4.6 | 3.6 |
| **95** | 4.8 | 4.5 | 3.5 |
| **94** | 4.7 | 4.4 | 3.4 |
| **93** | 4.6 | 4.3 | 3.3 |
| **92** | 4.5 | 4.2 | 3.2 |
| **91** | 4.4 | 4.1 | 3.1 |
| **90** | 4.3 | 4.0 | 3.0 |
| **89** | 4.2 | 3.9 | 2.9 |
| **88** | 4.1 | 3.8 | 2.8 |
| **87** | 4.0 | 3.7 | 2.7 |
| **86** | 3.9 | 3.6 | 2.6 |
| **85** | 3.8 | 3.5 | 2.5 |
| **84** | 3.7 | 3.4 | 2.4 |
| **83** | 3.6 | 3.3 | 2.3 |
| **82** | 3.5 | 3.2 | 2.2 |
| **81** | 3.4 | 3.1 | 2.1 |
| **80** | 3.3 | 3.0 | 2.0 |
| **79** | 3.2 | 2.9 | 1.9 |
| **78** | 3.1 | 2.8 | 1.8 |
| **77** | 3.0 | 2.7 | 1.7 |
| **76** | 2.9 | 2.6 | 1.6 |
| **75** | 2.8 | 2.5 | 1.5 |
| **74** | 2.7 | 2.4 | 1.4 |
| **73** | 2.6 | 2.3 | 1.3 |
| **72** | 2.5 | 2.2 | 1.2 |

| | | | |
|---|---|---|---|
| **71** | 2.4 | 2.1 | 1.1 |
| **70** | 2.3 | 2.0 | 1.0 |
| **Below 70** | 0.0 | 0.0 | 0.0 |

[See policy EIC for more information.]

**Transferred Grades**

When a student transfers grades for properly documented and eligible courses, the District shall assign weight to those grades based on the categories and grade weight system used by the District.

**Local Graduation Honors**

For the purpose of determining honors to be conferred during graduation activities, the District shall calculate class rank using grades available at the time of calculation at the end of the third quarter of the senior year. The third quarter grade shall be used as the semester grade for this purpose.

**Valedictorian and Salutatorian**

The valedictorian and salutatorian shall be the eligible students with the highest and second highest ranking, respectively. To be eligible for such recognition, a student must:

Have been continuously enrolled in the District high school for the four semesters preceding graduation;

Have completed the Recommended Program or the Advanced/Distinguished Achievement Program for graduation; and

Be graduating in exactly eight semesters of enrollment in high school.

**Speeches at Commencement**

Recognition as the valedictorian or salutatorian notwithstanding, on order to be eligible to give the valedictory or salutatory speech during the commencement ceremony, a student shall not have engaged in any serious misconduct violation of the Student Code of Conduct, include removal to a DAEP, a three-day suspension, or expulsion during his or her last four semesters.

[See FNA and the Student Code of Conduct]

**Breaking Ties**

In case of a tie in weighted GPAs, the District shall apply the following methods, in this order, to determine recognition as valedictorian:

Compute the weighted GPA to the fourth decimal place (.0001).

Compare the number of Advanced Placement courses taken by each student involved in the tie.

Calculate the numerical grade average of all Advanced Placement courses taken by each student involved in the tie.

Should a tie develop for salutatorian, the District shall recognize all students involved in the tie as sharing the honor and title.

**Honor Graduates**

The District shall recognize as an honor graduate each student who has earned a weighted GPA of 3.0 (equivalent to 90 average) and who has completed the Recommended Program or the Advanced/Distinguished Achievement Program for graduation.

**Highest-Ranking Graduate**

The local eligibility criteria for recognition as the valedictorian shall not affect recognition of the highest-ranking graduate for purposes of receiving the honor graduate certificate from the state of Texas.

[See policy EIC for more information.]

## Class Schedules (Secondary Grade Levels Only)

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

[See Schedule Changes (Middle/Junior High and High School Grade Levels) for information related to student requests to revise their course schedule.]

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

For two school years following graduation, a district student who graduates as valedictorian or in the top 10 percent of their class is eligible for automatic admission into four-year public universities and colleges in Texas if the student meets one of the following requirements:

- Completes the distinguished level of achievement under the foundation graduation program [see Foundation Graduation Program]
- Satisfies the ACT College Readiness Benchmarks or earns at least a 1500 out of 2400 on the SAT

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

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

The University of Texas at Austin may limit the number of automatically admitted students to 75 percent of the University's enrollment capacity for incoming resident freshmen. From the summer/fall 2026 term through the spring 2027 term, the University will admit the top five percent of a high school's graduating class who meet the above requirements. Additional applicants will be considered by the University through a holistic review process.

As required by law, the district will provide written notice about the following:

- Automatic college admission
- Curriculum requirements for financial aid
- Benefits of completing the requirements for automatic admission and financial aid
- The Texas First Early High School Completion Program, which requires a student to provide an official copy of assessment results and transcripts, as applicable, to receive credit for the assessments and credits required for early graduation under the program
- The Texas First Scholarship Program
- The Future Texas Teachers Scholarship Program

Parents and students will be asked to sign an acknowledgment that they received this information.

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

[See Class Rank/Highest-Ranking Student (Secondary Grade Levels Only) for information specifically related to how the district calculates a student's rank in class, and requirements for Graduation (Secondary Grade Levels Only) for information associated with the foundation graduation program.]

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

### College Credit Courses (Secondary Grade Levels Only)

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

- Certain courses taught at the high school campus, which may include courses termed dual credit, Advanced Placement (AP), International Baccalaureate (IB), or college preparatory
- Enrollment in AP or dual credit courses through the virtual or hybrid courses offered by the district or another district or school
- Enrollment in courses taught in conjunction and in partnership with Weatherford College or McMurry University, which may be offered on or off campus
- Enrollment in courses taught at other colleges or universities

Please see your counselor for enrollment in these programs.

Under the Financial Aid for Swift Transfer (FAST) program, a student may be eligible to enroll at no cost to the student in dual credit courses at a participating institution of

higher education. The FAST program allows students who are or have been educationally disadvantaged at any time during the four years preceding the student's enrollment in a dual credit course to enroll at no cost to the student. The district will determine eligibility upon the student's enrollment in the dual credit course. See the high school counselor for more information.

A student may be eligible for subsidies based on financial need for AP or IB exam fees. [See Fees (All Grade Levels) for more information.]

A student may also earn college credit for certain Career and Technical Education (CTE) courses. Career and Technical Education (CTE) and Other Work-Based Programs (Secondary Grade Levels Only) for information on CTE and other work-based programs.

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

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

Mineral Wells High School offers several dual credit courses through institutions of higher learning that enable students to gain high school credit and college credit simultaneously. In addition, dual credit courses with student grades of "B" or better can serve as a part of the advanced measures for the Distinguished Achievement Diploma. To register for the classes, students must provide several pieces of paperwork.

- College Application for Admission
- Early Admission Form (available from MWHS counselor; must be signed by principal and parent)
- Copy of high school transcript
- Copy of STAAR/EOC scores that will allow student enrollment without having to take the TSI test
- Acceptable TSI scores if state assessment scores are not sufficient for admission (contact Weatherford College at (817)598-6488 for more information on test administration times and dates)

Note that if a student wishes to enroll in a community college course that also results in the award of high school course credit at a college that does not include the high school within its service area, the student is limited by state law to enroll in no more than three courses at that particular college.

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

## Communications (All Grade Levels)

### Parent Contact Information

A parent is legally required to provide in writing the parent's contact information, including address, phone number, and email address.

A parent must provide the contact information to the district upon enrollment and again within two weeks after the beginning of each following school year while the student is enrolled in the district.

If the parent's contact information changes during the school year, the parent must update the information in writing no more than two weeks after the date the information changes.

A parent may update contact information by contacting the appropriate campus.

### Automated Emergency Communications

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

[See Safety (All Grade Levels) for information about contact with parents during an emergency situation.]

### Automated Nonemergency Communications

Your child's school periodically sends information by automated or pre-recorded messages, text messages, or real-time phone or email communications that are closely related to the school's mission and specific to your child, your child's school, or the district.

**Standard messaging rates of your wireless phone carrier may apply.**

If you do not wish to receive such communications, please contact your child's principal. [See Safety (All Grade Levels) for information about contact with parents during an emergency.]

## Complaints and Concerns (All Grade Levels)

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

For those complaints and concerns that cannot be resolved informally, the board has adopted a student and parent grievance policy at FNG(LOCAL) in accordance with Education Code Chapter 26A. This policy describing the grievance process in detail is available in the district's online policy manual at www.mwisd.netand is attached to this handbook as an appendix. A parent may file a grievance by submitting the district grievance form to the campus principal. The district's grievance forms are available on the district's website at www.mwisd.net and at the principal's or superintendent's office

In general, the written grievance form should be completed and submitted to the campus principal in a timely manner.

If the concern is not resolved, a parent or student may appeal to the superintendent or superintendent's designee.

If the concern is still unresolved, the district provides a process for parents and students to appeal to the board of trustees.

Hearings at each level will be conducted in accordance with the timelines established by law described in the district's policy at FNG(LOCAL).

## Conduct (All Grade Levels)

### Applicability of School Rules

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

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

### Campus Behavior Coordinator

Each campus has a campus behavior coordinator to apply discipline management techniques and administer consequences for certain student misconduct, as well as provide a point of contact for student misconduct. The contact information for each campus behavior coordinator is available on the district's website at www.mwisd.net and the coordinator for this campus is listed below:

**Mineral Wells HS**
Shanna Spillers
3801 Ram Blvd
Mineral Wells, TX 76067
sspillers@mwisd.net
(940) 325-4408

**Mineral Wells Academy**
Stefany Johnston
3810 Ram Blvd
Mineral Wells, TX 76067
Sjohnston@mwisd.net
(940) 325-4408

**Mineral Wells Junior High**
Eric Rivas
1301 SE 14th Ave
Mineral Wells, TX 76067
erivas@mwisd.net
(940) 325-0711

**Travis Elementary School**
Nichole Gray
1001 SE MLK, Jr. St.
Mineral Wells, TX 76067
ngray@mwisd.net
(940) 325-7801

**Houston Elementary School**
Jacy Roach
300 SW 13th St.
Mineral Wells, TX 76067
jroach@mwisd.net
(940)325-3427

**Lamar Elementary School**
Rhonda Mack
2012 SE 12th St.
Mineral Wells, TX 76067
rmack@mwisd.net
(940)325-5305

**Deliveries**

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

### Disruption of School Operations

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

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

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

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

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

### Social Events

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

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

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

## Counseling

The district has a comprehensive school counseling program that includes:

- A guidance curriculum to help students develop their full educational potential, including the student's interests and career objectives
- A responsive services component to intervene on behalf of any student whose immediate personal concerns or problems put the student's continued educational, career, personal, or social development at risk

- An individual planning system to guide a student as the student plans, monitors, and manages the student's own educational, career, personal, and social development
- Systems to support the efforts of teachers, staff, parents, and other members of the community in promoting the educational, career, personal, and social development of students

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

**Academic Counseling**

*Elementary and Middle/Junior High School Grade Levels*

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

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

*High School Grade Levels*

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

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

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

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

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

[See Scholarships and Grants for more information.]

### Personal Counseling (All Grade Levels)

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

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

[See Mental Health Support (All Grade Levels), Child Sexual Abuse, Neglect, Trafficking, and Other Maltreatment of Children (All Grade Levels), and Dating Violence]

## Course Credit (Secondary Grade Levels Only)

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

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

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

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

The attendance review committee may also offer a student with excessive absences an opportunity to earn credit for a course by passing an examination. [See Attendance for Credit or Final Grade (All Grade Levels)]

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

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

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

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

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

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

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

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

### Kindergarten Acceleration

Students who are 5 years old at the beginning of the school year will be eligible to accelerate to the next grade level if the student scores at least 90 in each area (math, reading, science, and social studies) on the adopted Kindergarten test. Students also must not have any areas of concern noted on the maturity checklist. Parents are required to pay for the tests.

### Students in Grades 1-5

A student in elementary school is eligible to accelerate to the next grade level if the student meets all of the following requirements:

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

### Students in Grades 6-12

A student in grade 6 or above is eligible to earn course credit if the student meets one of the following requirements:

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

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

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

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

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

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

### Dating Violence

Dating violence will not be tolerated at school. To report dating violence, see Reporting Procedures.

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

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

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

In accordance with law, when the district receives a report of dating violence, a district official will immediately notify the parent of the alleged victim and alleged perpetrator.

The counselor's office has information about the dangers of dating violence and resources for seeking help.

For more information on dating violence, see:

- Texas Attorney General's office recognizing and responding to dating violence flier (https://www.texasattorneygeneral.gov/sites/default/files/files/child-support/papa/session%2010/recognizing-relationship-violence-en.pdf)
- Preventing Teen Dating Violence (https://www.cdc.gov/intimate-partner-violence/about/about-teen-dating-violence.html)

[See Consent to Instruction on Prevention of Child Abuse, Family Violence, Dating Violence, and Sex Trafficking]

**Discrimination**

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

**Harassment**

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

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

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

**Sexual Harassment and Sex-Based Harassment**

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

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

- Touching private body parts or coercing physical contact that is sexual in nature
- Sexual advances

- Jokes or conversations of a sexual nature
- Other sexually motivated conduct, communications, or contact

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

**Pregnancy or Related Conditions**

The district does not discriminate on the basis of pregnancy or a related condition.

Please contact the campus counselor for pregnancy-related accommodations.

**Retaliation**

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

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

**Reporting Procedures**

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

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

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

**Investigation of Report**

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

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

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

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

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

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

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

### Discrimination

[See Dating Violence, Discrimination, Harassment, and Retaliation (All Grade Levels)]

### Distance Learning (All Grade Levels)

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

The distance learning opportunities that the district makes available to district students are TxVSN and Edgenuity.

[See Remote Instruction]

### Virtual and Hybrid Instruction

A student has the option, with certain limitations, to enroll in virtual or hybrid instruction through virtual or hybrid courses offered by the district or by another district or school to earn course credit for graduation.

Depending on the virtual or hybrid course in which a student enrolls, the course may be subject to the "no pass, no play" rules. [See Extracurricular Activities, Clubs, and Organizations (All Grade Levels)] In addition, a student who enrolls in a virtual or hybrid

course for which an end-of-course (EOC) assessment is required must still take the corresponding EOC assessment.

A parent may ask questions or request that their child be enrolled in a virtual or hybrid course offered by the district by contacting the school counselor.

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

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

### School Materials

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

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

### Nonschool Materials

#### *From Students*

Students must obtain prior approval from principal before selling, posting, circulating, or distributing more than 10 copies of written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials that were not developed under the oversight of the school. To be considered, any nonschool material must include the name of the sponsoring person or organization. Approval will be granted or denied within two school days.

Each campus principal shall designate times, locations, and means by which nonschool literature that is appropriate for distribution, as provided in this policy, may be made available or distributed by students to students or others at the principal's campus. [See policy FNAA.]

The Superintendent or designee shall designate times, locations, and means for distribution of nonschool literature by students at District facilities other than school campuses, in accordance with this policy. [See policy FNAA.]

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

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

*From Others*

No person or group will sell, circulate, distribute, or post on any district premises written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials that is not sponsored by the district or by a district-affiliated school-support organization, except as permitted by policy GKDA.

To be considered for distribution, any nonschool material must meet the limitations on content established in the policy, include the name of the sponsoring person or organization, and be submitted to superintendent for prior review. The superintendent will approve or reject the materials within two school days of the time the materials are received. The requestor may appeal a rejection in accordance with the appropriate district complaint policy. [See policies DGBA or GF for more information.]

The one who approves the material will designate the location for approved nonschool materials to be placed for voluntary viewing or collection.

Prior review will not be required for:

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

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

## Dress and Grooming (All Grade Levels)

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

Students shall be dressed and groomed in a manner that is clean and neat and that will not be a health or safety hazard to themselves or others. The District prohibits any clothing or grooming that in the principal's judgement may reasonably be expected to cause disruption of or interference with normal school operations.

The District prohibits pictures, emblems, or writing on clothing that:

- Are lewd, offensive, vulgar, or obscene.
- Advertise or depict tobacco products, alcoholic beverages, drugs, or any other substance prohibited under FNCF (Legal).

If the principal determines that a student's grooming or clothing violates the school's dress code, the student will be given an opportunity to correct the problem at school and return to the classroom. If the problem cannot be corrected at school, the principal will work with the student and parent to obtain an acceptable change of clothing for the student in a way that minimizes loss of instructional time.

Repeated or severe offenses may result in more serious disciplinary action in accordance with the Student Code of Conduct.

The principal, in cooperation with the sponsor, coach, or other person in charge of an extracurricular activity, may regulate the dress and grooming of students who participate in the activity. Students who violate dress and grooming standards established for such an activity may be removed or excluded from the activity for a period determined by the principal or sponsor and may be subject to other disciplinary action, as specified in the Student Code of Conduct. [See FO series.]

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

### Safe Use of Technology

The district is committed to ensuring that students use technology safely and will follow all federal and state requirements to protect students from excessive data collection or materials that are considered harmful to minors. The district considers parents as partners in cybersecurity and online safety.

In accordance with state and federal law, the district will:

- Install a filter that blocks and prohibits pornographic or obscene materials or applications, including from unsolicited pop-ups, installations, and downloads, before transferring an electronic device to a student to be used for an educational purpose
- Block or filter students' internet access to pictures that are obscene, contain child pornography, or have been determined to be harmful to minors in accordance with the Children's Internet Protection Act (CIPA)
- Require direct and informed parental consent for a student's use of software, other than software excluded from the consent requirement by law [See Required State Assessments and Standardized Testing]
- Require direct and informed parental consent for a student's use of software that conducts mental health assessments or other assessments unrelated to education curricula that are intended to collect information about students [See Consent to Conduct a Psychological or Psychiatric Evaluation]

If you want to know more about partnering with the district regarding cybersecurity and online safety, or if you have complaints or concern about student use of electronic devices, please contact the campus principal.

[See Textbooks, Electronic Textbooks, Technological Equipment, and Other Instructional Materials (All Grade Levels)]

**Possession and Use of Personal Communications Devices, Including Cell Phones and Other Electronic Devices**

In accordance with state law, the district prohibits the use of a personal communication device (such as cell phones, tablets, and smartwatches) while on school property during the school day. For more information about permitted use in certain circumstances and disciplinary measures that apply to this prohibition, see the Student Code of Conduct and policy FNCE(LOCAL).

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

Students must keep a personal communication device powered off for the entirety of the school day while on school. When the school day begins, each student shall power off all personal communication devices and ensure their personal communication device(s) remains unused by securing the device(s) in the student's backpack or locker for the entirety of the school day; students found physically accessing the device are in violation of the policy. At the conclusion of the school day, subject to any other limitations contained in this policy, each student may begin using their personal communication devices.

If a student uses a personal communications device without authorization during the school day, the student will be disciplined according to the following:

The following are consequences for not following HB1481: Cell Phone Free Zone

1st offense Teacher takes device & turns it into the office.
    Student can pick up the device at the end of the school day.
    Student receives a warning.
2nd offense Teacher takes device & turns it into the office.
    Parent must pick up the device at the end of the school day.
    Student receives 1 day of lunch detention.
3rd offense Teacher takes device & turns into the office.
    Parent must pick up the device at the end of the school day.
    Student receives 3 days of lunch detention.
4th offense Teacher takes device & turns into the office.
    Parent must pick up the device at the end of the school day.
    Student receives 1 day of ISS/Loss of privilege of bringing a device to school.
5th offense Teacher takes device & turns into the office.
    Parent must pick up the device at the end of the school day.
    A discipline hearing is set up - Admin. discretion on additional ISS or DAEP.

*** Refusal to turn in the device to the teacher or administrator may result in loss of privilege to bring a device to school at any point. Additional consequences may be given.

*** Device refers to any communication device that is prohibited by state law.

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

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

The district is not responsible for damaged, lost, or stolen communications devices.

**Instructional Use of Personal Electronic Devices**

Students must obtain prior approval to use personal electronic devices allowed by law for instructional purposes while on campus. The district may not permit use of a prohibited personal communication device except as required by law. [See Possession and Use of Personal Communications Devices, Including Cell Phones and Other Electronic Devices] Students must also sign a user agreement that contains applicable rules for use (separate from this handbook).

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

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

The district is not responsible for damaged, lost, or stolen communications devices.

**Acceptable Use of District Technology Resources**

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

**Unacceptable and Inappropriate Use of Technology Resources**

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

Any person taking, disseminating, transferring, possessing, or sharing obscene, sexually oriented, lewd, or otherwise illegal images or other content — commonly referred to as "sexting" — will be disciplined in accordance with the Student Code of Conduct, may be required to complete an educational program related to the dangers of

this type of behavior, and, in certain circumstances, may be reported to law enforcement.

This type of behavior may constitute bullying or harassment, as well as impede future endeavors of a student. We encourage parents to review with their child the "Before You Text" Bullying and Sexting Course (https://txssc.txstate.edu/tools/courses/before-you-text/), a state-developed program that addresses the consequences of sexting.

In accordance with state law, the district prohibits the installation or use of TikTok (or any successor application or service) on a district device, along with any other social media application or service determined by the governor.

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

### End-of-Course (EOC) Assessments

[See Graduation (Secondary Grade Levels Only) and Standardized Testing]

### Emergent Bilingual Students (All Grade Levels)

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

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

The LPAC will also determine whether certain accommodations are necessary for any state-mandated assessments. The STAAR Spanish, as mentioned at Standardized Testing, may be administered to an emergent bilingual student up to grade 5. In limited circumstances, a student's LPAC may exempt the student from an otherwise required state-mandated assessment or may waive certain graduation requirements related to the English I end-of-course (EOC) assessment. The Texas English Language Proficiency Assessment System (TELPAS) will also be administered to emergent bilingual students who qualify for services.

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

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

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

### Parental Consent

State law requires the district to obtain written parental consent before a student may participate in a student club that is authorized or sponsored by the district. A parent may obtain consent forms for student clubs from the campus office.

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

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

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

[See UIL Texas (https://www.uiltexas.org/) for additional information on all UIL-governed activities.]

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

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

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

If a student is enrolled in a state-approved course that requires demonstration of the mastery of an essential knowledge and skills in public performance and the student receives a grade below 70 in any course at the end of the grading period, the student may participate in a performance so long as the general public is invited.

If a student is enrolled in a state-approved music course that participates in UIL Concert and Sight-Reading Evaluation, and the student receives a grade below 70 in any course at the end of a grading period, the student may perform with the ensemble during the UIL evaluation performance but is ineligible for other extracurricular activities for at least three weeks.

In addition, the following applies to all extracurricular activities:

- A student who receives special education services and who fails to meet the standards in the individualized education program (IEP) may not participate for at least three school weeks.
- An ineligible student may practice or rehearse but may not participate in any competitive activity.
- A student is allowed in a school year up to 10 absences not related to post-district competition, a maximum of 5 absences for post-district competition prior to state, and a maximum of 2 absences for state competition. All extracurricular activities and public performances, whether UIL activities or other activities approved by the board, are subject to these restrictions.
    - A maximum of 5 additional absences shall be permitted for district-level competition provided that the student has a grade point average of at least 80 in each.
- An absence for participation in an activity that has not been approved will be considered an unexcused absence.

**Standards of Behavior**

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

**Offices and Elections**

Certain clubs, organizations, and performing groups will hold elections for student officers. Please see campus principal for a list of these.

## Fees (All Grade Levels)

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

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

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

### Fundraising (All Grade Levels)

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

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

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

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

After grade 9, students are classified according to the number of credits earned toward graduation.

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

## Grading Guidelines (All Grade Levels)

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

- The minimum number of assignments, projects, and examinations required for each grading period
- How the student's mastery of concepts and achievement will be communicated (for example, letter grades, numerical averages, checklist of required skills, and the like)
- Circumstances under which a student will be allowed to redo an assignment or retake an examination the student originally failed
- Procedures for a student to follow after an absence
- Grading consequences for academic dishonesty, including cheating or copying the work of another student, plagiarism (including the unauthorized use of artificial intelligence (AI) such as ChatGPT), and unauthorized communication between students during an examination

[See Report Cards/Progress Reports and Conferences (All Grade Levels) for additional information on grading guidelines.]

## Graduation (Secondary Grade Levels Only)

### Requirements for a Diploma

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

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

- Demonstrate proficiency, as determined by the district, in the specific communication skills required by the State Board of Education (SBOE)
- Complete and submit a free application for federal student aid (FAFSA) or a Texas application for state financial aid (TASFA)

**Testing Requirements for Graduation**

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

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

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

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

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

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

[See Standardized Testing]

***Foundation Graduation Program***

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

- Science, Technology, Engineering, and Mathematics (STEM)
- Business and Industry
- Public Service
- Arts and Humanities
- Multidisciplinary Studies

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

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

Personal Graduation Plans will be completed for each high school student.

State law generally prohibits a student from graduating solely under the foundation graduation program without an endorsement. However, after the student’s sophomore year, the student and student’s parent may request that the student graduate without an endorsement. The district will advise the student and the student’s parent of the specific benefits of graduating with an endorsement. The student and the student’s parent must then submit written permission to the school counselor for the student to graduate without an endorsement.

A student who wishes to attend a four-year university or college after graduation must carefully consider whether graduation under the foundation program without an endorsement will satisfy the admission requirements of the student’s desired college or university.

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

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

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

### *Credits Required*

The foundation graduation program requires completion of the following credits:

| Course Area | Number of Credits: Foundation Graduation Program | Number of Credits: Foundation Graduation Program with an Endorsement |
|---|---|---|

| | | |
|---|---|---|
| English/Language Arts | 4 | 4 |
| Mathematics | 3 | 4 |
| Science | 3 | 4 |
| Social Studies | 3 | 3 |
| Physical Education | 1 | 1 |
| Languages other than English | 2 | 2 |
| Fine Arts | 1 | 1 |
| Electives | 5 | 7 |
| **Total** | **22 credits** | **26 credits** |

Additional considerations apply in some course areas, including:

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

***Available Endorsements***

A student must specify which endorsement to pursue upon entering grade 9.

### *Financial Aid Application Requirement*

Before graduating from high school, each student must complete and submit an application for financial aid for post-secondary education. Students must complete and submit either a free application for federal student aid (FAFSA) or a Texas application for state financial aid (TASFA).

MWISD counselors are prepared to assist all students and families applying for FAFSA/TASFA. A FAFSA night is provided each year to help parents and students with completing the appropriate forms. If you need additional assistance, please contact Mineral Wells High School at (940) 325-4408 and someone will provide one on one assistance.

A student is not required to complete and submit a FAFSA or TASFA if:

- The student's parent submits a form provided by the district indicating that the parent authorizes the student to opt out
- A student who is 18 years of age or older or a legally independent minor submits a form provided by the district indicating that the student opts out
- A school counselor authorizes the student to opt out for good cause

Please contact the school counselor for more information.

To confirm that a student has completed and submitted a FAFSA or TASFA, the student must submit one of the following:

- A screenshot that includes the processed date field of the FAFSA ApplyTexas Counselor Suite
- Notification, such as a copy of an email, from the United States Department of Education verifying completion of the FAFSA
- A copy or screenshot of the FAFSA acknowledgment page
- A screenshot of the TASFA submission acknowledgment page (from those institutions that offer an electronic form)
- An acknowledgment receipt from an institution of higher education (IHE)
- A copy of a financial aid award letter from an IHE

### *Personal Graduation Plans*

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

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

The school will review personal graduation plan options with each student entering grade 9 and the student's parent. Before the end of grade 9, a student and their parent will be required to sign off on a personal graduation plan that promotes college and

workforce readiness, promotes career placement and advancement, and facilitates the transition from secondary to postsecondary education.

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

Please review TEA's Graduation Toolkit (https://tea.texas.gov/about-tea/news-and-multimedia/brochures/tea-brochures).

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

### Available Course Options for All Graduation Programs

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

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

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

### Certificates of Coursework Completion

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

### Students with Disabilities

Admission, review, and dismissal (ARD) committees will make instructional and assessment decisions for students with disabilities who receive special education services in accordance with state law.

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

A student who receives special education services may earn the distinguished level of achievement or an endorsement under the foundation program. If the student's curriculum requirements for the endorsement were modified, the student's ARD committee will determine whether the modified curriculum is sufficiently rigorous to earn the distinguished level of achievement or endorsement. The ARD committee must also

determine whether the student must perform satisfactorily on any end-of-course assessment to earn an endorsement.

A student who receives special education services and has completed four years of high school but has not met the requirements of their IEP may participate in graduation ceremonies and receive a certificate of attendance. The student may then remain enrolled to complete the IEP and earn a high school diploma but will only be allowed to participate in one graduation ceremony.

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

**Graduation Activities**

Graduation activities will include:

- Baccalaureate
- Graduation Ceremonies

Students who are eligible to graduate but are assigned to a disciplinary alternative education program at the end of the school year ***will not*** be allowed to participate in the graduation ceremony and related graduation activities.

State and local requirements must be met before a student is eligible to participate in the graduation ceremony.

Students shall also have all attendance requirements successfully completed and any fines and debts paid before participating in graduation.

**Graduation Speakers**

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

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

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

[See Student Speakers (All Grade Levels) for student speakers at other school events.]

**Graduation Expenses**

Because students and parents will incur expenses to participate in the traditions of graduation — such as the purchase of invitations, senior ring, cap and gown, and senior picture — both the student and parent should monitor progress toward completion of all requirements for graduation. The expenses often are incurred in the junior year or first semester of the senior year. [See Fees (All Grade Levels)]

### Scholarships and Grants

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

[See College and University Admissions and Financial Aid (All Grade Levels) for more information.]

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

## Harassment

[See Dating Violence, Discrimination, Harassment, and Retaliation (All Grade Levels)]

## Hazing (All Grade Levels)

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

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

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

[See Bullying (All Grade Levels) and policies FFI and FNCC for more information.]

## Health — Physical and Mental

### Health-Related Services

The district is required to provide notice of each health-related service offered at a student's campus. A parent may withhold consent for or decline a health-related service.

### Illness (All Grade Levels)

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

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

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

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

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

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

### Immunization (All Grade Levels)

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

For exemptions based on reasons of conscience, only official forms issued by the Texas Department of State Health Services (DSHS), Immunization Branch, can be honored by the district. You may access the DSHS exemption form (https://www.dshs.texas.gov/immunization-unit/texas-school-child-care-facility-immunization/texas-immunization-exemptions) online or by writing to this address:

Texas Department of State Health Services
Immunization Section, Mail Code 1946
P.O. Box 149347
Austin, Texas 78714-9347

The form must be notarized and submitted to the principal or school nurse within 90 days of notarization. If the parent is seeking an exemption for more than one student in the family, a separate form must be provided for each student.

The immunizations required are:

- Diphtheria, tetanus, and pertussis
- Polio
- Measles, mumps, and rubella
- Hepatitis B
- Varicella (chicken pox)
- Meningococcal
- Hepatitis A

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

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

For information on immunization against bacterial meningitis and college enrollment and attendance, see Bacterial Meningitis (All Grade Levels).

[See the DSHS's School and Childcare Vaccine Requirements (https://www.dshs.texas.gov/immunizations/school) and policy FFAB(LEGAL) for more information.]

**Lice (All Grade Levels)**

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

The district does not require or recommend that students be removed from school because of lice or nits.

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

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

More information on head lice is available on the DSHS website Managing Head Lice in School Settings and at Home (https://www.dshs.texas.gov/texas-school-health/skilled-procedures-texas-school-health/managing-head-lice-school) and the Centers for Disease Control and Prevention's website About Head Lice (https://www.cdc.gov/lice/about/head-lice.html).

[See policy FFAA for more information.]

**Medicine at School (All Grade Levels)**

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

The district will not purchase nonprescription medication to give to a student.

In accordance with policy FFAC, authorized employees may administer:

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

An elementary or secondary student may possess and self-apply sunscreen to avoid overexposure to the sun. An elementary student's teacher or other district personnel will apply sunscreen to the student's exposed skin if the student brings the sunscreen to school and asks for help applying it. If a secondary student needs assistance with sunscreen application, please address the need with the school nurse.

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

**Asthma and Severe Allergic Reactions**

A student with asthma or severe allergic reaction (anaphylaxis) may possess and use prescribed asthma or anaphylaxis medication at school or school-related events only if

they have written authorization from a parent and a physician or other licensed health-care provider. The student must also demonstrate to their health-care provider and the school nurse the ability to use the prescribed medication, including any device required to administer the medication.

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

[See also Food Allergies (All Grade Levels)]

**Unassigned Epinephrine Delivery Systems**

In accordance with Chapter 38, Subchapter E of the Education Code, the board has adopted a policy to allow authorized *school personnel* who have been adequately trained to administer an unassigned epinephrine auto-injector to a person who is reasonably believed to be experiencing a severe allergic reaction (anaphylaxis).

An “unassigned epinephrine auto-injector” is an epinephrine auto-injector prescribed by an authorized health-care provider in the name of the school issued with a non-patient-specific standing delegation order for the administration of an epinephrine auto-injector.

Epinephrine auto-injectors include brand-name devices such as EpiPens®.

Authorized and trained individuals may administer an epinephrine auto-injector at any time to a person experiencing anaphylaxis on a school campus.

The district will ensure that at each campus a sufficient number of *school personnel* are trained to administer epinephrine so that at least one trained individual is present on campus during regular school hours and whenever school personnel are physically on site for school-sponsored activities.

Authorized and trained individuals may administer an unassigned epinephrine delivery system to a person experiencing anaphylaxis at an off-campus school event or while in transit to or from a school event when an unassigned epinephrine delivery system is available.

For additional information, see FFAC(LOCAL).

**Unassigned Opioid Antagonists**

In accordance with Chapter 38, Subchapter E of the Education Code, the board has adopted a policy to allow authorized and trained ***[align with policy at FFAC:*** school personnel and/or school volunteers***]*** at each campus to administer an opioid antagonist, such as Narcan or Naloxone, to an individual who is reasonably believed to be experiencing an opioid-related drug overdose.

One or more authorized and trained individuals will be present on each campus subject to this policy during regular school hours.

**Steroids (Secondary Grade Levels Only)**

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

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

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

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

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

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

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

If you have questions or concerns about your child's mental health, contact your child's school counselor or the district mental health counselor and ask for information about District and community resources.

State-wide and national informational resources include the following:

- National Institute of Mental Health (NIMH).
- National Alliance on Mental Illness (NAMI), 512-693-2000; 1-800-633-3760.

- American Foundation for Suicide Prevention; crisis line: 1-800-273-TALK (8255); crisis text line: Text “TALK” to 741741; information line: 1-888-333-AFSP (2377).

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

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

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

For related information, see:

- Consent to Conduct a Psychological or Psychiatric Evaluation and Consent to Provide a Mental Health Care Service for the district’s procedures for recommending a mental health intervention and the mental health liaison’s contact information
- Counseling for the district’s comprehensive school counseling program
- Physical and Mental Health Resources (All Grade Levels) for campus and community mental and physical health resources
- Policies and Procedures that Promote Student Physical and Mental Health (All Grade Levels) for board-adopted policies and administrative procedures that promote student health

**Physical Activity Requirements**

*Elementary School*

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

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

*Junior High/Middle School*

The district will ensure that students in middle or junior high school will engage in 30 minutes of moderate or vigorous physical activity per day for at least four semesters, in accordance with policies at EHAB, EHAC, EHBG, and FFA.

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

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

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

## Physical Fitness Assessment (Grades 3-12)

Annually, the district will conduct a physical fitness assessment of students in grades 3-12 who are enrolled in a physical education course or a course for which physical education credit is awarded. At the end of the school year, a parent may submit a written request to obtain the results of their child's physical fitness assessment conducted during the school year by contacting the campus principal.

## Physical Health Screenings/Examinations

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

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

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

This examination is required in the first year of middle school competition and the first and third years of high school competition. During the alternate years, the student must complete a medical appraisal form, and the results of this appraisal may prompt the district to require a physical examination.

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

See the UIL's explanation of sudden cardiac arrest (https://www.uiltexas.org/health/info/sudden-cardiac-death) for more information.

### *Spinal Screening Program*

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

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

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

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

Students are required to undergo a risk assessment for Type 2 diabetes at the same time the district screens students for hearing and vision issues or for abnormal spinal curvatures.

[See policy FFAA for more information.]

## Special Health Concerns (All Grade Levels)

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

Please see the district's website at Bacterial Meningitis (https://dshs.texas.gov/immunize/school/Meningitis-Information-for-Students---Parents.doc?terms=bacterial%20meningitis) for information regarding meningitis.

**Note:** Entering college students must show, with limited exception, evidence of receiving a bacterial meningitis vaccination within the five-year period prior to enrolling in and taking courses at an institution of higher education. Please see the school nurse for more information, as this may affect a student who wishes to enroll in a dual credit course taken off campus.

[See Immunization (All Grade Levels)]

### *Diabetes*

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

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

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

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

Allergies and Anaphylaxis website (https://www.dshs.texas.gov/texas-school-health/allergies-anaphylaxis)

When the district receives information that a student has a food allergy that puts the student at risk for anaphylaxis, an individual care plan will be developed to assist the student in safely accessing the school environment. The district's food allergy management plan can be accessed at Food Allergy Disability Substitution Request Form or by calling David Wells at 940-325-6404.

The district has developed and annually reviews a food allergy management plan, which addresses employee training, dealing with common food allergens, and specific strategies for dealing with students diagnosed with severe food allergies. When the district receives information that a student has a food allergy that puts the student at risk for anaphylaxis, individual care plans will be developed to assist the student in safely accessing the school environment.

The following notification is to inform parents of the use of Stock Epinephrine Auto-Injectors in the school setting: For cases of unexpected anaphylaxis during school hours and during on-campus school sponsored activities, Stock Epinephrine Auto-Injectors along with standing orders from an advising physician may be used.

It is important to note that Stock Epinephrine Auto-Injectors will not always be available on the campus. Parents of students with known life-threatening anaphylaxis must provide the school with all necessary medications and forms for implementing the student specific order on an annual basis. Stock Epinephrine Auto-Injectors are not intended to replace student specific orders or parent provided individual medications.

DSHS link to allergy and anaphylaxis – https://www.dshs.texas.gov/schoolhealth/pdf/FoodAllergyGuide.pdf

[See Celebrations (All Grade Levels) and policy FFAF for more information.]

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

To address the care of a student with a seizure disorder while at school or participating in a school activity, a parent may submit a seizure management and treatment plan to the district before the beginning of the school year, upon enrollment of the student, or as soon as practicable following diagnosis of a seizure disorder. A parent who submits a plan must use the Seizure Management and Treatment Plan Form (https://tea.texas.gov/academics/tea-seizure-management-form.pdf) developed by the Texas Education Agency.

[See A Student with Physical or Mental Impairments Protected under Section 504 and contact the school nurse for more information.]

**Tobacco, E-Cigarettes, and Nicotine Products Prohibited (All Grade Levels)**

Students are prohibited from possessing or using any type of tobacco product, electronic cigarette (e-cigarette), or any other electronic vaporizing device while on school property or while attending an off-campus school-related activity.

The district and its staff strictly enforce prohibitions against the use of all tobacco products, e-cigarettes, or any other electronic vaporizing device by students and all others on school property and at school-sponsored and school-related activities. [See the Student Code of Conduct and policies FNCD and GKA for more information.]

## Health-Related Resources, Policies, and Procedures

### Physical and Mental Health Resources (All Grade Levels)

Parents and students in need of assistance with physical and mental health concerns may contact the following campus and community resources:

The full-time nurse:

**Mineral Wells HS**
Renea Brown
3801 Ram Blvd
Mineral Wells, TX 76067
hbrown@mwisd.net
(940) 325-4408

**Mineral Wells Junior High**
Lindy Cabrera
1301 SE 14th Ave
Mineral Wells, TX 76067
lcabrera@mwisd.net
(940) 325-0711

**Travis Elementary School**
Teri Seitz
1001 SE MLK, Jr. St.
Mineral Wells, TX 76067
tseitz@mwisd.net
(940) 325-7801

**Houston Elementary School**
Tara Lee
300 SW 13th St.
Mineral Wells, TX 76067
tsimmons@mwisd.net
(940)325-3427

**Lamar Elementary School**
Renee Benavides
2012 SE 12th St.
Mineral Wells, TX 76067
rbenavides2@mwisd.net

(940)325-5305

- The campus full-time school counselor:

**Mineral Wells HS**
Kimberly Lund klund@mwisd.net CCMR & Lead Counselor
Angela Cook acook@mwisd.net
Jilleen Kesler jkesler@mwisd.net
3801 Ram Blvd
Mineral Wells, TX 76067
(940) 325-4408

**Mineral Wells Junior High**
Katie Kea
1301 SE 14th Ave
Mineral Wells, TX 76067
kkea@mwisd.net
(940) 325-0711

**Travis Elementary School**
Jolene Williams
1001 SE MLK, Jr. St.
Mineral Wells, TX 76067
jolenew@mwisd.net
(940) 325-7801

**Houston Elementary School**
Tymmie Boyd
300 SW 13th St.
Mineral Wells, TX 76067
tboyd@mwisd.net
(940)325-3427

**Lamar Elementary School**
Rebecca Holliday
2012 SE 12th St.
Mineral Wells, TX 76067
rholliday@mwisd.net

The local public health authority, The City of Mineral Wells Public Health Department, which may be contacted at 940-325-7844.

**Policies and Procedures that Promote Student Physical and Mental Health (All Grade Levels)**

The district has adopted board policies that promote student physical and mental health. Local policies on the topics below can be found in the district's policy manual, available at the central administration office and online at www.mwisd.net.

- Food and nutrition management: CO, COA, COB
- Wellness and Health Services: FFA
- Physical Examinations: FFAA
- Immunizations: FFAB
- Medical Treatment: FFAC
- Communicable Diseases: FFAD
- School-Based Health Centers: FFAE
- Care Plans: FFAF
- Crisis Intervention: FFB
- Trauma-informed Care: FFBA
- Student Support Services: FFC
- Student Safety: FFF
- Child Abuse and Neglect: FFG
- Freedom from Discrimination, Harassment, and Retaliation: the FFH series of policies
- Freedom from Bullying: FFI

In addition, the District Improvement Plan details the district's strategies to improve student performance through evidence-based practices that address physical and mental health. Plan

The district has developed administrative procedures as necessary to implement the above policies and plans.

For more information about these procedures and access to the District Improvement Plan, please contact:

Lindsey Wells
Director of Curriculum
906 SW 5th Ave, Mineral Wells, TX 76067
lwells@mwisd.net
(940) 325-6404

**School Health Advisory Council (SHAC) (All Grade Levels)**

During the preceding school year, the district's School Health Advisory Council (SHAC) held two (2) meetings. Additional information about the district's SHAC is available from the Teri Seitz, MWISD Lead Nurse at (940)325-7801.

Notification of upcoming SHAC meetings will be posted at each campus administrative office at least 72 hours before the meeting. Notification of upcoming SHAC meetings,

meeting minutes, and a recording of each meeting will be posted on the district website at www.mwisd.net.

[See Consent to Human Sexuality Instruction, Consent to Instruction on Prevention of Child Abuse, Family Violence, Dating Violence, and Sex Trafficking, and policies BDF and EHAA for more information.]

### Student Wellness Policy/Wellness Plan (All Grade Levels)

To encourage healthy habits in our students, the district has developed a board-adopted wellness policy at FFA(LOCAL) and corresponding plans and procedures to implement it. For questions about the content or implementation of the district's wellness policy and plan, please contact:

Teri Seitz
1001 SE MLK, Jr. St.
Mineral Wells, TX 76067
tseitz@mwisd.net
(940) 325-7801

## Homework (All Grade Levels)

### What a Parent Can Do to Help

- Be aware of the homework policy
- Be positive toward homework
- Provide a quiet, well-lighted area to complete homework
- Establish a definite time for homework
- Read to children regularly
- Refrain from doing the child's homework
- Inform teachers of any concerns about homework as they arise

### Student Responsibilities

- Seek immediate help from teachers if work is not understood
- Complete and return all homework on time
- Read nightly for pleasure
- Establish a realistic time schedule for long term assignments
- Do homework on your own and to the **BEST** of your ability

See campus appendices for more information.

## Law Enforcement Agencies (All Grade Levels)

### Questioning of Students

When law enforcement officers or other lawful authorities wish to question or interview a student at school, the principal will cooperate fully regarding the conditions of the interview, including without parental consent, if necessary, if it is part of a child abuse investigation. In other circumstances, the principal will:

- Verify and record the identity of the officer or other authority and ask for an explanation of the need to question the student at school

- Ordinarily make reasonable efforts to notify the parents, unless the interviewer raises what the principal considers to be a valid objection
- Ordinarily be present for the questioning or interview, unless the interviewer raises what the principal considers to be a valid objection

**Students Taken into Custody**

State law requires the district to permit a student to be taken into legal custody:

- To comply with an order of the juvenile court
- To comply with the laws of arrest
- By a law enforcement officer if there is probable cause to believe the student has engaged in delinquent conduct or conduct in need of supervision
- By a law enforcement officer to obtain fingerprints or photographs for comparison in an investigation
- By a law enforcement officer to obtain fingerprints or photographs to establish a student's identity where the child may have engaged in conduct indicating a need for supervision, such as running away
- By a probation officer if there is probable cause to believe the student has violated a condition of probation imposed by the juvenile court
- By an authorized representative of Child Protective Services (CPS), Texas Department of Family and Protective Services (DFPS), a law enforcement officer, or a juvenile probation officer, without a court order, under the conditions set out in the Family Code relating to the student's physical health or safety
- To comply with a properly issued directive from a juvenile court to take a student into custody

Before a student is released to a legally authorized person, the principal will verify the person's identity and, to the best of their ability, will verify the person's authority to take custody of the student.

The principal will immediately notify the superintendent and will attempt to notify the parent, unless the legally authorized person raises what the principal considers to be a valid objection to notifying the parents. Because the principal does not have the authority to prevent or delay a student's release to a legally authorized person, any notification will most likely be after the fact.

**Notification of Law Violations**

The district is required by state law to notify:

- All instructional and support personnel who have responsibility for supervising a student who has been taken into custody, arrested, or referred to the juvenile court for any felony offense or for certain misdemeanors.
- All instructional and support personnel who have regular contact with a student who has been convicted, received deferred prosecution, received deferred adjudication, or was adjudicated for delinquent conduct for any felony offense or certain misdemeanors that occur in school, on school property, or at a

school-sponsored or school-related activity on or off school property. These personnel will also be notified if the principal has reasonable grounds to believe the student has engaged in certain conduct.

- All appropriate district personnel regarding a student who is required to register as a sex offender.

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

### Leaving Campus (All Grade Levels)

Student attendance is crucial. Appointments should be scheduled outside of school hours if possible. Except for extenuating circumstances, students will not regularly be released before the end of the school day.

Parental consent is required before any student leaves campus for any part of the school day.

For students in elementary and middle school, a parent or authorized adult must come to the office and show identification to sign the student out. A campus representative will ask the student to report to the office. For safety purposes and stability of the learning environment, we cannot allow any unescorted adult to go to the classroom or other area to pick up the student. If the student returns to campus the same day, the parent or authorized adult must sign the student back in through the main office upon the student's return. Documentation regarding the reason for the absence will also be required.

The same process applies to students in high school if a parent picks the student up from campus. If the student's parent authorizes the student to leave campus unaccompanied, the parent must submit a note to the main office at least two hours before the student needs to leave campus. A phone call from the parent may be accepted, but the school may ultimately require a note for documentation purposes. The student must sign out through the main office and sign in upon return if the student returns the same day.

If a student becomes ill during the school day and the school nurse or other district personnel determines that the student should go home, the nurse will contact the student's parent and document the parent's wishes regarding release from school.

Unless the parent directs district personnel to release the student unaccompanied, the parent or other authorized adult must follow the sign-out procedures listed above. If a student is permitted by their parent to leave campus unaccompanied, the nurse will document the time of day the student was released. Under no circumstances will a student in elementary or middle school be released unaccompanied.

If a student is 18 years of age or is an emancipated minor, the student may sign out of school. Documentation regarding the reason for the absence will be required.

### During Lunch

All campuses in MWISD are closed campuses and no students are allowed to leave during lunch without a parent.

### At Any Other Time During the School Day

Students are not authorized to leave campus during regular school hours for any other reason, except with the permission of the principal.

Students who leave campus in violation of these rules will be subject to disciplinary action in accordance with the Student Code of Conduct.

## Lost and Found (All Grade Levels)

A lost and found collection box is located in the campus office. A student who loses an item should check the lost and found box. The district discourages bringing personal items of high monetary value to school, as the district is not responsible for lost or stolen items. The campus will dispose of lost and found items at the end of each semester.

## Makeup Work

### Makeup Work Because of Absence (All Grade Levels)

A teacher may assign makeup work to a student who misses class based on instructional objectives and the needs of the student in mastering the essential knowledge and skills or meeting subject or course requirements.

The student will be responsible for obtaining and completing the makeup work within the time specified by the teacher. A student who does not make up assigned work within the time allotted by the teacher will receive a grade of zero for the assignment.

The student is encouraged to speak with the teacher if the student knows of an absence ahead of time so that the teacher and student may plan any makeup work. Please remember the importance of student attendance at school. With limited exceptions, all absences count for the 90 percent threshold set in state law regarding attendance for credit or final grade. [See Attendance for Credit or Final Grade (All Grade Levels)]

A student involved in an extracurricular activity must notify teachers ahead of time about any absences.

A student will be permitted to make up tests and turn in projects due in any class missed because of absence. Teachers may assign a late penalty to any long-term project in accordance with timelines approved by the principal and previously communicated to students.

### DAEP Makeup Work

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

The teacher and student will work together and focus on mastering the course content.

*Grades 9-12*

If a high school student is enrolled in a foundation curriculum course at the time of removal to a disciplinary alternative education program (DAEP), the student will have an opportunity to complete the course before the beginning of the next school year. The district may provide the opportunity to complete the course through an alternative method, including a correspondence course, another distance learning option, or summer school. The district will not charge the student for any method of completion provided by the district. [See policy FOCA(LEGAL) for more information.]

### In-School Suspension (ISS) and Out-of-School Suspension (OSS) Makeup Work (All Grade Levels)

*Alternative Means to Receive Coursework*

While a student is in ISS or OSS, the district will provide the student with all course work for the student's foundation curriculum classes that the student misses as a result of the suspension.

*Opportunity to Complete Courses*

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

### Nondiscrimination Statement (All Grade Levels)

In its efforts to promote nondiscrimination and as required by law, the district does not discriminate on the basis of race, religion, color, national origin, gender, sex, age, disability, or any other basis prohibited by law in providing education services, activities, and programs, including Career and Technical Education (CTE) programs. The district provides equal access to the Boy Scouts and other designated youth groups.

In accordance with Title IX, the district does not and is required not to discriminate on the basis of sex and prohibits sex discrimination in its educational programs or activities. The requirement not to discriminate extends to employment. Inquiries about the application of Title IX may be referred to the district's Title IX Coordinator (see below), to the U.S. Department of Education's Office for Civil Rights, or both.

Other federal laws that prohibit discrimination include Title VI, Section 504, the Age Discrimination Act, the Boy Scouts Act, and Title II.

The district's nondiscrimination policy and grievance procedures are in the FFH series of policies in the district's policy manual, available at www,.mwisd.net.

The district has designated and authorized the following employee as the Title IX Coordinator to address concerns or inquiries regarding discrimination on the basis of sex, including sexual harassment, sexual assault, dating violence, domestic violence, stalking, or sex-based harassment:

Natalie Griffin
Assistant Superintendent – Human Resources
906 SW 5th Ave, Mineral Wells, TX 76067
ngriffin@mwisd.net
(940) 325-6404
Reports can be made at any time and by any person, including during non-business hours, by mail, phone, or email. During district business hours, reports may also be made in person. Upon the district receiving notice or an allegation of sex-based harassment, the Title IX Coordinator will promptly respond in accordance with the process described in the FFH series of policies.

The following district representatives have been designated to address concerns or inquiries about other kinds of discrimination:

- For concerns regarding discrimination on the basis of disability, see the ADA/Section 504 Coordinator:

*Kendra Fowler*
*Director of Special Education*
*906 SW 5th Ave, Mineral Wells, TX 76067*
kfowler@mwisd.net
*(940) 325-6404*

*Amber Moore*
*504 Coordinator*
*906 SW 5th Ave, Mineral Wells, TX 76067*
amoore@mwisd.net
*(940) 325-6404*

- For all other concerns regarding discrimination, see:

David Tarver
Superintendent
906 SW 5th Ave, Mineral Wells, TX 76067
dtarver@mwisd.net
(940) 325-6404

[See policies at FB, the FFH series, and GKD for more information.]

## Nontraditional Academic Programs (All Grade Levels)

### Mineral Wells Academy

Mineral Wells Academy is an alternative-by-choice campus which offers at risk student in grades 9-12 an alternate route to graduation in Mineral Wells ISD. The Mineral Wells Academy requires no additional credits beyond those mandates by the state for graduation. For information regarding entrance requirements, please contact Stefany Johnston at (940) 325-4408.

### Optional Flexible School Day

Optional Flexible School Day is a program that is approved by the commissioner to provide flexible hours and days of attendance for eligible students. Students may attend on a fixed or flexible schedule that does not meet the traditional 75,600 minutes, 5-days-per-week instruction. For information regarding eligibility and entrance requirements, please contact Shanna Spillers at (940) 325-4408.

## Parent and Family Engagement (All Grade Levels)

### Parental Rights and Options

State law provides that a parent has the right to direct the moral and religious training of the parent's child, make decisions concerning the child's education, and consent to medical, psychiatric, and psychological treatment of the child without obstruction or interference from a governmental entity of Texas, including a school district.

In addition to referring to the rights of parents, including the right to withhold consent for or exempt the parent's child from certain activities and instruction specified throughout this handbook, parents may access additional information regarding parental rights at the district's website at: www.mwisd.net. (Coming soon.)

### Working Together

Experience and research tell us that a child succeeds in education with good communication and a strong partnership between home and school. A parent's involvement and engagement in this partnership may include:

- Encouraging your child to put a high priority on education and working with your child every day to make the most of the educational opportunities the school provides.
- Ensuring that your child completes all homework assignments and special projects and comes to school each day prepared, rested, and ready to learn.
- Becoming familiar with all your child's school activities and with the academic programs, including special programs, offered in the district.
- Discussing with the school counselor or principal any questions you may have about the options and opportunities available to your child.
- Reviewing the requirements and options for graduation with your child in middle school and again while your child is enrolled in high school.
- Monitoring your child's academic progress and contacting teachers as needed. [See Academic Counseling]
- Attending scheduled conferences and requesting additional conferences as needed. The district will provide at least two opportunities for in-person conferences during each school year for each parent of a child enrolled in the district with the child's teachers. To schedule a telephone or in-person conference with a teacher, school counselor, or principal, please call the school office for an appointment. The teacher will usually return your call or meet with

you during their conference period or before or after school. [See Report Cards/Progress Reports and Conferences (All Grade Levels)]

- Becoming a school volunteer. [See Volunteers (All Grade Levels) and policy GKG for more information.]
- Participating in campus parent organizations
- Serving as a parent representative on the district-level or campus-level planning committees that develop educational goals and plans to improve student achievement. For more information, see policies BQA and BQB and contact:

  *Lindsey Wells*
  *Director of Curriculum*
  *906 SW 5th Ave, Mineral Wells, TX 76067*
  *lwells@mwisd.net*
  *(940) 325-6404*

- Serving on the School Health Advisory Council (SHAC) and assisting the district in aligning local community values with health education instruction, human sexuality instruction, instruction on prevention of child abuse, family violence, dating violence, and sex trafficking, and other wellness issues. [See School Health Advisory Council (SHAC) (All Grade Levels) and policies BDF, EHAA, FFA for more information.]
- Being aware of the school's ongoing bullying and harassment prevention efforts.
- Contacting school officials if you are concerned with your child's emotional or mental well-being.

- Attending board meetings to learn more about district operations. Regular board meetings are held on the 2nd Monday of the month at 7:00 p.m. at the District Services Center at 906 SW 5th Ave. Mineral Wells, TX 76067. An agenda for the regular or special meeting is posted no later that 72 hours before each meeting at this same address and online at www.mwisd.net. [See policies at BE and BED for more information.]

## Parking and Parking Permits (Secondary Grade Levels Only)

A student must present a valid driver's license and proof of insurance to be eligible for a parking permit.

Students must request a parking permit and pay a fee of $15 to park in a school parking lot. So long as space is available, parking permits may be issued throughout the year.

Students will not be permitted to:

- Speed
- Double-park
- Park across a white or yellow line
- Park in a fire lane
- Sit in parked cars during school hours

Students may be subject to disciplinary action for violation of these rules. The district may tow cars that are parked in violation of these rules.

### Pledges of Allegiance and a Minute of Silence (All Grade Levels)

Each school day, students will recite the Pledge of Allegiance to the U.S. flag and the Pledge of Allegiance to the Texas flag. Parents may submit a written request to the principal to excuse their child from reciting a pledge. [See Reciting the Pledges to the U.S. and Texas Flags]

State law requires that one minute of silence follow recitation of the pledges. Each student may choose to reflect, pray, meditate, or engage in any other silent activity during that minute so long as the silent activity does not interfere with or distract others.

In addition, state law requires that each campus provide for the observance of one minute of silence in remembrance of those who lost their lives on September 11, 2001, at the beginning of the first class period when September 11 falls on a regular school day.

[See policy EC for more information.]

### Prayer (All Grade Levels)

Each student has a right to pray individually, voluntarily, and silently or to meditate in school in a manner that does not disrupt school activities. The school will not encourage, require, or coerce a student to engage in or refrain from such prayer or meditation during any school activity.

### Promotion and Retention

A student will be promoted only on the basis of academic achievement or proficiency. In making promotion decisions, the district will consider the following:

- Teacher recommendation
- Grades
- Scores on criterion-referenced or state-mandated assessments
- Any other necessary academic information as determined by the district

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

In grades 1-3, promotion to the next grade level shall be based on an overall average of 70 or above on a scale of 100 based on course-level, grade-level standards (essential knowledge and skills) for the following subject areas: language arts, reading, mathematics, science, and social studies.

In grades 4-8, promotion to the next grade level shall be based on a passing score on the applicable exit-level examination or an overall average of 70 or above on a scale of 100 based on course-level, grade-level standards (essential knowledge and skills) for the following subject areas: language arts, mathematics, science, and social studies.

### Repeating Prekindergarten — Grade 8 at Parent Request

A parent may request in writing that a student repeat: prekindergarten, kindergarten, or any grade in grade 1-8. Before granting the request, the district may convene a retention committee to meet and discuss the request and will invite the parent to participate.

### High School Grade Levels

To earn credit in a course, a student must receive a grade of at least 70 based on course-level standards.

A student in grades 9-12 will be advanced a grade level based on the number of course credits earned. [See Grade-Level Classification (Grades 9-12 Only)]

### Repeating a High-School Credit Course

A parent may request in writing that a student repeat a high-school credit course in which the student was enrolled during the previous school year unless the district determines that the student has met all requirements for graduation.

Before granting the request, the district may convene a retention committee to meet and discuss the request and will invite the parent to participate.

Only the student's first passing grade will be included in the calculation of class ranking.

## Release of Students from School

[See Leaving Campus (All Grade Levels)]

## Remote Instruction

The district may offer remote instruction in accordance with TEA guidelines.

All district policies, procedures, guidelines, rules, and other expectations of student behavior will be enforced as applicable in a remote or virtual learning environment.

## Report Cards/Progress Reports and Conferences (All Grade Levels)

Report cards with each student's performance and absences in each class or subject are issued at least once every 9 weeks.

At the end of the first three weeks of a grading period , parents will receive a progress report if their child's performance in any course/subject area is near or below 70 or is below the expected level of performance. If a student receives a grade lower than 70 in any class or subject at the end of a grading period, the parent will be asked to schedule a conference with the teacher. [See Working Together for how to schedule a conference.]

Teachers follow grading guidelines that have been approved by the principal pursuant to the board-adopted policy. Grading guidelines are designed to reflect each student's relative mastery of each assignment. State law provides that a test or course grade issued by a teacher cannot be changed unless the board determines that the grade was

arbitrary or contains an error, or that the teacher did not follow the district's grading policy. [See Grading Guidelines (All Grade Levels) and policy EIA(LOCAL) for more information.]

Questions about grade calculation should first be discussed with the teacher. If the question is not resolved, the student or parent may request a conference with the principal in accordance with FNG(LOCAL).

The report card or unsatisfactory progress report will state whether tutorials are required for a student who receives a grade lower than 70.

Report cards and unsatisfactory progress reports must be signed by the parent and returned to the school within 5 days. The district may communicate academic information about a student electronically, including for progress reporting purposes. An electronic signature will be accepted by the district, but parents are entitled to request a handwritten signature of acknowledgment instead.

## Retaliation

[See Dating Violence, Discrimination, Harassment, and Retaliation (All Grade Levels)]

## Required State Assessments

### STAAR (State of Texas Assessments of Academic Readiness) for Grades 3-8

In addition to routine tests and other measures of achievement, students at certain grade levels are required to take the state assessment, called STAAR, in the following subjects:

- Mathematics, annually in grades 3-8
- Reading, annually in grades 3-8
- Science in grades 5 and 8
- Social Studies in grade 8

### Standardized Testing for a Student Enrolled Above Grade Level

If a student in grades 3-8 is enrolled in a class or course intended for students above the current grade level in which the student will be administered a state-mandated assessment, the student will be required to take an applicable state-mandated assessment only for the course in which they are enrolled, unless otherwise required to do so by federal law.

A student in grades 3-8 shall be assessed at least once in high school with the ACT or the SAT if the student completes the high school end-of-course assessments in mathematics, reading/language arts, or science before high school.

### High School Courses End-of-Course (EOC) Assessments

STAAR end-of-course (EOC) assessments are administered for the following courses:

- Algebra I

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

Satisfactory performance on the applicable assessments is required for graduation, unless waived or substituted as allowed by state law and rules.

There are three testing windows during the year in which a student may take an EOC assessment. The windows occur in the fall, spring, and summer months. If a student does not meet satisfactory performance, the student will have opportunities to retake the assessment.

**Requesting Administration of STAAR/EOC in Paper Format (All Grade Levels)**

STAAR and EOC assessments are administered electronically.

A parent or teacher may request that a STAAR or EOC be administered to a student in paper format. The district may grant this request for any single administration for up to three percent of the number of students enrolled in the district. Requests will be granted in the order in which they are received.

Requests for paper format for a fall administration of a STAAR or EOC must be submitted no later than September 15 each school year.

Requests for paper format for a spring administration of a STAAR or EOC must be submitted no later than December 1 each school year.

**Standardized Testing for a Student in Special Programs**

Certain students — some with disabilities and some classified as emergent bilingual students — may be eligible for exemptions, accommodations, or deferred testing.

STAAR Alternate 2 is available for eligible students receiving special education services who meet certain state-established criteria as determined by the student's ARD committee.

An admission, review, and dismissal (ARD) committee for a student in grades 9-12 receiving special education services will determine whether successful performance on the EOC assessments will be required for graduation within the parameters identified in state rules and the student's personal graduation plan (PGP). [See Graduation (Secondary Grade Levels Only)]

STAAR Spanish is available for eligible students for whom a Spanish version of STAAR is the most appropriate measure of their academic progress.

For more information, see the principal, school counselor, or special education director.

### Failure to Perform Satisfactorily on a STAAR or EOC Assessment

If a student does not perform satisfactorily on a required state assessment in any subject, the district will provide accelerated instruction for the student in the next school year through one of the following:

- Assigning the student to a teacher who is certified as a master, exemplary, or recognized teacher if one is available in the grade and subject matter of the state assessment on which the student did not perform satisfactorily
- Providing supplemental instruction

A student may be required to attend any assigned supplemental instruction program before or after school or during the summer.

When a student fails to perform satisfactorily on a required state assessment in the same subject area for two or more years, the district shall develop an accelerated education plan. Parents are encouraged to participate in developing this plan.

### Personal Graduation Plans — Junior High School Students

For a junior high-school student who does not perform satisfactorily on a state-mandated examination, a school official will prepare a personal graduation plan (PGP).

School officials will also develop a PGP for a junior high-school student who is determined by the district to be unlikely to earn a high school diploma within five years of high school enrollment. The plan will, among other items:

- Identify the student's educational goals
- Address the parent's educational expectations for the student
- Outline an intensive instruction program for the student

[See the school counselor and policy EIF(LEGAL) for more information.]

For a student receiving special education services, the student's IEP may serve as the student's PGP and would therefore be developed by the student's ARD committee.

[See Personal Graduation Plans for information related to the development of personal graduation plans for high school students.]

## Safe Storage of Firearms

A firearm should be stored unloaded in a safe or locked container, with ammunition stored elsewhere.

It is unlawful to store, transport, or abandon an unsecured firearm in a place where children are likely to be and can obtain access to the firearm. Under the Penal Code, a person commits the offense of making a firearm accessible to a child if the child gains access to a readily dischargeable firearm, and the person with criminal negligence:

- Failed to secure the firearm; or

- Left the firearm in a place to which the person knew or should have known the child would gain access

The penalty for allowing a child access to a firearm can range from a Class C misdemeanor (punishable by a $500 fine) to a Class A misdemeanor (punishable by a $4000 fine, a year in jail, or a combination of the two).

### Safety (All Grade Levels)

Student safety on campus, at school-related events, and in district vehicles is a high priority of the district. The cooperation of students is essential to ensuring school safety. A student is expected to:

- Avoid conduct that is likely to put the student or others at risk.
- Follow all behavioral standards in this handbook and the Student Code of Conduct or set by district employees.
- Help secure the campus by keeping all exterior doors closed, latched, and locked unless the door is actively monitored by a district employee.
- Follow instructions from teachers and other district employees regarding classroom doors.
- Remain alert to any safety hazards, such as intruders on campus or threats made by any person toward a student or staff member, and promptly report any incidents to a district employee. A student may make anonymous reports about safety concerns by submitting an online report through P3 or StayAlert.
- Know emergency evacuation routes and signals.
- Follow immediately the instructions of teachers, bus drivers, and other district employees who are overseeing the welfare of students.

### Accident Insurance

Soon after the school year begins, parents will have the opportunity to purchase low-cost accident insurance that would help meet medical expenses in the event of injury to their child.

### Insurance for Career and Technical Education (CTE) Programs

The district may purchase accident, liability, or automobile insurance coverage for students and businesses involved in the district's CTE programs.

### Preparedness Drills: Evacuation, Severe Weather, and Other Emergencies

Periodically, the school will conduct preparedness drills of emergency procedures. When the command is given or alarm is sounded, students need to follow the direction of teachers or others in charge quickly, quietly, and in an orderly manner.

### Preparedness Training: CPR and Stop the Bleed

The district will offer instruction in CPR and the use of an automated external defibrillator (AED) at least once to students enrolled in in grades 7-12. The instruction

can be provided as part of any course and is not required to result in CPR or AED certification.

The district will annually offer students in grades 7-12 instruction on the use of bleeding control stations to respond to traumatic injury. For more information, see Stop the Bleed Texas (https://stopthebleedtexas.org/).

**Emergency Medical Treatment and Information**

All parents are asked each year to complete a medical care authorization form, providing written parental consent to obtain emergency treatment and information about allergies to medications or drugs. Parents should contact the school nurse to update emergency care information (name of doctor, emergency phone numbers, allergies, and the like).

The district may consent to medical treatment, including dental treatment, if necessary, for a student if all of the following requirements are met:

- The district has received written authorization from a person having the right to consent
- That person cannot be contacted
- That person has not given the district actual notice to the contrary

The emergency care authorization form will be used by the district when a student's parent or authorized designee cannot be contacted. A student may provide consent if authorized by law or court order.

Regardless of parental authorization for the district to consent to medical treatment, district employees will contact emergency medical services to provide emergency care when required by law or when deemed necessary, such as to avoid a life-threatening situation.

**Emergency School Closing Information**

Each year, parents are asked to complete an emergency release form to provide contact information if the district needs to notify parents of early dismissal, delayed opening, or restricted access to a campus because of severe weather, a security threat, or another emergency cause.

The district will rely on contact information on file with the district to communicate with parents in an emergency situation, which may include real-time or automated messages. It is crucial to notify your child's school when a phone number changes. State law requires parents to update contact information within two weeks after the date the information changes.

If the campus must close, delay opening, or restrict access to the building because of an emergency, the district will also alert the community in the following ways:

- Notification through Fox – Channel 4, NBC – Channel 5, WFAA – Channel 8, CBS – Channel 11/21 television stations

- Notification through ParentSquare lists
- Posting on the Mineral Wells ISD Facebook page
- Posting on the Mineral Wells ISD website at www.mwisd.net

[See Parent Contact Information and Automated Emergency Communications]

### SAT, ACT, and Other Standardized Tests

[See Standardized Testing]

### Schedule Changes (Middle/Junior High and High School Grade Levels)

For more details, see the counselor at the appropriate campus.

### School Facilities

### Asbestos Management Plan (All Grade Levels)

The district works diligently to maintain compliance with federal and state law governing asbestos in school buildings. A copy of the district's asbestos management plan is available in the central administrative office. If you have any questions or would like to examine the district's plan in more detail, please contact the district's designated asbestos coordinator:

Trey Evans
Maintenance Director
906 SW 5th Ave, Mineral Wells, TX 76067
tevans@mwisd.net
(940) 325-6404

### Food and Nutrition Services (All Grade Levels)

The district participates in the School Breakfast Program and National School Lunch Program and offers students nutritionally balanced meals daily in accordance with standards set forth in state and federal law.

Free meals are provided to all MWISD students. Families must complete a socio-economic form each school year. SEND **ONLY ONE (1)** COMPLETE Form PER FAMILY (even though each student will receive a form). Forms are distributed to all students at the beginning of each school year.

Forms are available all year in the cafeteria, online at www.mwisd.net, or the Child Nutrition Services office.

State and federal law, as well as board-adopted policies, define when, where, and by whom competitive foods, which are foods not part of the regular meal program, can be served or sold on school premises during the school day.

A la carte prices are posted at each campus and must be paid for with cash, check, or with money already on their student account. Students are not allowed to charge a la carte items.

The District follows all applicable federal and state guidelines regarding smart snack compliant foods being served or sold on school premises during the school day.

For any food service-related questions, contact:

David Wells
Director of Food Services, Safety & Security
906 SW 5th Ave
Mineral wells, TX 76067
dwells@mwisd.net
(940)325-6404
[See policy COB for more information.]

Parents should continually monitor their child's meal account balance. When a student's meal account is depleted, the district will notify the parent. The student may continue to purchase meals according to the grace period set by the school board. The district will present the parent with a schedule of repayment for any outstanding account balance and an application for free or reduced meals. [See policy CO for more information.]

If the district is unable to work out an agreement with the student's parent on replenishment of the meal account and payment of any outstanding balance, the student will receive a meal. The district will make every effort to avoid bringing attention to the student.

The following information is published as required by the USDA for participation in the National School Lunch Program:

> "In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity.
>
> "Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.
>
> "To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: https://www.usda.gov/sites/default/files/documents/ad-3027.pdf, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The

letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

1. **mail:**
U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; or

2. **fax:**
(833) 256-1665 or (202) 690-7442; or

3. **email:**
Program.Intake@usda.gov

"This institution is an equal opportunity provider."

The responsible state agency that administers the program is the Texas Department of Agriculture (https://www.texasagriculture.gov/Home/Contact-Us), which can be reached at (800) TELL-TDA (835-5832) or (800) 735-2989 (TTY).

The local agency that administers the program is the district. [See Nondiscrimination Statement (All Grade Levels) for the name and contact information for the Title IX coordinator, ADA/Section 504 coordinator, and superintendent for other concerns about discrimination.]

[See policy COB for more information.]

***Vending Machines (All Grade Levels)***

The district has adopted and implemented the state and federal policies for food service, including guidelines to restrict student access to vending machines. For more information about these policies and guidelines, see the campus principal. [See policy FFA for more information.]

**Pest Management Plan (All Grade Levels)**

The district is required to follow integrated pest management (IPM) procedures to control pests on school grounds. Although the district strives to use the safest and most effective methods to manage pests, including a variety of non-chemical control measures, periodic indoor and outdoor pesticide use is sometimes necessary to ensure a safe, pest-free school environment.

All pesticides used are registered for their intended use by the U.S. Environmental Protection Agency and are applied only by certified pesticide applicators. Except in an emergency, signs will be posted 48 hours before indoor application. All outdoor

applications will be posted at the time of treatment, and signs will remain until it is safe to enter the area.

Parents who have questions or who want to be notified of the times and types of applications prior to pesticide application inside their child's school assignment area may contact the district's IPM coordinator:

Trey Evans
Maintenance Director
906 SW 5th Ave, Mineral Wells, TX 76067
tevans@mwisd.net
(940) 325-6404

**Conduct Before and After School (All Grade Levels)**

Teachers and administrators have full authority over student conduct at before- or after-school activities. Whether a school activity is on or off district premises, students must follow the same rules of conduct that apply during the instructional day. Misbehavior will be subject to consequences established by the Student Code of Conduct or any stricter standards of behavior established by the sponsor for extracurricular participants.

**Library (All Grade Levels)**

The library is open for independent student use during times posted by the librarian.

The district provides a wide range of library materials for students and faculty that support student achievement and present varying levels of difficulty, diversity of appeal, and a variety of points of view. The district follows the Texas State Library and Archive Commission's standards for school library collection development.

Parents are the primary decision makers regarding their student's access to library material. The district encourages parental involvement in library acquisition, maintenance, and campus activities. Parents are encouraged to communicate with the campus librarian and their child's teacher about special considerations regarding library materials self-selected by their student. A parent may submit to the district a list of library materials that their child may not be allowed to check out or otherwise access for use outside of the school library by submitting the list to the campus principal.

A parent may access to the school's library or any available online catalog contacting the campus librarian.

The district welcomes student and parent feedback on library materials and services. Parents may contact Cathy Hammond, Coordinator of Library Services at (940)325-4408 with questions or comments about their child's campus library. A district employee, parent, or person residing in the district may submit a written challenge to the inclusion of any library material in the catalog of the school library by submitting the form available on the district's website.

### Use of Hallways during Class Time (All Grade Levels)

During class times, loitering or standing in the halls is not permitted, and a student must have a hall pass to be outside the classroom for any purpose. Failure to obtain a pass will result in disciplinary action in accordance with the Student Code of Conduct.

### Use by Students Before and After School (All Grade Levels)

Certain areas of the school will be accessible to students before and after school for specific purposes. Students are required to remain in the area where their activity is scheduled to take place.

Unless the teacher or sponsor overseeing an activity gives permission, a student will not be permitted to go to another area of the building or campus.

Students must leave campus immediately after dismissal of school in the afternoon, unless the student is involved in an activity under the supervision of a teacher or other authorized employee or adult.

### Meetings of Noncurriculum-Related Groups (Secondary Grade Levels Only)

Student-organized, student-led noncurriculum-related groups are permitted to meet during the hours designated by the principal before and after school. These groups must comply with the requirements of policy FNAB(LOCAL). A list of these groups is available in the principal's office.

Parental consent is required before a student may participate in a student club that is authorized or sponsored by the district. [See Extracurricular Activities, Clubs, and Organizations (All Grade Levels)]

## School-Sponsored Field Trips (All Grade Levels)

The district periodically takes students on field trips for educational purposes.

A parent must provide permission for a student to participate in a field trip.

The district may ask the parent to provide information about a student's medical provider and insurance coverage and may also ask the parent to sign a waiver allowing for emergency medical treatment in the case of a student accident or illness during the field trip.

The district may require a fee for student participation in a field trip that is not required as part of a basic educational program or course to cover expenses such as transportation, admission, and meals; however, a student will not be denied participation because of financial need. [See Fees (All Grade Levels) for more information.]

The district is not responsible for refunding fees paid directly to a third-party vendor.

## Searches and Investigations

### Searches in General (All Grade Levels)

In the interest of promoting student safety and drug-free schools, district officials may occasionally conduct searches and investigations.

District officials may conduct investigations in accordance with law and district policy and may question students regarding a student's own conduct or the conduct of others. [For questioning of students by law enforcement officials, see Law Enforcement Agencies (All Grade Levels).]

District officials may search students, their belongings, and their vehicles in accordance with law and district policy. Searches of students will be conducted without discrimination, based on, for example, reasonable suspicion or voluntary consent or pursuant to district policy providing for suspicionless security procedures, including the use of metal detectors.

In accordance with the Student Code of Conduct, students are responsible for prohibited items found in their possession, including items in their personal belongings or in vehicles parked on district property.

If there is reasonable suspicion to believe that searching a student's person, belongings, or vehicle will reveal evidence of a violation of the Student Code of Conduct, a district official may conduct a search in accordance with law and district regulations.

### District Property (All Grade Levels)

Desks, lockers, district-provided technology, and similar items are the property of the district and are provided for student use as a matter of convenience. District property is subject to search or inspection at any time without notice. Students have no expectation of privacy in district property.

Students are responsible for any item found in district property provided to the student that is prohibited by law, district policy, or the Student Code of Conduct.

### Metal Detectors (All Grade Levels)

To maintain a safe and disciplined learning environment, the district reserves the right to subject students to metal detector searches when entering a district campus and at off-campus, school-sponsored activities.

### Personal Communications and Other Electronic Devices (All Grade Levels)

Use of district-owned equipment and its network systems is not private and will be monitored by the district. [See policy CQ for more information.]

Any searches of personal electronic devices will be conducted in accordance with law, and the device may be confiscated to perform a lawful search. A confiscated device

may be turned over to law enforcement to determine whether a crime has been committed.

[See Electronic Devices and Technology Resources (All Grade Levels) and policy FNF(LEGAL) for more information.]

### Trained Dogs (All Grade Levels)

The district may use trained dogs to screen for concealed, prohibited items, including drugs and alcohol. Screenings conducted by trained dogs will not be announced in advance. The dogs will not be used with students, but students may be asked to leave personal belongings in an area that is going to be screened, such as a classroom, a locker, or a vehicle. If a dog alerts to an item or an area, it may be searched by district officials.

### Drug Testing (Secondary Grade Levels Only)

A student desiring to participate in extracurricular activities or requesting a parking permit shall be subject to random drug testing for the presence of illegal drugs and alcohol throughout the school year.

[See Steroids (Secondary Grade Levels Only)]

### Vehicles on Campus (Secondary Grade Levels Only)

If a vehicle subject to search is locked, the student will be asked to unlock the vehicle. If the student refuses, the district will contact the student's parents. If the parents also refuse to permit the vehicle to be searched, the district may turn the matter over to law enforcement. The district may contact law enforcement even if permission to search is granted.

## Sexual Harassment

[See Dating Violence, Discrimination, Harassment, and Retaliation (All Grade Levels)]

## Special Programs (All Grade Levels)

The district provides special programs for gifted and talented students, students who are homeless, students in foster care, bilingual students, migrant students, emergent bilingual students, students diagnosed with dyslexia, and students with disabilities. The coordinator of each program can answer questions about eligibility requirements, as well as programs and services offered in the district or by other organizations. A student or parent with questions about these programs should contact:

Kendra Fowler
Director of Special Education
906 SW 5th Ave, Mineral Wells, TX 76067
kfowler@mwisd.net
(940) 325-6404
Or
Lindsey Wells

Director of Curriculum
906 SW 5th Ave, Mineral Wells, TX 76067
lwells@mwisd.net
(940) 325-6404

The Texas State Library and Archives Commission's Talking Book Program (https://www.tsl.texas.gov/tbp/index.html) provides audiobooks free of charge to qualifying Texans, including students with visual, physical, or reading disabilities such as dyslexia.

### Gifted and Talented Program

For more information contact:
Lindsey Wells
Director of Curriculum
906 SW 5th Ave, Mineral Wells, TX 76067
lwells@mwisd.net
(940) 325-6404

[See EHBB(Local)]

### Foreign Exchange Students

The number of Foreign Exchange Students desiring enrollment in Mineral Wells ISD is limited to 4 students at the high school. This is granted by a waiver from the Texas Education Agency. Foreign Exchange Students are accepted on a first come, first serve basis after meeting requirements for admission.

## Standardized Testing

### SAT/ACT (Scholastic Aptitude Test and American College Test)

Many colleges require either the American College Test (ACT) or the Scholastic Aptitude Test (SAT) for admission. These assessments are usually taken at the end of the junior year. Students are encouraged to talk with the school counselor early during their junior year to learn about these assessments and determine the appropriate examination to take. The Preliminary SAT (PSAT) and ACT-Aspire are the corresponding preparatory and readiness assessments for the SAT and ACT.

**Note:** These assessments may qualify a student to receive a performance acknowledgment on the student's transcript under the foundation graduation program and may qualify as a substitute for an end-of-course testing requirement in certain circumstances. A student's performance at a certain level on the SAT or ACT also makes the student eligible for automatic admission to a Texas public institution of higher education.

### TSI (Texas Success Initiative) Assessment

Prior to enrollment in a Texas public college or university, most students must take a standardized test called the Texas Success Initiative (TSI) assessment. The TSI assesses the reading, mathematics, and writing skills that first-year students need to perform effectively as undergraduates in Texas public colleges and universities. This assessment may also be required before a student enrolls in a dual credit course offered through the district. Achieving certain benchmark scores on this assessment may also waive certain end-of-course assessment requirements in limited circumstances.

## Student Speakers (All Grade Levels)

The district provides students the opportunity to introduce the following school events. If a student meets the eligibility criteria and wishes to introduce one of the school events listed above, the student should submit his or her name in accordance with policy FNA(LOCAL).

[See Graduation (Secondary Grade Levels Only) for information related to student speakers at graduation ceremonies and policy FNA(LOCAL) regarding other speaking opportunities.]

## Summer School (All Grade Levels)

Summer school is offered for enrolled ESL and Bilingual students who will be entering kindergarten of first grade for the following year.

Any student that failed to meet state standards on state assessments will be offered Accelerated Instruction during the summer months.

At junior high and high school, opportunities to regain credit during the summer will be offered.

While in DAEP a student may attend summer school provided in an alternate setting. If a student chooses to attend summer school while in DAEP they will follow the same guidelines for attendance as their home campus and understand that time spent in summer school will not count toward the days they have been assigned to the DAEP campus.

## Tardies (All Grade Levels)

[See campus appendices for information.]

## Textbooks, Electronic Textbooks, Technological Equipment, and Other Instructional Materials (All Grade Levels)

Instructional materials are any resources used in classroom instruction as part of the required curriculum, such as textbooks, workbooks, computer software, or online services.

The district selects instructional materials in accordance with state law and policy EFA.

The district provides approved instructional materials to students free of charge for each subject or class. Students must treat instructional materials with care, as directed by the teacher.

If a student needs a graphing calculator for a course and the district does not provide one, the student may use a calculator application with graphing capabilities on a phone, laptop, tablet, or other computing device.

A student who is issued a damaged item should report the damage to the teacher.

Any student who does not return an item or returns an item in an unacceptable condition loses the right to free textbooks and technological equipment until the item is returned or the damage is paid for by the parent. However, the student will be provided the necessary instructional resources and equipment for use at school during the school day.

For information on library books and other resources students may access voluntarily, see Library (All Grade Levels).

## Transfers (All Grade Levels)

The principal is authorized to transfer a student from one classroom to another.

[See Safety Transfers/Assignments, Bullying (All Grade Levels), and A Student with Physical or Mental Impairments Protected under Section 504, for other transfer options.]

## Transportation (All Grade Levels)

### School-Sponsored Trips

Students who participate in school-sponsored trips are required to use school-provided transportation to and from the event. However, in accordance with campus procedures, a parent may provide written consent for their child to ride with or be released after the event to the parent or another adult designated by the parent. [See School-Sponsored Field Trips (All Grade Levels)]

### Buses and Other School Vehicles

The district makes school bus transportation available to all students living two or more miles from school and to any students who are experiencing homelessness. This service is provided at no cost to students.

Bus routes and stops will be designated annually. Any changes will be posted at the school and on the district's website. For the safety of the driver and all passengers, students must board district vehicles only at authorized stops and drivers must unload passengers only at authorized stops.

The district has identified the following areas where hazardous traffic conditions and/or a high risk of violence exist for students who live within two miles of the campus:

- Lamar Elementary

    - All areas north of Martin Luther King Jr St
    - All areas west of SE 6th Ave/Old Millsap Hwy
    - All areas south of Se 21st St
    - All streets east of SE 25th Ave/Airport Rd
- Houston Elementary
    - All areas north of SW 1st St
    - All areas east of South Oak St
    - All areas south of SW 25th St
- Travis Elementary
    - All areas north of SE 1st St
    - All areas west of South Oak St
    - All areas south of SE 21st St
    - All areas east of SE 25th Ave/Airport Rd
- Junior High
    - All areas north of SE 1st St
    - All areas west of South Oak St
    - All areas south of SE 21st St
    - All areas east of SE 25th Ave/Airport Rd
- High School
    - All areas north of NE 11th St
    - All areas south of 180
    - All areas west of FM 1821
    - All areas east of SE Industrial Parkway

Because students in these areas might encounter hazardous traffic conditions or be subject to a high risk of violence when walking to and from school, the district will provide transportation to these students. For additional information, please contact:

Chris Williams
Director of Transportation
996 Cross Post Rd, Mineral Wells, TX 76067
cwilliams@mwisd.net
(940) 325-4290

A parent may designate a child-care facility or grandparent's residence as the regular pickup and drop-off location for their child. The designated location must be an approved stop on an approved route. For information on bus routes and stops or to designate an alternate pickup or drop-off location, call (940)325-4290.

Students are expected to assist district staff in ensuring that buses and other district vehicles are clean and safe. When riding in district vehicles, students are held to behavioral standards established in this handbook and the Student Code of Conduct. Students must:

- Observe all usual classroom rules
- Follow the driver's directions at all times
- Enter and leave the vehicle in an orderly manner at the designated stop
- Keep feet, books, instrument cases, and other objects out of the aisle
- Not deface the vehicle or its equipment
- Not put head, hands, arms, or legs out of the window, hold any object out of the window, or throw objects within or out of the vehicle
- Not possess or use any form of tobacco or e-cigarettes in any district vehicle
- Be seated while the vehicle is moving
- Fasten their seat belts, if available
- Wait for the driver's signal upon leaving the vehicle and before crossing in front of the vehicle
- Follow any other rules established by the operator of the vehicle

Misconduct will be punished in accordance with the Student Code of Conduct, including loss of the privilege to ride in a district vehicle.

[See the Student Code of Conduct for provisions regarding transportation to the DAEP.]

### Vandalism (All Grade Levels)

Littering, defacing, or damaging school property is not tolerated. Students will be required to pay for damages they cause and will be subject to criminal proceedings as well as disciplinary consequences in accordance with the Student Code of Conduct.

### Video Cameras (All Grade Levels)

For safety purposes, the district uses video and audio recording equipment to monitor student behavior, including on buses and in common areas on campus. Students will not be told when the equipment is being used.

The principal will review the video and audio recordings as needed and document student misconduct. Discipline will be in accordance with the Student Code of Conduct.

In accordance with state law, a parent of a student who receives special education services, a staff member (as this term is defined by law), a principal or assistant principal, or the board may make a written request for the district to place video and audio recording equipment in certain special education classrooms. The district will provide notice before placing a video camera in a classroom or other setting in which a

child receives special education services. For more information or to request the installation and operation of this equipment, contact the principal.

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

[See Consent to Video or Audio Record a Student When Not Already Permitted by Law for video and other recording by parents or visitors to virtual or in-person classrooms.]

## Visitors to the School (All Grade Levels)

### General Visitors

Parents and others are welcome to visit district schools. For the safety of those within the school and to avoid disruption of instructional time, all visitors must:

- Request entry to the school at the primary entrance unless otherwise directed by a district employee
- Report to the main office
- Be prepared to show identification
- Exit the school at the primary entrance and leave all exterior doors closed, latched, and locked unless actively monitored by a district employee
- Comply with all applicable district policies and procedures

If requested by a district employee, a visitor must provide identification such as a driver's license, other picture identification issued by a government entity, or employee or student identification issued by the district. A person who refuses to provide identification and who reasonably appears to have no legitimate reason to be on district property may be ejected from district property.

Individuals may visit classrooms or observe virtual instruction during instructional time only with approval of the principal and teacher. Visitors may not interfere with instruction or disrupt the normal school environment.

All visitors are expected to demonstrate the highest standards of courtesy and conduct. Disruptive behavior or violations of student privacy will not be permitted.

[See Consent to Video or Audio Record a Student When Not Already Permitted by Law for video and other recording by parents or visitors to virtual or in-person classrooms.]

### Unauthorized Persons

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

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

Appeals regarding refusal of entry or ejection from district property may be filed in accordance with policies FNG(LOCAL) or GF(LOCAL).

[See the Student Code of Conduct]

### Visitors Participating in Special Programs for Students

#### *Business, Civic, and Youth Groups*

The district may invite representatives from patriotic societies listed in Title 36 of the United States Code to present information to interested students about membership in the society.

#### *Career Day*

The district invites representatives from colleges and universities and other higher education institutions, prospective employers, and military recruiters to present information to interested students.

## Volunteers (All Grade Levels)

The district invites and appreciates the efforts of volunteers who are willing to serve our district and students.

If you are interested in volunteering, please contact the principal for more information and to complete an application.

The district does not require state criminal history background checks for volunteers who are parents, guardians, or grandparents of a child enrolled in the district.

Subject to exceptions in accordance with state law and district procedures, other volunteers will be subject to a state criminal history background check, and the volunteer must pay all costs for the background check.

Voter Registration (Secondary Grade Levels Only)

A student who is eligible to vote in any local, state, or federal election may obtain a voter registration application at the main campus office.

## Withdrawing from School (All Grade Levels)

To withdraw a student under age 18 from school, the parent or guardian must submit a written request to the principal specifying the reasons for withdrawal and the final day the student will be in attendance. Withdrawal forms are available from the principal's office.

A student who is age 18 or older, who is married, or who has been declared by a court to be an emancipated minor may withdraw without parental signature.

Please provide the school at least three days' notice of withdrawal so that records and documents may be prepared.

## Glossary

**Accelerated instruction, including supplemental instruction**, is an intensive educational program designed to help an individual student acquire the knowledge and skills required at their grade level. It is required when a student does not meet the passing standard on a state-mandated assessment. Accelerated instruction may be provided by assigning a student to a classroom teacher who is certified as a master, exemplary, or recognized teacher or by providing supplemental instruction in addition to regular instruction.

**ACT, or the American College Test**, is one of the two most frequently used college or university admissions examinations. The test may be required for admission to certain colleges or universities.

**ACT-Aspire** is designed as a preparatory and readiness assessment for the ACT. This is usually taken by students in grade 10.

**ARD** stands for admission, review, and dismissal. The ARD committee convenes for each student who is identified as needing a full and individual evaluation for special education services. The eligible student and their parents are members of the committee.

**Attendance review committee** is responsible for reviewing a student's absences when the student's attendance drops below 90 percent, or in some cases 75 percent, of the days the class is offered. Under guidelines adopted by the board, the committee will determine whether there were extenuating circumstances for the absences and whether the student needs to complete certain conditions to master the course and regain credit or a final grade lost because of absences.

**CPS** stands for Child Protective Services.

**DAEP** stands for disciplinary alternative education program, a placement for students who have violated certain provisions of the Student Code of Conduct.

**DFPS** stands for the Texas Department of Family and Protective Services.

**DPS** stands for the Texas Department of Public Safety.

**DSHS** stands for the Texas Department of State Health Services.

**ED** stands for the U.S. Department of Education.

**Emergent bilingual student** refers to a student of limited English proficiency. Other related terms include English learner, English language learner, and limited English proficient student.

**EOC (end-of-course) assessments** are state-mandated and are part of the STAAR program. Successful performance on EOC assessments is required for graduation. These examinations will be given in English I, English II, Algebra I, Biology, and U.S. History.

**ESSA** is the federal Every Student Succeeds Act.

FERPA refers to the federal Family Educational Rights and Privacy Act, which grants specific privacy protections to student records. The law contains certain exceptions, such as for directory information, unless a student's parent or a student 18 years of age or older directs the school not to release directory information.

**IEP** stands for individualized education program and is the written record prepared by the ARD committee for a student with disabilities who is eligible for special education services.

**IGC** is the individual graduation committee, formed in accordance with state law, to determine a student's eligibility to graduate when the student has failed to demonstrate satisfactory performance on no more than two of the required state assessments.

**ISS** refers to in-school suspension, a disciplinary technique for misconduct found in the Student Code of Conduct. Although different from out-of-school suspension and placement in a DAEP, ISS removes the student from the regular classroom.

**PGP** stands for personal graduation plan, which is required for high school students and for any student in middle school who fails a section on a state-mandated test or is identified by the district as not likely to earn a high school diploma before the fifth school year after beginning grade 9.

**PSAT** is the preparatory and readiness assessment for the SAT. It also serves as the basis for the awarding of National Merit Scholarships.

**Safe and Supportive School Team** is a team established at each campus that is responsible for conducting a threat assessment regarding individuals who make threats of violence or exhibit harmful, threatening, or violent behavior and determining appropriate intervention, and providing guidance to students and school employees on recognizing harmful, threatening, or violent behavior that may pose a threat to the community, school, or individual.

**SAT** refers to the Scholastic Aptitude Test, one of the two most frequently used college or university admissions examinations. The test may be required for admissions to certain colleges or universities.

**SHAC** stands for School Health Advisory Council, a group of at least five members, a majority of whom must be parents, appointed by the school board to help ensure that local community values and health issues are reflected in the district's health education instruction, as well as assist with other student and employee wellness issues.

**Section 504** is the federal law that prohibits discrimination against a student with a disability, requiring schools to provide opportunities for equal services, programs, and participation in activities. Unless the student is determined to be eligible for special education services under the Individuals with Disabilities Education Act (IDEA), general education with appropriate instructional accommodations will be provided.

**STAAR** is the State of Texas Assessments of Academic Readiness, the state's system of standardized academic achievement assessments.

**STAAR Alternate 2** is an alternative state-mandated assessment designed for students with severe cognitive disabilities receiving special education services who meet the participation requirements, as determined by the student's ARD committee.

**STAAR Spanish** is an alternative state-mandated assessment administered to eligible students for whom a Spanish version of STAAR is the most appropriate measure of their academic progress.

**State-mandated assessments** are required of students at certain grade levels and in specified subjects. Except under limited circumstances, students must pass the STAAR EOC assessments to graduate. Students have multiple opportunities to take the tests, if necessary, for graduation.

**Student Code of Conduct** is developed with the advice of the district-level committee and adopted by the board and identifies the circumstances, consistent with law, when a student may be removed from a classroom, campus, or district vehicle; sets out the conditions that authorize or require the principal or another administrator to place the student in a DAEP; and outlines conditions for out-of-school suspension and for expulsion. The Student Code of Conduct also addresses notice to the parent regarding a student's violation of one of its provisions.

**TAC** stands for the Texas Administrative Code.

**TEA** stands for the Texas Education Agency, which oversees primary and secondary public education in Texas.

**TELPAS** stands for the Texas English Language Proficiency Assessment System, which assesses the progress that emergent bilingual students make in learning the English language and is administered for those who meet the participation requirements in kindergarten-grade 12.

**TSI** stands for the Texas Success Initiative, an assessment designed to measure the reading, mathematics, and writing skills that entering college-level freshmen students should have if they are to be successful in undergraduate programs in Texas public colleges and universities.

**UIL** refers to the University Interscholastic League, the statewide, voluntary nonprofit organization that oversees educational extracurricular academic, athletic, and music contests.

## Appendix I: Freedom from Bullying Policy

**Note:** School board policies may be revised at any time. For legal context and the most current copy of the local policy, visit FFI (LOCAL). Below is the text of Mineral Wells ISD's policy FFI(LOCAL) as of the date this handbook was finalized for this school year.

### Student Welfare: Freedom from Bullying

Policy FFI(LOCAL) adopted on July 10. 2023.

**Bullying Prohibited**

The District prohibits bullying, including cyberbullying, as defined by state law. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.

Examples

Bullying of a student could occur by physical contact or through electronic means and may include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name calling, rumor spreading, or ostracism.

Minimum Standards

In accordance with law, the Superintendent shall develop administrative procedures to ensure that minimum standards for bullying prevention are implemented.

Retaliation

The District prohibits retaliation by a student or District employee against any person who in good faith makes a report of bullying, serves as a witness, or participates in an investigation.

Examples

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

False Claim

A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding bullying shall be subject to appropriate disciplinary action.

Timely Reporting

Reports of bullying shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the District's ability to investigate and address the prohibited conduct.

**Reporting Procedures**

Student Report

To obtain assistance and intervention, any student who believes that he or she has experienced bullying or believes that another student has experienced bullying should immediately report the alleged acts to a teacher, school counselor, principal, or other District employee. The Superintendent shall develop procedures allowing a student to anonymously report an alleged incident of bullying.

Employee Report

Any District employee who suspects or receives notice that a student or group of students has or may have experienced bullying shall immediately notify the principal or designee.

Report Format

A report may be made orally or in writing. The principal or designee shall reduce any oral reports to written form.

Periodic Monitoring

The Superintendent shall periodically monitor the reported counts of bullying incidents, and that declines in the count may represent not only improvements in the campus culture because bullying declines but also declines in the campus culture because of a decline in openness to report incidents.

Notice of Report

When an allegation of bullying is reported, the principal or designee shall notify a parent of the alleged victim on or before the third business day after the incident is reported. The principal or designee shall also notify a parent of the student alleged to have engaged in the conduct within a reasonable amount of time after the incident is reported.

Prohibited Conduct

The principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by policy FFH, including dating violence and harassment or discrimination on the basis of race, color, religion, sex, gender, national origin, or disability. If so, the District shall proceed under policy FFH. If the allegations could constitute both prohibited conduct and bullying, the investigation under FFH shall include a determination on each type of conduct.

Investigation of Report

The principal or designee shall conduct an appropriate investigation based on the allegations in the report. The principal or designee shall promptly take interim action calculated to prevent bullying during the course of an investigation, if appropriate.

Concluding the Investigation

Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the initial report alleging bullying; however, the principal or designee shall take additional time if necessary to complete a thorough investigation.

The principal or designee shall prepare a final, written report of the investigation. The report shall include a determination of whether bullying occurred, and if so, whether the victim used reasonable self-defense. A copy of the report shall be sent to the Superintendent or designee.

Notice to Parents

If an incident of bullying is confirmed, the principal or designee shall promptly notify the parents of the victim and of the student who engaged in bullying.

**District Action**

Bullying

If the results of an investigation indicate that bullying occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the District's Student Code of Conduct and may take corrective action reasonably calculated to address the conduct. The District may notify law enforcement in certain circumstances.

Discipline

A student who is a victim of bullying and who used reasonable self-defense in response to the bullying shall not be subject to disciplinary action.

The discipline of a student with a disability is subject to applicable state and federal law in addition to the Student Code of Conduct.

Corrective Action

Examples of corrective action may include a training program for the individuals involved in the complaint, a comprehensive education program for the school community, follow-up inquiries to determine whether any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where bullying has occurred, and reaffirming the District's policy against bullying.

Transfers

The principal or designee shall refer to FDB for transfer provisions.

Counseling

The principal or designee shall notify the victim, the student who engaged in bullying, and any students who witnessed the bullying of available counseling options.

Improper Conduct

If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take action in accordance with the Student Code of Conduct or any other appropriate corrective action.

Confidentiality

To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation.

Appeal

A student who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level.

Records Retention

Retention of records shall be in accordance with CPC(LOCAL).

Access to Policy and Procedures

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

## Appendix II: Student Rights and Responsibilities Policy

**Note:** School board policies may be revised at any time. For legal context and the most current copy of the local policy, visit FFG (LOCAL). Below is the text of Mineral Wells ISD's policy FNG(LOCAL) as of the date this handbook was finalized for this school year.

### Student Rights and Responsibilities: Student and Parent Complaints/Grievances

Policy FNG(LOCAL) adopted on August 26, 2024.

**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 shall be submitted in accordance with the FFH series.
2. Complaints concerning dating violence shall be submitted in accordance with the FFH series.
3. Complaints concerning retaliation related to discrimination and harassment shall be submitted in accordance with the FFH series.
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 within the scope of Section 504, including complaints concerning identification, evaluation, or educational placement of a student with a disability, shall be submitted in accordance with FB and the procedural safeguards handbook.
9. Complaints within the scope of the Individuals with Disabilities Education Act, including complaints concerning identification, evaluation, educational placement, or discipline of a student with a disability, 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 the EF series.
11. Complaints concerning a commissioned peace officer who is an employee of the District shall be submitted in accordance with the CKE series.
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.
14. Complaints concerning disputes regarding a student's eligibility for free or reduced-priced meal programs shall be submitted in accordance with COB.

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 deadline, as indicated by the date/time shown on the electronic communication. Mail filings shall be timely filed if they are postmarked 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 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.

Response

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.

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 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.

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.

Consolidating Complaints

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.

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 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 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 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.

## Appendix III: New Student and Transfer Requests

An official city, county, or state birth certificate to show evidence of a birth date is required for all kindergarten and first grade students who have not been enrolled in MWISD.

Acceptable documents of identification are driver’s license, passport, school ID card, school record, school report card, hospital birth records, adoption records, church baptismal record, or another legal document that establishes identity. Note: Original document, certified copy, or photocopy made and certified by the county clerk or other official who keeps the record of the above listed documents, qualify as acceptable proof of identity.

Students previously enrolled in a school should present the most recent report card to verity grade placement.

Proof of residence is required. Examples of proof of residence include lease agreement, house title, current electric bill, current gas bill and/or current water bill.

Students transferring from accredited schools (TEA or its equivalent in other states) within the United States, numerical grades will be recorded exactly as they appear on the transcript, and alphabetical grades will be given the numerical equivalent according to the grading scale of the sending school.

Letter Grade Conversion

If no grading scale is provided, the following conversion scale will be used:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| A+ | 99 | B+ | 89 | C+ | 79 | D | 70 |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| A | 95 | B | 85 | C | 75 | F | 65 |
| A- | 90 | B- | 80 | C- | 70 | | |

For students that transfer from state accredited schools within the US with a grade of 60 to 69 that is indicated as passing, credit will be awarded and recorded as a “70”. Honors and/or AP courses will be designated on the MWHS transcript.

Private and Home school credit will be given only for courses taken at schools accredited by TEA or its equivalent. Students entering from a non-accredited private school or home school must either retake state required courses or receive credit by examination.

**Appendix IV: Lamar Elementary**

**Visitors to the School**

Parents will sign into the school with their identification information through the office. For school safety, parents will only be able to walk students to class the first two days of school.

**Dress Code**

The district prohibits clothing with pictures, emblems, or writing that: a). is lewd, offensive, vulgar, obscene, or disrupts the educational environment; b). depicts satanic and/or cult symbols, advertises, or depicts tobacco products, alcoholic beverages, drugs, or any substance prohibited under MWISD’s policy FNCF (Local);

- Caps/hats and sunglasses are not to be worn inside any building except for special events and/or circumstances.
- Revealing, see-through, or extremely tight clothing is unacceptable. Clothing which reveal undergarments or bare body parts is prohibited.
- Moderate length shorts, skirts and/or dresses are permitted. Shorts are to be worn under skirts or dresses.
- Shoes must be worn at all time. Footwear styles which are dangerous, noisy and/or distracting are not acceptable.
- Hair and body shall be kept neat, clean, and well groomed. Any hairstyle causing a significant disruption to school environment will not be allowed and will be directed to correct the problem.
- Moderate ear piercing is acceptable. No other visible body piercing is allowed.
- Chains, ropes, or other objects not originally designed as jewelry are prohibited.
- Overall and dress straps must be securely attached over the shoulder.
- Violations will be subject to the guidelines set out in the student code of conduct.

- The principal may designate other modes of dress for special occasions and has the final authority in deciding appropriate attire for their campus.

**Grading System**

**The following grades will be reported:**

| | | |
|---|---|---|
| 100-90 | A | E= Excellent |
| 89-80 | B | S= Satisfactory |
| 79-70 | C | N= Needs Improvement |
| 69-0 | F | U= Unsatisfactory |

**Reading/ Language Arts, Math, Science, and Social Studies Grading**

A numerical average will be recorded on the report card. A sufficient number of grades each nine-weeks will be taken for each subject to support the grade average assigned.

*Pre-Kindergarten*

The report card will use a grading scale of the following:

- The numbers 1-4 will indicate the nine weeks the child developed the skill.
- The report card will reflect skills developed in reading, math, science, social studies, and work habits (S for satisfactory, N for needs improvement).

*Kindergarten and First Grade*

A numerical average will be recorded on the report card. Kindergarten and First grade will take grade level grades based on TEKS driven curriculum. As a grade level, Kindergarten will take a minimum of six and a maximum of ten grades per nine-weeks for Reading/Language Arts and Math based on the TEKS for that nine weeks. First grade will take a minimum of six and a maximum of twelve grades. In Science and Social Studies, Kindergarten and First grade will take a minimum of three and a maximum of six grades.

**Reading/ Language Arts, Math, Science, and Social Studies**

Grades may come from the following: hands-on activities, literature response, comprehension activities, vocabulary/spelling, literary elements, reading strategies, phonics, study skills, conventions of written language or process writing using a rubric.

**Physical Education, Art, and Music**

These subjects will receive a letter participation grade. The final grade will reflect combined expectations in performance and behavior. Appropriate closed-toe shoes are recommended for physical education classes.

**Handwriting**

The emphasis will be on legible handwriting in all curriculum areas.

**Conduct**

If a student chooses to break a rule, their conduct grade will be lowered by one point. Each student begins with a conduct grade of 100, and points are deducted accordingly.

## Incomplete Work

Students will be expected to complete late work during part of recess or any other time during the school day as designated by the teacher.

**Pre-Kindergarten Enrollment**

Pre-Kindergarten classes will be offered on a full-day basis. To be enrolled in the Mineral Wells ISD Pre-K program a child must be:

- Four (4) years old on or before September 1;
- Limited English speaking and/or meet the required economic guidelines;
- Complete new student requirements; or
- Students that do not qualify must meet all other new student requirements

PK students who voluntarily attend or enroll prior to their fifth birthday are required to attend each school day. If a student younger than five does not attend 90% of required instructional days, the District may revoke the student's enrollment.

**Late Arrival to School / Tardy Policies**

- Prompt arrival at school is expected of all students. Late arrival disrupts class and causes loss of instructional time.
- Any student who arrives after 7:45 a.m. is considered tardy. Parents should walk tardy students in to prevent students from being locked out of the building and to help students state their first and last names to reception clerks.
- Students who are tardy two or more times per six weeks will not be eligible for character kid awards or "no tardy" and/or perfect attendance celebrations.

If a student has three or more tardies per six weeks, a parent conference may be requested.

**Bell Schedule**

Lamar Elementary 7:40 – 3:50

**Appendix V: Houston Elementary**

**Visitors to the School**

Parents will sign into the school with their identification information through the office.

**Dress Code**

The district prohibits clothing with pictures, emblems, or writing that: a). is lewd, offensive, vulgar, obscene, or disrupts the educational environment; b). depicts satanic and/or cult symbols, advertises, or depicts tobacco products, alcoholic beverages, drugs, or any substance prohibited under MWISD's policy FNCF (Local):

- Caps/hats and sunglasses are not allowed to be worn inside any building.
- Revealing, see-through, or extremely tight clothing is unacceptable. Clothing which reveals undergarments or bare body parts is prohibited. The midriff must be covered at all times.
- Shorts, skirts, and/or dresses are permitted, but must be fingertip length.
- Shoes must be worn at all times. Footwear styles which are dangerous, noisy and/or distracting are not acceptable.
- Pajamas and/or sleep wear are not permitted.
- Slippers and house shoes are not permitted.
- Hair and body shall be kept neat, clean, and well groomed. Any hairstyle causing a significant disruption to school environment will be directed to immediately correct the problem. Mohawks are not allowed.
- Moderate ear piercing is acceptable. No other visible body piercing is allowed.
- Chains, ropes, or other objects not originally designed as jewelry are prohibited.
- Overall and dress straps must be securely attached over the shoulder. All straps must be the width of a dollar bill.
- Violations will be subject to the guidelines set out in the student code of conduct.
- The principal may designate other modes of dress for special occasions and has the final authority in deciding appropriate attire for their campus.

**Grading System**

The following grades will be reported for third grade:

| | | |
|---|---|---|
| 100-90 | A | E= Excellent |
| 89-80 | B | S= Satisfactory |

| | | |
|---|---|---|
| 79-70 | C | N= Needs Improvement |
| 69-0 | F | U= Unsatisfactory |

**Reading/Language Arts, Math, Science, and Social Studies**

A numerical average will be recorded on the report card for third grade. There will be a minimum of 16 grades taken per nine weeks in math and reading/ELA and a minimum of 10 grades taken per nine weeks in science and social studies.

**Physical Education/Health, Art, Music**

These subjects will receive a grade of either: E, S, N, or U. The grade will reflect combined expectations in performance and behavior. Appropriate close-toed shoes are recommended for physical education classes.

**Handwriting**

The emphasis will be on legible handwriting in all curriculum areas.

**Conduct**

If a student chooses to break a rule, their conduct grade will be lowered by one point. Each student begins with a conduct grade of 100, and points are deducted accordingly. To earn the distinction of super kid each nine weeks, the student must have a grade of 96 or higher for the nine weeks. Students who maintain a conduct grade of 96 or above each nine weeks will be eligible for the end of the year Super Kid Award. Students must also maintain acceptable attendance to be eligible for the end of the year reward. Students who get suspended from the bus will not be eligible for the Super Kid Award. Students who have 2 or more office referrals, or have been in ISS, suspended, or in DAEP may be excluded from all off-campus field trips.

**Extracurricular Activities**

Extracurricular programs such as UIL and clubs may have additional conduct requirements or guidelines for students participating in those programs.

**Late Arrival to School / Tardy Policies**

Prompt arrival at school is expected of all students. Late arrival disrupts class and causes loss of instructional time.

- Any student who arrives after 7:40 a.m. is considered tardy and must report to the office for a tardy slip.
- The office will keep a record of all tardies.

- If a student has three or more tardies, a parent conference may be requested by the teacher and/or appropriate administrator. After the third tardy, lunch detention may be assigned.

**Bell Schedule**

Houston Elementary 7:35 – 3:45

**Appendix VI: Travis Elementary**

**Grade 4-6—Language Arts**

A minimum of eight reading grades should be taken per nine weeks. Grades may come from the following: literature response, comprehension activities, vocabulary, literary elements, reading strategies, and study skills. A minimum of eight written communication grades should be taken per nine weeks.

**Grades 4-6 Math**

A minimum of sixteen grades should be taken per nine-week period.

**Grades 4-6 Science**

A minimum of twelve grades per nine-week period.

**Grades 4-6 Social Studies**

A minimum of one grade recorded each week.

**Grades 4-6 Physical Education/Health, Art, Music**

A minimum of one grade per week will be recorded in the grade book.

**Conduct**

If a student chooses to break a rule, their conduct grade will be lowered by one point. Each student begins with a conduct grade of 100, and points are deducted accordingly.

100-95 = E

94-90 = S

89-85 = N

84 and below = U

A student with more than 5 conduct points deducted in a nine-weeks period will not be considered for “super kids”. Any student that had been suspended, been to ISS, or assigned to DAEP will not be considered for “super kids”.

**Tardy Policy**

Any student who arrives at school after 7:50 a.m. is considered tardy and must report to the office for a tardy slip. Any student entering the classroom after the tardy bell is required to complete the following procedure**:**

1. **Report to the office for a tardy slip.**
2. **If a student has three or more tardies, he/she may be assigned to school detention and a parent conference may be requested by the teacher.**

If excessive tardiness continues to be a problem the student may be placed in ISS and/or other disciplinary measures may be enacted.

**Bell Schedule**

Travis Elementary 7:45 – 3:55

**Camp Grady Spruce**

Another activity that is a large part of Travis School is the trip to Camp Grady Spruce. This takes place in March each year and is available to sixth grade students. Certain standards of behavior are required of students who wish to participate. Discipline Guidelines include:

Students who have MORE THAN ONE suspension (in school, B.A.S.E. Freeze, or out of school) will NOT be allowed to attend Camp Grady Spruce.

Students who have been assigned to DAEP or expelled ONE OR MORE times will NOT be allowed to attend Camp Grady Spruce.

Students assigned to ISS on the first day of camp will not be allowed to attend Camp Grady Spruce.

**Attendance at PTO Socials and Specified PBIS Events**

Students who have MORE THAN ONE suspension (in school or out of school) will NOT be allowed to attend PTO Socials (or special events).

Students who have been assigned to DAEP or expelled ONE OR MORE times will NOT be allowed to attend PTO Socials (or special events).

Students who were absent or in ISS on the day of the social will NOT be allowed to attend the PTO Social (or special events).

Students placed on MORE THAN ONE BASE Freeze during the semester of the event would not be allowed to attend PTO Social (All other events- see BASE Manual).

**Student Dress Code**

The district's dress code is established to:

- Create and maintain a respectful and positive learning environment;
- Prevent the disruption, interference with, or distraction from the educational environment and school activities;
- Minimize health and safety hazards; and

- Teach students grooming and hygiene.

Students are expected to come to school neatly groomed and appropriately dressed. Modesty will be the dominant feature in all clothing. Students and parents share responsibility for complying with the district's dress code.

**Enforcement**

Teachers and administrators have the authority to enforce the dress code. The principal of each school has the authority to make final decisions on questions of dress and grooming.

**Violations**

If a student fails to comply with the dress code, the principal will request that the student make the appropriate corrections. This may include changing into clothing provided by the school.

If the student refuses to make the appropriate corrections, the student's parent/guardian will be contacted for assistance in making the necessary corrections. If both the student and parent/guardian refuse, the student will be assigned to in-school suspension for the remainder of the day or until the problem is corrected. Repeated violations of the dress code will result in more serious disciplinary action. In all cases, appropriate disciplinary action will be administered in compliance with the Student Code of Conduct.

**Requirements**

*Hair*

- Shall be neat, clean, and well groomed.
- Must not obstruct the student's vision or a view of the student's face in such a way that it does not extend below the upper eyelid or cover the eyes.
- Any student with a hairstyle or design causing disruption to the school and learning environment will be directed to immediately correct the problem. These include but are not limited to spikes, mohawks, and faux hawks (faux hawks must be no taller than 3 inches from the head).
- Mustaches and beards will be kept neatly trimmed, clean and will not be excessive in nature.

*Apparel*

- Trench coats, long overcoats, or dusters are prohibited.
- Wearing either identified gang apparel or wearing clothing in a gang-style as identified by law enforcement agencies is prohibited.
- Clothing may not advertise, condone, depict or promote the use of alcohol, tobacco, drugs, suicide, death, racism, bigotry, violence, gang topics, vulgar or obscene language and/or topics that are gang-related or sexual in nature.
- Sheer clothing is prohibited unless non-revealing clothing that meets dress code is worn underneath.

*Shirts and blouses*

Must be buttoned appropriately and include but are not limited to the following:

- The midriff must be covered at all times, including when arms are raised over the student's head and when the student is seated.
- Sleeveless shirts with straps less than the width of a dollar bill or 2 ½ inches are not permitted. **The back must be covered.**
- Spaghetti straps and tank tops are prohibited unless layered under/over an appropriate shirt or blouse.
- Undergarments should not be visible anywhere, including the armholes.
- Oversized or immodestly undersized shirts are not allowed.
- The back of shirts and dress tops will be no lower than the top of the armpits.

***Pants***

Must fit appropriately over the hips. Sagging or bagging with pants or shorts shall not be permitted. Rolled waist bands are not permitted if rolling causes the midriff to be uncovered.

- Pajamas and/or sleepwear are not permitted.
- Overalls and dress straps must be securely attached over the shoulders.
- Pants worn with holes – No holes are allowed above the extended tip of the middle finger when the arms are held straight at the side and the student is standing straight without shrugging, bending, or stretching in an attempt to make the length work.
- No undergarments should be visible above the waistline of the pants/jeans.

***Dresses, Skirts, and Shorts***

Must allow students to be able to stand, sit, and/or bend with modesty.

- These items shall extend at least to the tip of the middle finger when the arms are held straight at the side and the student is standing straight (without shrugging, bending, or stretching in an attempt to make the length work.)
- Skirts worn with leggings must be fingertip length.
- The top of any slits in outer garments shall comply with this same dress code length.
- Shorts, skirts, and dresses must not be tight-fitting.
- Shorts must be of a non-revealing fabric or style. Spandex biker shorts or boxer shorts are not allowed.

***Footwear***

- For reasons of health and safety, shoes must be worn at all times. Extremely high or spiked heels (3 inches) or shoes with metal tips or spikes or any type of cleat are prohibited.
- Slippers, house shoes and skate shoes are prohibited.
- Shoes must be laced and tied or fastened at all times.
- Properly fitted tennis shoes (with an enclosed back) are required for physical education classes.

***Jewelry, Accessories and Make-up***

- Tattoos must be covered at all times while in the classroom, on school grounds, or at school activities or school sponsored events.

- Chains, including wallet chains, are not allowed.
- Spiked jewelry or jewelry that is noisy, causes a distraction, or that could be dangerous to the student or other individuals is prohibited (i.e. necklaces made out of safety pins and chain links).
- Contacts that are an unnatural eye color (i.e. purple), "wild eye" contacts, or contacts that alter the normal shape and look of the pupil are prohibited.
- Sunglasses or other eyewear that is not for a medical reason is prohibited from being worn inside school buildings.
- Hats, caps, bandanas, visors, or other head coverings may not be worn in the school building except on approved occasions.
- Ultra-wild makeup is prohibited. Full face painting is prohibited.
- Writing or drawing on the skin or clothing is prohibited.

### *Extracurricular Activities:*

Extracurricular programs may have additional requirements or guidelines for students participating in those programs.

### *Additional Information:*

Medical conditions, supported by documentation from a physician, or certain recognized religious beliefs may qualify for an exception to certain provisions of the dress code. However, any exceptions must receive prior approval by the campus administrator.

Grooming and dress for special activities and extra-curricular activities are under the direction of the principal (i.e. Prom, Homecoming, Graduation, field trips, "hat" day, etc.).

This dress code provides requirements regarding common situations but cannot cover every style of dress and specific situations that may arise. The district reserves the right to prohibit any clothing or grooming style that the administration determines to be reasonably expected to pose a health or safety hazard or to cause substantial disruption of, distraction from, or interference with general school operations**.**

## Appendix VII: Mineral Wells Junior High School

### Grading System

Grades will be reported as numerical averages:
100-90 A
89-80 B
79-70 C
Below 70 F (Failing; no credit earned)

### Grade Calculation

- There will be a minimum of ten (10) daily and two (2) major grades per subject per nine-weeks period.
- All grades within the marking period will have the same weight. There will be no distinction, for example, between homework, warm-ups, lab exercises, tests, quizzes, or projects.

- A student's work may be assessed in more than one way; therefore, it is possible for one assignment or test to have more than one grade attached to it.
- No individual assignment or assessment, however, will count more than twenty (20) percent of the average for the nine weeks.
- If a nine-weeks test is given, it will count no more than ten percent of the average that marking period and may carry the same weight as other work done during the nine weeks.
    - In calculating grades, final grades are computed in this manner:
    - each nine-weeks grade is one-fifth and the exam is one-fifth of the final grade.
- Final exams are given in all classes. Final projects may be combined with the final exam to determine the final exam grade.
- Final exams may not be taken early.
- Final exams may be split with the first half given at the end of the fall semester and the 2ND half given at the end of the spring semester.
- Extra credit may be offered at the discretion of the teacher. Credit for this work is not to be given in the place of mastering the state standards (TEKS).
- Advanced classes may use a grading policy which is different from that used in other classes. The details of these grading policies will be supplied in the syllabus for each advanced class. This syllabus is sent home at the beginning of the year.

**Mineral Wells Jr. High School Tardy Policy**

Students who arrive late to class and who do not possess a note from their previous teacher, the counselor, nurse, or other administrator will be recorded as tardy. Any student entering the classroom after the tardy bell is required to complete the following procedure:

1. Sign the classroom tardy sheet
2. Sit in the assigned seat
3. See the teacher the last several minutes of class
4. The teacher will use the classroom discipline plan to enforce the tardy policy by using the hierarchy portion and moving down the hierarchy, if tardies persist.

**Example**

- 1st - 3rd tardy – verbal warning, teacher calls parent at 3rd tardy
- 4th tardy - 1 day of lunch detention may be assigned upon communication with the guardian, the lunch detention supervisor, & the student.
- 5th tardy - 2 days of lunch detention; 6th tardy - 3 days lunch detention
- 7th tardy - After School Detention, 8th - 2 days ASD, 9th tardy - 3 days ASD
- 10th+ tardy - 1 day ISS
- Students who are more than fifteen (15) minutes late to class will be counted absent. This may be an unexcused absence.

**Mineral Wells Junior High Extracurricular Activities, Clubs and Organizations**

| **Athletics** | **Academics** |
|---|---|
| Football | Band, Choir, |
| Basketball | Science, Spelling, |
| Track | Ready Writing, Mathematics, |
| Cheerleading | One Act Play, Calculator Applications, |
| Volleyball | Number Sense, Informative Speaking, |
| Cross Country | Persuasive Speaking, Oral Reading, |
| Soccer | Impromptu Speaking, Art, |
| | Dictionary Skills, Modern Oratory, |
| | Listening Skills, Technology & PLTW, |
| | Maps/Graphs/Charts, Editorial Writing, |
| | Social Studies, |
| | National Junior Honor Society, |
| | Student Council, Junior Historian, Theater, |
| | Various clubs based on student interests & availability of sponsors |

**Student Dress Code**

The district's dress code is established to:

- Create and maintain a respectful and positive learning environment;
- Prevent the disruption, interference with, or distraction from the educational environment and school activities;
- Minimize health and safety hazards; and
- Teach students grooming and hygiene;

Students are expected to come to school neatly groomed and appropriately dressed. Modesty will be the dominant feature in all clothing. Students and parents share responsibility for complying with the District's dress code.

**Enforcement**

Teachers and administrators have the authority to enforce the dress code. The principal of each school has the authority to make final decisions on questions of dress and grooming.

**Violations**

If a student fails to comply with the dress code, the principal will request that the student make the appropriate corrections. This may include changing into clothing provided by the school.

If the student refuses to make the appropriate corrections, the student's parent/guardian will be contacted for assistance in making the necessary corrections. If both the student and parent/guardian refuse, the student will be assigned to in-school suspension for the remainder of the day or until the problem is corrected. Repeated violations of the dress code will result in more serious disciplinary action. In all cases, appropriate disciplinary action will be administered in compliance with the Student Code of Conduct.

**Requirements**

*Hair*

- Shall be neat, clean, and well groomed.
- If a hairstyle or design causes a disruption to the school and learning environment, the student will be directed to immediately correct the problem. These include but are not limited to spikes, mohawks, and faux hawks (faux hawks must be no taller than 3 inches from the head). This may require changing the hairstyle or the design.
- Designs cut in the hair on the side or back of the head must not contain words or anything interpreted as being lewd, offensive, vulgar, obscene, or disruptive to the educational environment or otherwise not follow other dress code requirements.
- Mustaches and beards will be kept neatly trimmed, clean and will not be excessive in nature.

*Apparel*

- Trench coats and long overcoats are prohibited.
- Wearing either identified gang apparel or wearing clothing in a gang-style as identified by law enforcement agencies is prohibited.
- Clothing may not advertise, condone, depict or promote the use of alcohol, tobacco, drugs, guns, ammunition, suicide, death, racism, bigotry, violence, gang topics, vulgar or obscene language, and/or topics that are gang-related or sexual in nature.
- Sheer clothing is prohibited unless non-revealing clothing that meets dress code is worn underneath.

*Shirts and Blouses*

Must be buttoned appropriately and include but are not limited to the following:

- The midriff must be covered at all times, including when arms are raised over the student's head and when the student is seated.
- Sleeveless shirts with straps less than the width of a dollar bill or 2 ½ inches are not permitted. **The back must be covered.**
- Spaghetti straps and tank tops are prohibited unless layered under/over an appropriate shirt or blouse.
- Undergarments should not be visible anywhere, including the armholes.

- Oversized or immodestly undersized shirts are not allowed.
- The back of shirts and dress tops and the armholes of shirts will be no lower than the top of the armpits.
- No racerbacks are allowed.
- No t-shirts with cut-off sleeves are allowed.

***Pants***

Must fit appropriately over the hips. Sagging or bagging with pants or shorts shall not be permitted. Rolled waist bands are not permitted if rolling causes the midriff to be uncovered.

- Pajamas and/or sleepwear are not permitted
- Overalls and dress straps must be securely attached over the shoulders.
- If a student wears pants/jeans with any hole/fray, the hole/fray is not allowed above the extended tip of the longest finger when the arms are held straight at the side and the student is standing straight (without shrugging, bending, or stretching in an attempt to make the length work). IF there are holes or frays above the extended tip of the longest finger, there must be a permanent patch (sewn in) to cover the hole, or tights must be worn under the pants, so no skin is visible. Duct tape will be allowed to cover holes.
- No undergarments should be visible above the waistline of the pants/jeans.

**Dresses, Skirts, and Shorts**

Must allow students to be able to stand, sit, and/or bend with modesty.

- The shortest part of these articles shall extend at least to the tip of the longest finger when the arms are held straight at the side and the student is standing straight (without shrugging, bending, or stretching in an attempt to make the length work.)
- Skirts worn with leggings must be fingertip length.
- The top of any slits in outer garments shall comply with this same dress code length.
- Shorts, skirts and dresses must not be tight-fitting.
- Shorts must be of a non-revealing fabric or style. Spandex biker shorts or boxer shorts are not allowed.

***Footwear***

- For reasons of health and safety, shoes must be worn at all times. Extremely high or spiked heels (3 inches) or shoes with metal tips or spikes or any type of cleat are prohibited.
- Slippers, house shoes and skate shoes are prohibited.
- Shoes must be laced and tied or fastened at all times.
- Properly fitted shoes (with an enclosed back) are required for physical education classes.

***Jewelry, Accessories and Make-up***

- Body piercings, including tongue or body piercing jewelry must not be disruptive to the learning environment.
- Tattoos must be covered at all times while in the classroom, on school grounds, or at school activities or school sponsored events.

- Chains, including wallet chains, are not allowed.
- Spiked jewelry or jewelry that is noisy, causes a distraction, or that could be dangerous to the student or other individuals is prohibited (i.e. necklaces made out of safety pins and chain links).
- Contacts that are an unnatural eye color (i.e. purple), "wild eye" contacts, or contacts that alter the normal shape and look of the pupil are prohibited.
- Sunglasses or other eyewear that is not for a medical reason is prohibited from being worn inside school buildings.
- Hats, caps, bandanas, visors, or other head coverings may not be worn in the school building except on approved occasions.
- Backpacks must be of reasonable size. They must be able to easily fit in a student locker and cannot have wheels (unless medically necessary per a physician's order). Approximate locker size is 9"X10"X34" (widthXdepthXheight).
- Ultra-wild makeup is prohibited. Full face painting is prohibited.
- Writing or drawing on the skin or clothing is prohibited.
- Blankets are prohibited.

### *Extracurricular Activities*

Extracurricular programs may have additional requirements or guidelines for students participating in those programs.

### *Additional Information*

Medical conditions, supported by documentation from a physician, or certain recognized religious beliefs may qualify for an exception to certain provisions of the dress code. However, any exceptions must receive prior approval by the campus administrator.

Grooming and dress for special activities and extra-curricular activities are under the direction of the principal (i.e. Prom, Homecoming, Graduation, field trips, "hat" day, etc.).

This dress code provides requirements regarding common situations but cannot cover every style of dress and specific situations that may arise. The District reserves the right to prohibit any clothing or grooming style that the administration determines to be reasonably expected to pose a health or safety hazard or to cause substantial disruption of, distraction from, or interference with general school operations.

### *Bell Schedule*

| **2024 - 25 MWJH Bell Schedule** | | |
|---|---|---|
| Breakfast | 7:30 AM | 8:00 AM |
| 1st Period | 8:05 AM | 8:58 AM |
| 2nd Period | 9:03 AM | 9:56 AM |
| 3rd Period | 10:01 AM | 11:00 AM |

| | | |
|---|---|---|
| 7th Lunch | 11:00 AM | 11:30 AM |
| 4th Period - 8th Grade | 11:05 AM | 11:58 AM |
| 4th Period - 7th Grade | 11:35 AM | 12:28 PM |
| 8th Lunch | 11:58 AM | 12:28 PM |
| 5th Period | 12:33 PM | 1:26 PM |
| 6th Period | 1:31 PM | 2:24 PM |
| 7th Period | 2:29 PM | 3:22 PM |
| 8th Period | 3:27 PM | 4:20 PM |

**Appendix VIII: Mineral Wells High School**

**Grading System**

Grades will be reported as numerical averages:

100-90 A

89-80 B

79-70 C

Below 70 F (Failing; no credit earned)

**Award of Credit**

Provided student attendance in a course meets state and local regulations, semester credits are granted for courses passed (a semester average of 70 or better is required). If a student fails a semester, then he/she receives no credit for that semester with one exception: if the student passes the second semester and the two semesters average together to a 70 or greater than the student receives credit.

Local credit courses (e.g. teacher's aide, office aide, third- and fourth-year athletics, etc.) will count toward graduation, but will not be computed for GPA.

**Attendance for Credit**

Students who do not meet the state-mandated attendance requirements for credit in a course may be offered opportunities to regain credit for the affected course/courses. These opportunities may include after-school sessions and/or additional school day sessions to make-up time.
Students may also use time spent at extracurricular activities for make-up time; however, students must first successfully complete a minimum of 5 classroom setting make-up hours before they may request administrator approved alternative options. These alternative hours may be matched hour-for-hour with the amount of classroom make up time already completed (for example 10 hours in the classroom allows up to 10 hours through extracurricular activities after the initial 5 hours in the classroom is completed).
All alternative options must be pre-approved by campus administration and documented appropriately. Participation in these alternatives is a privilege and not guaranteed.

**Grade Calculation**

- There will be a minimum of twelve (12) grades per subject per nine weeks period, two of which must be major/test grades.
- Nine-weeks cycle grades will be based on 50% daily work and 50% major/test grades.
- Nine-weeks cycle grades for the high school science department will be based on 30% daily work, 20% labs, and 50% tests.
- Nine-weeks cycle grades for high school honors classes may be set to 40% daily work and 60% tests grades.
- Advanced Placement (AP) Classes are not required to adhere to the nine-week cycle percentage guideline. Details of the grading policies for each AP course are noted in the syllabus for each individual course. The syllabus for each course is posted online and given to each student at the beginning of the year.
- Semester grades are calculated as follows:
    - each nine-weeks grade is three sevenths and
    - the semester exam is one seventh of the final grade.
- Semester exams are given in all classes.
- Exam exemptions for students are earned as set forth in the exemption policy.
- Exemptions are earned and awarded at the end of the term. They are not given at the beginning of the term and then lost.
- Final exams may be taken early, but only with principal approval. In extenuating circumstances, the principal may allow a final exam to be taken at a later date.

**Accelerated Instruction with no prior instruction**

High school students may be candidates for accelerated instruction using online, computer- based instruction. Students choosing this accelerated instruction option must meet with their high school counselor with their parent/guardian to initiate the process, receive approval, and update their four-year plan. Students are required to complete at least 90% of all lessons within a course, and score at least an 85 average on all mastery exams within the course. Final approval will be given by campus principal.

**Schedule Changes**

In order to make a schedule change, you must get a drop slip from your counselor. You will have to get the teacher/director/coach to sign off on the change of the class that you are going to drop. You will then have to get the teacher of the class you would like to add to sign the form as well. A signature from your parent/guardian must also be obtained in order to change your schedule.

**Early Graduation**

Students who desire to graduate in less than four years (8 semesters) of high school must complete an application for Intent for Early Graduation. Students may graduate no more than one year (2 semesters) earlier than their entering graduating class. Students and their parent/guardian should meet with their counselor to begin this process as early as possible to have applications considered for approval. The campus principal will make final determination of approval. Online courses will not be taken for original credit. Students approved for early graduation may revert to a four-year graduation plan at any time if they choose.

*Early graduates will participate in a December graduation ceremony.

*December graduates will not be allowed to attend spring events, such as prom, project graduation, senior fun day, etc.

*December graduates will be allowed to attend coronation; however, not allowed to attend the dance portion of the evening, unless they are a guest of a currently enrolled student.

**Semester Exam Exemptions**

Students may earn exemptions from semester examinations. Students who have not been enrolled at Mineral Wells High school for at least two-thirds of the semester may not be exempt from any exam during that semester. A student will become eligible for an exemption in a course if they have met the requirements listed below. Students will be accountable through the end of the nine weeks for attendance and behavior. If a student's overall six-weeks average is failing going into the week of semester or final exams, the student will be required to take the final exam. These guidelines will be used as the standard for determining eligibility for exemptions in each class a student takes.

Students will not be exempt during the first semester from final exams in classes that are tested for mastery with state standardized testing (STAAR tests English I, English II, Algebra I, Biology, U.S. History). This allows students in these classes an opportunity to be evaluated for readiness at state standards. Students in these courses may earn exemptions the second semester using the guidelines below. Failure to meet the state passing standard on STAAR exams will result in loss of exemption for the second semester in those courses.

**2025-2026 MWHS Semester Exam Exemptions**

In order to be exempt from a semester exam you must meet the following criteria:

| Grades | 95 and higher | 85 – 94 | 75 – 84 | Below 75 |
|---|---|---|---|---|
| Absences | 6 | 4 | 2 | No Exemptions |
| Tardies | 6 | 4 | 2 | No Exemptions |
| Discipline | No ISS/No DAEP | No ISS/No DAEP | No ISS/No DAEP | No Exemptions |
| CTE Classes | Complete 1 Industry Certification | Complete 1 Industry Certification | Complete 1 Industry Certification | No Exemptions |

- Absences with a doctor's note will not be held against the student.

**Students will not earn an exemption if more than 8 tardies have been recorded in a semester.**

*The grade average is determined by averaging the first two nine week's grades of the semester and the final three-week progress report grade.

**Attendance is based on absences for the semester. **Any student absent on the day of a STAAR test for any reason will automatically become ineligible for exemptions.**

All absences, whether excused or unexcused, will count against exemptions, except for extracurricular absences, field trips, office and absences associated with: pre-approved holy days, temporary absences resulting from documented healthcare appointments, required court appearances, activities related to a student obtaining U.S. citizenship, service as an election clerk, and pre-approved college visitation days. Absences resulting from hospital admittance and resulting continuous absences after discharge under doctor orders will be excused for exemption purposes.

***Discipline includes any referrals received within the semester which result in the student receiving In-School Suspension (ISS), placed in shutdown, suspension, a DAEP placement, or truancy cases.

**Mineral Wells High School Tardy Policy**

In an effort to improve student learning, Mineral Wells High School is committed to the ideal of students being in class on time and ready to learn. To help students develop good habits of punctuality and preparedness, MWHS teachers and administrators will enforce the tardy policy by providing consequences for excessive tardiness and rewards for punctuality.

When the tardy bell rings, teachers will close their locked doors and begin class. Students arriving after this time will be required to the tardy kiosk, where they will log in and receive their tardy pass. The student will return to class and be let into the room by the teacher only if they have their tardy pass.

The assistant principal's secretary will print the report from the kiosk and submit it to the attendance secretary, who will then enter it into Skyward. The tardy pass will also include the consequence for the tardy. The consequences for tardiness will be as follows:

1st tardy – verbal warning

2nd tardy –verbal warning

3rd tardy –written warning and teacher contacts parent

4th tardy – 2 days lunch detention assigned by the office

5th tardy –3 days lunch detention assigned by the office

6th tardy –-4 days lunch detention assigned by the office

7th tardy –1 after school detention assigned by the office

8th tardy –2 after school detentions assigned by the office

9th tardy – 3 after school detentions assigned by the office

10th – 12th tardy – ISS, 1 additional day for each tardy through 12 assigned by the office

The student tardy count will start over at zero at the beginning of each nine weeks.

Students who are more than fifteen (15) minutes late to class will be counted absent. This will be an unexcused absence.

## Mineral Wells High School UIL Offerings

**Mineral Wells High School** UIL offerings include the following:

| Athletics | Academics | |
|---|---|---|
| Baseball | Band | One Act Play |
| Basketball | Choir | Literary Criticism |
| Football | Cheerleading | Oral Interpretation |
| Golf | Dance | Computer Applications |
| Powerlifting | Accounting | Calculator Applications |
| Soccer | Journalism | Computer Science |
| Softball | Science | Number Science |
| Tennis | Spelling | Informative Speaking |
| Track | Ready Writing | Persuasive Speaking |
| Volleyball | Mathematics | |
| Cross Country | | |

## Mineral Wells High School Extracurricular Standards

### Student Council

The Mineral Wells High School Student Council is the student government body for our high school. The purpose of this organization is to develop school spirit and pride, to provide a forum for student expression, to provide for the general welfare of the school, to teach leadership and fellowship, to promote good citizenship, and to cooperate with the administration in all problems concerning the school and student body. Membership in student council is by application with teacher recommendation and is conducted each spring. Junior Student Council members in good standing will be appointed as senior members. Qualifications for membership are as follows:

- Students must maintain an average of 75 or above in all classes and
- Have no truancy or disciplinary infraction within the last year.

Students who miss class due to participation in approved extracurricular activities will not have points deducted from their assignments that were due on the day of their absence/absences. Students missing class as a result of an approved extracurricular activity will have 1 day for every day missed to complete and submit any assignments or assessments without academic penalty.

### Other Student Organizations

Sponsors of student clubs and performing groups such as, but not limited to, band, choir, and drill and athletic teams may establish standards of behavior—including consequences for misbehavior— that are stricter than those for students in general. If a violation is also a violation of school rules, the consequences specified by the Student Code of Conduct or by local policy will apply in addition to any consequences specified by the organization. Organizational codes of conduct and constitutions can be supplied on request.

**Student Dress Code**

The district's dress code is established to:

- Create and maintain a respectful and positive learning environment
- Prevent the disruption, interference with, or distraction from the educational environment and school activities
- Minimize health and safety hazards
- Teach students grooming and hygiene

Students are expected to come to school neatly groomed and appropriately dressed. Modesty will be the dominant feature in all clothing. Students and parents share responsibility for complying with the District's dress code.

**Enforcement**

Teachers and administrators have the authority to enforce the dress code. The principal of each school has the authority to make final decisions on questions of dress and grooming.

**Violations**

If a student fails to comply with the dress code, the principal will request that the student make the appropriate corrections. This may include changing into clothing provided by the school.

If the student refuses to make the appropriate corrections, the student's parent/guardian will be contacted for assistance in making the necessary corrections. If both the student and parent/guardian refuse, the student will be assigned to in-school suspension for the remainder of the day or until the problem is corrected. Repeated violations of the dress code will result in more serious disciplinary action. In all cases, appropriate disciplinary action will be administered in compliance with the Student Code of Conduct.

| Dress Code Violation Chart | | | |
|---|---|---|---|
| Correctable | | Non-Correctable | |
| Violation # | Consequence | Violation # | Consequence |
| 1 | Correct | 1 | ISS Until Corrected** |
| 2 | Correct | 2 | ISS Until Corrected** |
| 3 | Correct, 3 days Lunch Detention | 3 | ISS Until Corrected, 3 days Lunch Detention |
| 4 | Correct, ISS 1 Day | 4 | ISS Until Corrected, ISS 1 Day |

| | | | |
|---|---|---|---|
| 5 | Correct, ISS 1 Day | 5 | ISS Until Corrected, ISS 1 Day |
| 6+ | Correct, ISS 2 Days | 6 | ISS Until Corrected, ISS 2 Days |
| * consequences reset at the beginning of each semester | | | |
| ** ISS while waiting on clothes to correct a dress code violation will not be counted toward exemptions | | | |

**Requirements**

*Hair*

- Shall be neat, clean, and well groomed.
- If a hairstyle, coloring, or design causes a significant disruption to the school and learning environment, the student will be directed to change the hairstyle or remove the coloring or design.
- Designs cut in the hair on the side or back of the head cannot contain words, or anything interpreted as being lewd, offensive, vulgar, obscene, or disruptive to the educational environment or otherwise not follow other dress code requirements.
- Mustaches and beards will be kept neatly trimmed, clean and will not be excessive in nature.

*Apparel*

- Trench coats, long overcoats, or dusters are prohibited.
- Wearing either identified gang apparel or wearing clothing in a gang-style as identified by law enforcement agencies is prohibited.
- Clothing may not advertise, condone, depict or promote the use of alcohol, tobacco, drugs, suicide, death, racism, bigotry, violence, gang topics, vulgar or obscene language and/or topics that are gang-related or sexual in nature. Clothing which may be considered offensive will be required to be corrected.
- Sheer clothing is prohibited unless non-revealing clothing that meets dress code is worn underneath.
- Blankets will not be permitted on campus.

*Shirts and blouses*

Must be buttoned appropriately and include but are not limited to the following:

- The midriff must be covered at all times, including when arms are raised over the student's head and when the student is seated.
- Sleeveless shirts with straps less than the width of a dollar bill or 2 ½ inches are not permitted. The back must be covered.
- Spaghetti straps and tank tops are prohibited unless layered under/over an appropriate shirt or blouse.
- Undergarments should not be visible anywhere, including the armholes.
- Oversized or immodestly undersized shirts are not allowed.
- The back of shirts and dress tops will be no lower than the top of the armpits.
- No Racerbacks
- No T-shirts with cut-off sleeves

***Pants***

- Must fit appropriately over the hips. Sagging or bagging with pants or shorts shall not be permitted. Rolled waist bands are not permitted if rolling causes the midriff to be uncovered.
- Pajamas and/or sleepwear are not permitted
- Leggings or tight-fitting knitwear must always be covered with a garment that meets the dress code.
- Skirts worn with leggings must be fingertip length (shorts or long t-shirts are not acceptable).
- Overalls and dress straps must be securely attached over the shoulders.
- No skin above fingertip length may be showing through any fray in pants/jeans.
- No undergarments should be visible above the waistline of the pants/jeans.

***Dresses, Skirts, and Shorts***

Must allow students to be able to stand, sit, and/or bend with modesty.

- These items shall extend at least to the tip of the middle finger when the arms are held straight at the side and the student is standing straight (without shrugging, bending, or stretching in an attempt to make the length work.)
- The top of any slits in outer garments shall comply with this same dress code length.
- Shorts, skirts, and dresses must not be tight-fitting.

- Shorts must be of a non-revealing fabric or style. Spandex biker shorts or boxer shorts are not allowed.

### *Footwear*

- For reasons of health and safety, shoes must be worn at all times. Extremely high or spiked heels (3 inches) or shoes with metal tips or spikes or any type of cleat are prohibited.
- Slippers, house shoes and skate shoes are prohibited.
- Shoes must be laced and tied or fastened at all times.
- Properly fitted tennis shoes (with an enclosed back) are required for physical education classes.

### *Jewelry, Accessories and Make-up*

- Body piercings, including tongue or body piercing jewelry must not be disruptive to the learning environment.
- Tattoos which condone, depict or promote the use of alcohol, tobacco, drugs, guns, ammunition, suicide, death, racism, bigotry, violence, gang topics, vulgar or obscene language, and/or topics that are gang-related or sexual in nature will not be allowed to be visible. They must be covered at all times while in the classroom, on school grounds, or at school activities or school sponsored events.
- Chains, including wallet chains, are not allowed.
- Spiked jewelry or jewelry that is noisy, causes a distraction, or that could be dangerous to the student or other individuals is prohibited (i.e. necklaces made out of safety pins and chain links).
- Sunglasses or other eyewear that is not for a medical reason is prohibited from being worn inside school buildings.
- Hats, caps, bandanas, visors, or other head coverings may not be worn in the school building except on approved occasions.
- Full face painting is prohibited except on special theme days.
- Writing or drawing on the skin or clothing is prohibited.

### *Extracurricular Activities*

Extracurricular programs may have additional requirements or guidelines for students participating in those programs.

### *Additional Information*

Medical conditions, supported by documentation from a physician, or certain recognized religious beliefs may qualify for an exception to certain provisions of the dress code. However, any exceptions must receive prior approval by the campus administrator.

Grooming and dress for special activities and extra-curricular activities are under the direction of the principal (i.e. Prom, Homecoming, Graduation, field trips, "hat" day, etc.).

This dress code provides requirements regarding common situations but cannot cover every style of dress and specific situations that may arise. The District reserves the right to prohibit any clothing or grooming style that the administration determines to be reasonably expected to pose a health or safety hazard or to cause substantial disruption of, distraction from, or interference with general school operations.

### *Bell Schedule*

| **First Bell 8:05** | | | |
|---|---|---|---|
| **1st** | **8:10** | **9:03** | **53 minutes** |
| **2nd** | **9:08** | **10:01** | **53 minutes** |
| **3rd** | **10:06** | **10:59** | **53 minutes** |
| **4th** | **11:04** | **11:57** | **53 minutes** |
| **A Lunch** | **11:57** | **12:27** | **30 minutes** |
| **5th (A Lunch)** | **12:32** | **1:26** | **54 minutes** |
| **5th (B Lunch)** | **12:02** | **12:56** | **54 minutes** |
| **B Lunch** | **12:56** | **1:26** | **30 minutes** |
| **6th** | **1:31** | **2:24** | **53 minutes** |
| **7th** | **2:29** | **3:22** | **53 minutes** |
| **8th** | **3:27** | **4:20** | **53 minutes** |

## Appendix IX: Campus Grading Policies for Failed Assignments

### Lamar Grading Policy

**Policy for retaking or redoing failed assignments/tests**

Students who fail an assignment will be given an opportunity to redo the work with a maximum grade of 70 allowed. If a student makes a 50 on an assignment or test and is reassessed and makes an 80, the student will receive a 70. If a student fails the reassessment, the student will receive the higher of the two grades made. Final Exams/End of Unit Assessments are exempt from this requirement. Students may be given a replacement assignment/test at the discretion of the individual teacher. Assignments/tests exempt from re-taking are benchmarks and formative running record assessments.

**Note:** Extenuating circumstances shall be addressed by each individual teacher.

### Houston Grading Policy

**Policy for retaking or redoing failed assignments/tests**

Students who fail an assignment will be given an opportunity to redo the work with a maximum grade of 70 allowed. It is the responsibility of the student to make arrangements with the teacher to redo assignments Final Exams/End of Unit Assessments and long-term projects such as research papers are exempt from this requirement. The student will have five (5) school days after receiving the failing grade to complete the retake of the assignment or test. Extenuating circumstances shall be addressed by each individual teacher.

**Clarification:** If a student makes a 50 on an assignment or test and is re-assessed and makes an 80, the student will receive a 70. If a student fails the reassessment, the student will receive the higher of the two grades made.

**Tests:** A student may correct a unit test at school. If they make a 0-49, they are eligible to make up to a 50. If they make a 51-69, they are eligible to make up to a 70. This is for tests only. Students typically have one to three tests in a nine week period.

**Note:** A student may be given a replacement assignment/test when retaking or redoing failed assignments/tests at the discretion of the individual teacher.

### Travis Grading Policy

**Policy for retaking or redoing failed assignments/tests**

Students who fail an assignment or test will be given an opportunity to redo the work, providing the work is eligible for redo, with a maximum grade of 70 allowed. Checkpoints, benchmarks, end of the unit assessments, and long-term projects such as research papers are exempt from this requirement. If a student makes a 50 on an assignment or test and is re- assessed and makes an 80, the student will receive a 70. If a student fails the reassessment, the student will receive the higher of the two grades

made. Assignments and/or tests eligible for redo will be determined by the teachers at each grade level. It is the responsibility of the student to make arrangements with the teacher to redo assignments and/or tests. Long term projects are exempt from this requirement. The student will have three (3) school days after receiving the failing grade to complete the retake of the assignment or test. Extenuating circumstances shall be addressed by each individual teacher.

**Note:** A student may be given a replacement assignment/test when retaking or redoing failed assignments/tests at the discretion of the individual teacher.

**Mineral Wells Junior High Grading Policy**

**Policy for retaking or redoing failed assignments/tests**

Students who fail an assignment or test will be given an opportunity to redo the work with a maximum grade of 70. It is the responsibility of the students to make arrangements with the teacher to redo assignments or retake tests. Mid-term and final exams, labs, concerts/performances, and long-term projects such as research papers are exempt from this requirement. The students will have three (3) school days after receiving the failing grade to complete the retake of the assignment or test. Extenuating circumstances shall be addressed by each individual teacher. A student may be given a replacement assignment/test when retaking or redoing failed assignments/tests at the discretion of the individual teacher.

**Clarification:** If a student makes a 50 on an assignment or test and is re-assessed and makes an 80, the student will receive a 70. If a student makes a 55 on the re-assessment, he/she will receive a 55. If a student fails the re-assessment, the student will receive the higher of the two grades made.

Advanced classes may use a grading policy which is different from that used in other classes. The details of these grading policies will be supplied in the syllabus for each advanced class. This syllabus is sent home at the beginning of the year.

**Mineral Wells High School Grading Policy**

**Policy for retaking or redoing failed assignments/tests**

Students who fail an assignment or test will be given an opportunity to redo the work with a maximum grade of 70 allowed. It is the responsibility of the student to make arrangements with the teacher to redo assignments or retake tests. Teachers are permitted to require a student to attend before- or after-school tutoring in order to qualify for a redo. Final and mid-term exams and long-term projects such as research papers are exempt from this requirement. The student will have three (3) school days after receiving the failing grade to complete the retake of the assignment or test. Extenuating circumstances shall be addressed by each individual teacher.

**Clarification:** If a student makes a 50 on an assignment or test and is re-assessed and makes an 80, the student will receive a 70. If a student makes a 55 on the

re-assessment, he/she will receive a 55. If a student fails the re-assessment, the student will receive the higher of the two grades made.

**Note:** A student may be given a replacement assignment/test when retaking or redoing failed assignments/tests, at the discretion of the individual teacher.

**Clarification: Credit Recovery As We Go**

Students not successful in a course will be enrolled in a credit recovery period the following semester or year, depending on their schedule and required credits. All coursework will be completed in Edgenuity.

**Edgenuity Academic Integrity Policy**

Students are expected to complete all Edgenuity coursework with honesty and integrity. If a student is suspected of cheating or engaging in dishonest practices while using Edgenuity, their access to the program will be restricted to on-campus use only or terminated.

**Appendix X: Student AUP**

Visit our website to see the updated Student Acceptable Use Policy.