

## Regular

Tuesday, July 18, 2006 7:30 PM

601 S. Bounds Thrall HS LRC Annex, 601 S. Bounds, Thrall, TX 76578

1. Call to Order
2. Pledge of Allegiance and Invocation
3. Public Input
4. Approve Board Minutes of May 25, 2006 Special Meeting, June 6, 2006 Special Meeting, June 13, 2006 Regular Meeting, June 27, 2006 Special Meeting.
5. Principal and Directors Reports.
6. Discussion and Possible Action concerning the Exemption of School Taxes for the SPJST Lodge #29, Taylor Tx..
7. Discussion and Possible Action to Approve the 2006-2007 Student Handbook and Student Code of Conduct.
8. Discussion and Possible Action Concerning City of Thrall water rate increase and status of the Appeal to TCEQ of the current water rates.
9. Discussion and Possible approval of Localized Policy Update #78. Policies effected include; BAA (LEGAL), BBB (LEGAL), BBBA (LEGAL), BBFA (LEGAL), BDF (LEGAL), CCG (LEGAL), CDA (LOCAL), CE (LEGAL), CHF (LEGAL), CKC (LOCAL), CO (LEGAL), CRD (LOCAL), DBD (LOCAL), DC (LEGAL), DEA (LEGAL), DEA (LOCAL), DEB (LOCAL), DHE (LOCAL), EFAA (LEGAL), EHBC (LEGAL), EHBE (LEGAL), EHBG (LEGAL), EKB (LEGAL), FDA (LOCAL), FDAA LEGAL), FEA (LEGAL), FEB (LEGAL), FFAB (LEGAL), FFAC (LEGAL), FL (LOCAL), FOC (LEGAL).
10. Approve District Investment Policy
11. Discussion and Possible approval to Revise Custodial Payscale.
12. Approve Financial Reports, Budget Amendments and Donations.
13. Closed Session: Personnel-Employee Resignations, Employment of Personnel, Employment of Contract Personnel.
14. Discussion and Possible Action: Employment of Teaching Personnel, Personnel Resignations, Employment of Contract Personnel.
15. Adjourn

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Board Secretary



# THRALL INDEPENDENT SCHOOL DISTRICT

Central Administration

[www.thrallisd.com](http://www.thrallisd.com)

(512) 898-0062 ~ Fax (512) 898-5349 ~ 201 S. Bounds ~ Thrall, Texas 76578



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Elementary (512) 898-5293 – Elementary Fax (512) 898-2879 – High School/Middle (512) 898-5193 – HS/MS Fax (512) 898-2132

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## Action Sheet Call to Order

1

1. Brian Drummond will call the meeting to Order



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## Action Sheet

### Pledge of Allegiance and Invocation

1

1. Brian Drummond will lead the Pledge of Allegiance and Invocation.



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## Action Sheet Public Input 1

1. Brian Drummond will guide Public Input.



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## Action Sheet Approve Minutes

1. We will need a Motion, a Second and a Vote to approve the Minutes.

If a Board Member notices any problems with the Minutes please contact Keith Brown prior to the meeting and we will correct the Board Book Minutes.

# Minutes of Special Meeting

## The Board of Trustees Thrall ISD

---

A Special meeting of the Board of Trustees of Thrall ISD was held May 25, 2006, beginning at 7:30 PM in the Administration Building Board Room, 201 S. Bounds, Thrall, TX.

All Members present.

Others Present-

Keith Brown- Superintendent Thrall ISD

Lorine Fox- Business Manager Thrall ISD

Troy Marx- Mayor City of Thrall ISD

Scooter Dubec- City Councilman

Joseph Pausewang- City Councilman

### 1. Call to Order

The Joint Meeting Between The Thrall ISD Board of Trustees and the Thrall City Council was called to order at 7:30 P.M.

### 2. Pledge of Allegiance and Invocation

Presenter Brian Drummond

### 3. Discussion and Possible Action on City of Thrall Water Rate Increase for Thrall ISD. Joint Meeting , Discussion and Possible Action with Thrall ISD Board of Trustees, Thrall City Council and Thrall Mayor Troy Marx.

Presenter: Brian Drummond

The Thrall City Council and Thrall School Board discussed the City water rate increase and the effect on Thrall ISD.

Darrell Hall made a motion that the Thrall ISD Board of Trustees call a special meeting to come up with a proposed counter offer of the water rates to present to the Thrall City Council at their next Meeting on the Third Thursday of June 2006.

The Mayor and City Council agreed to review the proposal and revisit their rate increase to the school district.

Brian Drummond suggested that the Board of trustees designate a representative to attend this city council meeting and present the districts proposal to the City Council and Mayor.

Renea Seggern seconded the Motion by Darrell Hall

Vote was unanimous

4. Adjourn

Darrell Hall made a motion to adjourn.

Renea Seggern seconded the motion.

Vote Unanimous

Meeting adjourned at 9:28 P.M.

# Minutes of Special Meeting

## The Board of Trustees Thrall ISD

---

A Special meeting of the Board of Trustees of Thrall ISD was held June 6, 2006, beginning at 7:30 PM in the Administration Building Board Room, 201 S. Bounds, Thrall, TX.

All Members Present  
Other Present- Keith Brown

1. Call to Order

Meeting Called to Order at 7:30 P.M. By Brian Drummond

2. Pledge of Allegiance and Invocation

Presenter Brian Drummond

3. Discussion and Possible Action on City of Thrall Water Rate  
Increase for Thrall ISD.

Troy Wade made the motion to present a proposed water rate with to the City of Thrall of \$20.00 for the first 2,000 gallons and \$4.00/1000 gallon-2001+

Richard Chandler seconded the motion.

Vote was unanimous

Mr. Brown made the recommendation that the Board give him the authority to notify the City of Thrall that the School district will appeal the decision of the City Council if the City denies the Districts proposal.

Renea Seggern made the motion to accept Mr. Brown's recommendation.

Steven Hubnik seconded the motion.

Vote was unanimous.

4. Adjourn

Renea Seggern made the motion to adjourn

Darrell Hall seconded the motion

Vote was unanimous.

Meeting Adjourned at 8:04 P.M.

# Minutes of Regular Meeting

## The Board of Trustees Thrall ISD

---

A Regular meeting of the Board of Trustees of Thrall ISD was held June 13, 2006, beginning at 7:30 PM in the Administration Building Board Room, 201 S. Bounds, Thrall, TX.

Members Present- Brian Drummond, Renea Seggern, Troy Wade, Richard Jansky, Richard Chandler, Steven Hubnik

Members Absent- Darrell Hall

Other Present- Keith Brown, Mac Edwards, Lorine Fox, Denise Carter, Maek Sebek and Susan Burkhart.

1. Call to Order  
Presenter: Brian Drummond  
Meeting called to order at 7:30 p.m.
2. Pledge of Allegiance and Invocation  
Presenter: Brian Drummond
3. Public Input  
Presenter: Brian Drummond  
None
4. Approve Board Minutes of May 23, 2006 Special Meeting.  
Presenter: Renea Seggern-Board Secretary  
Motion to Approve Board Minutes Made by: Troy Wade  
Motion Seconded by: Richard Jansky  
Vote Unanimous – Hall Absent
5. Principal and Directors Reports.  
Presenter: Principals and Directors  
Presenter: Technology Director, Susan Burkhart  
Presenter: Athletic Director, Mark Sebek - Gym Floor Slide Show  
Presenter: Elementary Principal, Denise Carter  
Presenter: High School Principal, Mack Edwards  
Presenter: Keith Brown, Superintendent  
-New Board Member Training  
-State of the District Results

6. Discussion and Possible Action to approve Purchase of a School Vehicle.  
Presenter: Keith Brown, Lorine Fox,  
Recommendation by Keith Brown to purchase new 2007 White Chevrolet Suburban \$30,676.00 Caldwell Country Chevrolet  
Motion to Approve Purchase of School Vehicle made by: Renea Seggern  
Motion Seconded by: Richard Chandler  
Vote Unanimous – Hall Absent
  
7. Discussion and Possible Action Concerning City of Thrall water rate increase.  
Presenter: Keith Brown  
District's proposal was delivered to City Council by Mr. Brown Friday a.m. after last special meeting. A representative of the District will attend the next City Council meeting to find out if they accept the District's proposal. If they do not accept, the District will notify the City Council that we will Appeal the decision with TCEQ.
  
8. Discussion and Possible Action to amend school calendar for the 2006-2007 school year.  
Presenter: Keith Brown  
Mr. Brown requests that we remove teacher workday from August 10 and replace it with October 28<sup>th</sup>.  
Motion to Amend School calendar for the 2006-2007 school year made by: Troy Wade  
Motion Seconded by: Richard Jansky  
Vote Unanimous – Hall Absent
  
9. Discussion and Possible Action to approve Administrative Salary Schedule for Principals and Business Manager.  
Presenter: Keith Brown  
Motion to Approve Administrative Salary Schedule for Principals and Business Manager made by: Steven Hubnik  
Motion Seconded by: Troy Wade  
Vote unanimous – Hall Absent
  
10. Discussion and Possible approval of Memorandum of Understanding for 2006-2007 with Williamson County JJAEP.  
Presenter: Keith Brown  
Motion to Approve Memorandum of Understanding for 2006-2007 with Williamson County JJAEP made by: Troy Wade  
Motion seconded by: Richard Jansky  
Vote Unanimous – Hall Absent

11. Approve Financial Reports, Budget Amendments and Donations.  
Presenter: Lorine Fox  
Motion to Approve Financial Reports made by: Steven Hubnik  
Motion seconded by: Richard Chandler  
Vote Unanimous – Hall Absent  
  
Motion to Approve Budget Amendments made by: Richard Jansky  
Motion Seconded by: Troy Wade  
Vote Unanimous – Hall Absent
12. Approve Quarterly Investment Report  
Presenter: Lorine Fox  
Motion to Approve Quarterly Investment Report made by: Renea Seggern  
Motion Seconded by: Steven Hubnik  
Vote Unanimous – Hall Absent
13. Discussion on District Goal Setting and Project Setting.  
Presenter: Brian Drummond  
Mr. Drummond will contact Mr. Thedford with ESC 13 to schedule a time for a goal-setting workshop in August  
- Monday, July 17<sup>th</sup>, Budget workshop/Open Meetings Act training  
- July 18<sup>th</sup>, Regular board meeting
14. Closed Session: Personnel-Employee Resignations, Employment of Personnel, Employment of Contract Personnel.  
Presenter: Keith Brown  
The Board went into closed session at 9:15 p.m.  
The Board entered back in open session at 9:22 p.m.
15. Discussion and Possible Action: Employment of Teaching Personnel, Personnel Resignations, Employment of Contract Personnel.  
Presenter: Brian Drummond  
Mr. Brown recommends Tonda Holland for employment as a Teacher.  
Motion to Approve the employment of Tonda Holland made by: Renea Seggern  
Motion Seconded by: Troy Wade  
Vote unanimous – Hall absent
16. Adjourn  
Motion to adjourn made by: Renea Seggern  
Motion seconded by: Steven Hubnik  
Vote unanimous – Hall absent  
Meeting adjourned at 9:23 p.m.



# Minutes of Special Meeting

## The Board of Trustees Thrall ISD

---

A Special meeting of the Board of Trustees of Thrall ISD was held June 27, 2006, beginning at 6:30 PM in the Administration Building Board Room, 201 S. Bounds, Thrall, TX.

Members present- Brian Drummond, Richard Jansky, Richard Chandler, Troy Wade, Steven Hubnik.

Members absent- Renea Seggern, Darrell Hall

Others Present- Keith Brown

1. Call to Order

Meeting Called to order at 6:30 P.M. By Brian Drummond

2. Pledge of Allegiance and Invocation

Presenter Brian Drummond

3. Discussion and Possible Action on City of Thrall Water Rate Increase for Thrall ISD. The Board of Trustees of Thrall ISD will circulate the petition to appeal water rates Established by the City Council of the City of Thrall, P.O. Box 346, Thrall TX 76578 to ratepayers of the City of Thrall in person to obtain the necessary amount of signatures required to submit the petition to the Texas Commission on Environmental Quality to review the decision to determine if the rates established are just and reasonable, pursuant to Texas Water Code 13.043(a) & (b).

Mr. Brown and the Board circulated the Petition in person to city water rate payers.

4. Adjourn

Troy Wade made the Motion to Adjourn

Steven Hubnik seconded the motion

Vote Unanimous

Meeting adjourned at 8:32 P.M.



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## Action Sheet Principal and Directors Reports

1. The Principals and Directors will give reports as needed. No Action will be taken on the reports.



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## Action Sheet

### SPJST #29 Request For Tax Relief

1. We will need a motion, a second and a vote to exempt Taylor SPJST Lodge #29 from Thrall ISD school Taxes.



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## Action Sheet

### Student Handbook and Student Code of Conduct

1. The Principal will review the changes in the student Handbook if needed. The Changes in the Student Handbook from last year are highlighted in red letters for your convenience.
2. We will need a Motion, a Second and a Vote to approve the 2006-2007 Student Handbook and Student Code of Conduct...

# **Thrall Independent School District**

201 S. Bounds Street

Thrall, TX 76578

[www.thrallisd.com](http://www.thrallisd.com)

## **Central Office**

Phone: (512) 898-0062      Fax: (512) 898-5349

Keith A. Brown, *Superintendent*

Lorine Fox, *Business Manager*

Susan Burkhart, *Director of Technology*

Ann Sisemore, *Administrative Assistant*

## **High School and Middle School**

Phone: (512) 898-5193      Fax: (512) 898-2132

Mac Edwards, *Principal*

Garla Jansky, *Counselor*

Mark Sebek, *Athletic Director*

Marilyn Laferre, *Registrar*

Joan Sladek, *Administrative Assistant*

## **Elementary School**

Phone: (512) 898-5293      Fax: (512) 898-2879

Denise Carter, *Principal*

Tanna Antonucci, *Counselor*

Lynn Crabb, *District School Nurse*

Cissy Atwood, *Administrative Assistant*

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## PREFACE

To Students and Parents:

Welcome to school year 2006-2007! Education is a team effort, and we know that students, parents, teachers, and other staff members all working together will make this a successful year for our students.

The Thrall ISD Student Handbook is designed to provide a resource for some of the basic information that you and your child will need during the school year. In an effort to make it easier to use, the handbook is divided into three sections:

**Section I—IMPORTANT INFORMATION FOR PARENTS**—with information all parents will need about assisting their child and responding to school-related issues;

**Section II—CURRICULUM-RELATED INFORMATION**—providing information to students and their parents about graduation programs, required courses, class rank, and extracurricular and other activities; and

**Section III—GENERAL INFORMATION AND REQUIREMENTS**—describing school operations and requirements such as safety procedures, the dress code, and fees that may be charged.

Each section has a Quick Reference component to serve as a guide for day-to-day questions that may arise.

Please be aware that the term “the student’s parent” is used to refer to the parent, legal guardian, or other person who has agreed to assume school-related responsibility for a student.

Both students and parents must be familiar with the Thrall ISD Student Code of Conduct, required by state law and intended to promote school safety and an atmosphere for learning. That document may be found as an attachment to this handbook, and is posted at [www.thrallisd.com](http://www.thrallisd.com). It is also available in the principal’s office.

The student handbook is designed to be in harmony with Board policy and the Student Code of Conduct. Please be aware that the handbook is updated yearly, while policy adoption and revision may occur throughout the year. Changes in policy that affect student handbook provisions will be made available to students and parents through newsletters and other communications.

In case of conflict between Board policy or the Student Code of Conduct and any provisions of student handbooks, the provisions of Board policy or the Student Code of Conduct that were most recently adopted by the Board are to be followed.

We encourage parents to review the entire handbook with their children and keep it as a reference during this school year. If you or your child have questions about any of the material in this handbook, please contact a teacher, the counselor, or the principal. Also, please complete and return the parental acknowledgment, student directory information, release of information to military recruiters and institutions of higher learning, and consent/opt-out forms so that we have a record of your choices. [See **Obtaining Information and Protecting Student Rights** on page 8.]

Please note that references to alphabetical policy codes are included so that parents can refer to current policy. A copy of the District’s policy manual is available online at [www.thrallisd.com](http://www.thrallisd.com).

## **SECTION I IMPORTANT INFORMATION FOR PARENTS**

This section of the Thrall ISD Student Handbook includes information on topics of particular interest to you as a parent.

### ***QUICK REFERENCE:***

#### **Where to look when you need information about ...**

- ❑ Parental involvement page 7
- ❑ Grading guidelines page 10
- ❑ Report cards/progress reports and conferences page 10
- ❑ State-mandated tests page 11
- ❑ Other standardized testing: College Requirements page 12
- ❑ Medicine at school page 12
- ❑ Psychotropic drugs page 13
- ❑ Steroids page 13
- ❑ Student records page 14
- ❑ Student or parent complaints and concerns page 16
- ❑ Release of students from school page 16

### ***PARENTAL INVOLVEMENT***

#### **Working Together**

Both experience and research tell us that a child's education succeeds best when there is a strong partnership between home and school, a partnership that thrives on communication. Your involvement in this partnership may include:

- ❑ Encouraging your child to put a high priority on education and working with your child on a daily basis to make the most of the educational opportunities the school provides. Ensure that your child completes all homework assignments and special projects. Be sure your child comes to school each day prepared, rested, and ready to learn.
- ❑ Becoming familiar with all of your child's school activities and with the academic programs, including special programs, offered in the District. Discuss with the counselor or principal any questions you may have about the options and opportunities available to your child. If your child is entering ninth grade, review the requirements of the graduation programs with your child. Monitor your child's academic progress and contact teachers as needed. [See **Academic Programs** on page 18 and **Academic Counseling** on page 21.]
- ❑ Attending scheduled conferences and requesting additional conferences as needed. To schedule a telephone or in-person conference with a teacher, counselor, or principal, please

call the school office at 898-5193 (middle/high school) or 898-5293 (elementary) for an appointment. The teacher will usually return your call or meet with you during his or her conference period or before or after school. [See **Report Cards/Progress Reports and Conferences** on page 10.]

- ❑ Becoming a school volunteer. [For further information, see policy GKG and contact the appropriate campus principal(s) or the Thrall ISD administration offices.
- ❑ Participating in campus parent organizations.
- ❑ Offering to serve as a parent representative on the District-level or campus-level planning committees assisting in the development of educational goals and plans to improve student achievement. For further information, see policies at BQA and BQB, and contact the appropriate campus principal(s) or the Thrall ISD administration offices.
- ❑ Offering to serve on the School Health Advisory Council, assisting the District in ensuring local community values are reflected in health education instruction. [See policies BDF and EHAA and **School Health Advisory Council** on page 34.]
- ❑ Attending Board meetings to learn more about District operations. [See policies BE and BED for more information.]

### **Obtaining Information and Protecting Student Rights**

Your child will not be required to participate without parental consent in any survey, analysis, or evaluation—funded in whole or in part by the U.S. Department of Education—that concerns:

- ❑ Political affiliations or beliefs of the student or the student’s parent.
- ❑ Mental or psychological problems of the student or the student’s family.
- ❑ Sexual behavior or attitudes.
- ❑ Illegal, antisocial, self-incriminating, or demeaning behavior.
- ❑ Critical appraisals of individuals with whom the student has a close family relationship.
- ❑ Relationships privileged under law, such as relationships with lawyers, physicians, and ministers.
- ❑ Religious practices, affiliations, or beliefs of the student or parents.
- ❑ Income, except when the information is required by law and will be used to determine the student’s eligibility to participate in a special program or to receive financial assistance under such a program.

You will be able to inspect the survey or other instrument and any instructional materials used in connection with such a survey, analysis, or evaluation. [For further information, see policy EF.]

### **“Opting Out” of Surveys and Activities**

As a parent, you also have a right to receive notice of and deny permission for your child’s participation in:

- ❑ Any survey concerning the private information listed above, regardless of funding.

- ❑ School activities involving the collection, disclosure, or use of personal information collected from your child for the purpose of marketing or selling that information.
- ❑ Any non-emergency, invasive physical examination or screening required as a condition of attendance, administered and scheduled by the school in advance and not necessary to protect the immediate health and safety of the student. Exceptions are hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under state law. See policies EF and FFAA.
- ❑ Display of your child’s artwork, projects, and other special work products:
- ❑ As a parent, if you choose that your child’s artwork, special projects, photographs and the like not be displayed to the community on the District’s Web site, in printed material, by video, or by any other method of communication, you must notify the principal in writing.

**As a parent, you also have a right:**

- ❑ To request information regarding the professional qualifications of your 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; whether the teacher has an emergency permit or other provisional status for which state requirements have been waived; and undergraduate and graduate degree majors, graduate certifications, and the field of study of the certification or degree. You also have the right to request information about the qualifications of any paraprofessional who may provide services to your child.
- ❑ To review teaching materials, textbooks, and other teaching aids and instructional materials used in the curriculum, and to examine tests that have been administered to your child.
- ❑ To inspect a survey created by a third party before the survey is administered or distributed to your child.
- ❑ To review your child’s student records when needed. These records include:
  - Attendance records,
  - Test scores,
  - Grades,
  - Disciplinary records,
  - Counseling records,
  - Psychological records,
  - Applications for admission,
  - Health and immunization information,
  - Other medical records,
  - Teacher and counselor evaluations,
  - Reports of behavioral patterns, and
  - State assessment instruments that have been administered to your child.

[See **Student Records** on page 13.]

To grant or deny any written request from the District to make a videotape or voice recording of your child. State law, however, permits the school to make a videotape or voice recording without parental permission for the following circumstances:

- When it is to be used for school safety;
  - When it relates to classroom instruction or a co-curricular or extracurricular activity; or
  - When it relates to media coverage of the school.
- ❑ To remove your child temporarily from the classroom, if an instructional activity in which your child is scheduled to participate conflicts with your religious or moral beliefs. The removal cannot be for the purpose of avoiding a test and may not extend for an entire semester. Further, your child must satisfy grade-level and graduation requirements as determined by the school and by the Texas Education Agency.
  - ❑ To request that your child be excused from participation in the daily recitation of the Pledge of Allegiance to the United States flag and the Pledge of Allegiance to the Texas flag. The request must be in writing. State law does not allow your child to be excused from participation in the required minute of silence or silent activity that follows. [See **Pledges of Allegiance and a Minute of Silence** on page 44 and policy EC.]
  - ❑ To request that your child be excused from recitation of a portion of the Declaration of Independence. State law requires students in social studies classes in grades 3-12 to recite a portion of the text of the Declaration of Independence during Celebrate Freedom Week unless (1) you provide a written statement requesting that your child be excused, (2) the District determines that your child has a conscientious objection to the recitation, or (3) you are a representative of a foreign government to whom the United States government extends diplomatic immunity. [See policy EHBK]
  - ❑ To request in writing, if you are a non-custodial parent, that you be provided for the remainder of the school year a copy of any written notice usually provided to a parent related to misconduct that may involve placement in a disciplinary alternative education program (DAEP) or expulsion. See policies FL(LEGAL) and (LOCAL), FO(LEGAL) and the Student Code of Conduct.
  - ❑ To request the transfer of your child to a neighboring district if your child has been the victim of a sexual assault by another student on the same campus, whether that assault occurred on or off campus, and that student has been convicted of or placed on deferred adjudication for that assault. [See policy FDD (LOCAL)]

## **GRADING GUIDELINES**

In all grades, pre-Kindergarten through 12<sup>th</sup>, achievement is reported to parents as:

## **REPORT CARDS / PROGRESS REPORTS**

Report cards with each student's grades or performance and absences in each class or subject are issued to parents at least once every six (6) weeks.

At the end of the first three weeks of a grading period, parents will be given a written unsatisfactory progress report if their child's performance in any course (in English language arts, mathematics, science, or social studies) is near or below 70, or is below the expected level of performance. If the student receives a grade lower than 70 in any class or subject during a grading period, the parent will be requested to schedule a conference with the teacher of that class or subject. Grades and attendance are assessable at any time via the District's online grading system. Please contact Mrs. Susan Burkhart for information on this program. [See **Working Together** on page 7 on how to schedule a conference.]

Teachers follow grading guidelines that have been approved by the campus principal and designed to reflect each student's academic achievement for the grading period, semester, or course. 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 policy EIA.]

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 in a class or subject. Tutorials are available each day via a thirty-minute study hall.

Report cards and unsatisfactory progress reports must be signed by the parent and should be returned to the school promptly.

## **STATE-MANDATED ASSESSMENT TESTS**

The Texas Assessment of Knowledge and Skills, or TAKS, assesses the statewide curriculum, the Texas Essential Knowledge and Skills, or TEKS. TAKS assesses the students in ways that closely reflect sound classroom instruction.

In addition to routine tests and other measures of achievement, students at certain grade levels will take state mandated tests (such as TAKS: The Texas Assessment of Knowledge and Skills) in the following subjects:

- ❑ Mathematics, annually in grades 3–7 without the aid of technology and, in grades 8–11, with the aid of technology on any assessment test that includes algebra
- ❑ Reading, annually in grades 3–9
- ❑ Writing, including spelling and grammar, in grades 4 and 7
- ❑ English language arts in grade 10
- ❑ Social studies in grades 8 and 10
- ❑ Science in grades 5, 8\*, and 10
- ❑ Any other subject and grade required by federal law.

*\*The science assessment test in grade 8 will be administered beginning in the 2006–2007 school year. [See policy EKB.]*

For testing dates, please see the TEA website at [www.tea.state.tx.us/](http://www.tea.state.tx.us/) or contact the counselor.

In addition to meeting District-established criteria for promotion, students at certain grade levels will be required to pass the Texas Assessment of Knowledge and Skills (TAKS) as a further requirement for promotion:

- ❑ In order to be promoted to grade 4, students must have performed satisfactorily on the Reading section of the grade 3 assessment test in English or Spanish.
- ❑ In order to be promoted to grade 6, students enrolled in grade 5 in the 2004–2005 school year must perform satisfactorily on the Mathematics and Reading sections of the grade 5 assessment test in English or Spanish.
- ❑ In order to be promoted to grade 9, students enrolled in grade 8 in the 2007–2008 school year must perform satisfactorily on the Mathematics and Reading sections of the grade 8 assessment test in English.

Parents of students in grades 3-8 who do not perform satisfactorily on their exams will be notified that their child will participate in special instructional programs designed to improve performance. These students will also have two additional opportunities to take the test. If the student fails a second time, a grade placement committee, consisting of the principal or designee, the teacher, and the student's parent, will determine the additional special instruction the student will receive. After a third failed attempt, the student will be retained; however, the parent can appeal this decision to the committee. In order for the student to be promoted, based on standards previously established by the District, the decision of the committee must be unanimous. Whether the student is retained or promoted, an educational plan for the student will be designed to enable the student to perform at grade level by the end of the next school year. [See policy EIE.]

### ***OTHER STANDARDIZED TESTING: COLLEGE REQUIREMENTS***

Many colleges require either the American College Test (ACT) or the Scholastic Aptitude Test (SAT) for admission. Students are encouraged to talk with the counselor early during their junior year to determine the appropriate exam to take; these exams are usually taken at the end of the junior year. (Prior to enrollment in a Texas public college or university, most students must take a standardized test, such as the Texas Higher Education Assessment (THEA).

### ***MEDICINE AT SCHOOL***

District employees will not give a student prescription medication, nonprescription medication, herbal substances, anabolic steroids, or dietary supplements, with the following exceptions:

- ❑ Only authorized employees, in accordance with policy FFAC, may administer:
  - Prescription medication, in the original, properly labeled container, provided by the parent, along with a written request.
  - Medication from a properly labeled unit dosage container filled by a registered nurse or another qualified District employee from the original, properly labeled container.
  - Nonprescription medication, in the original, properly labeled container, provided by the parent along with a written request.

- 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.
- In certain emergency situations, the District will maintain and administer to a student nonprescription medication, but only:
  - In accordance with the guidelines developed with the District's medical advisor and
  - When the parent has previously provided written consent to emergency treatment on the District's form.

A student with asthma or severe allergic reaction (anaphylaxis) may be permitted to possess and use prescribed asthma or anaphylaxis medication at school or school-related events only if he or she has written authorization from his or her parent and a physician or other licensed health-care provider. The student must also demonstrate to his or her physician or health-care provider and to 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.

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)

## ***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. It is intended to have an altering effect on perception, emotion, or behavior and is commonly described as a mood- or behavior-altering substance.

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 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. [For further information, see policies at FFAC.]

## ***STEROIDS***

State law prohibits students from possessing, dispensing, delivering, or administering an anabolic steroid. Anabolic steroids are for medical use only, and only a physician can prescribe use.

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 criminal offense.

## **STUDENT RECORDS**

Both federal and state laws safeguard student records from unauthorized inspection or use and provide parents and “eligible” students certain rights. For purposes of student records, an “eligible” student is one who is 18 or older OR who is attending an institution of postsecondary education.

Deleted information here.

Virtually all information pertaining to student performance, including grades, test results, and disciplinary records, is considered confidential educational records. Release is restricted to:

- ❑ The parents—whether married, separated, or divorced—unless parental rights have been legally terminated and if the school is given a copy of the court order terminating these rights. Federal law requires that, as soon as a student becomes 18 or is emancipated by a court, control of the records goes to the student. The parents may continue to have access to the records, however, if the student is a dependent for tax purposes.
- ❑ District staff members who have what federal law defines as a “legitimate educational interest” in a student’s records. Such persons would include school officials (such as Board members, the Superintendent, and principals), school staff members (such as teachers, counselors, and diagnosticians), or an agent of the District (such as a medical consultant).
- ❑ Various governmental agencies or in response to a subpoena or court order.
- ❑ A school to which a student transfers or in which he or she subsequently enrolls.

Release 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 principal is custodian of all records for currently enrolled students at the assigned school. The principal is the custodian of all records for students who have withdrawn or graduated.

Records may be inspected by a parent or eligible student during regular school hours. If circumstances prevent inspection during these hours, the District will either provide a copy of the requested records, or make other arrangements for the parent or student to review the requested records. The records custodian or designee will respond to reasonable requests for explanation and interpretation of the records. The address of the Superintendent’s office is 201 South Bounds Street, Thrall, Texas 76578

The addresses of the principals’ offices are: 201 South Bounds Street, Thrall, Texas 76578

A parent (or eligible student) may inspect the student’s records and request a correction if the records are considered inaccurate or otherwise in violation of the student’s privacy rights. If the district refuses the request to amend the records, the requestor has the right to request a hearing. If the records are not amended as a result of the hearing, the requestor has 30 school days to exercise the right to place a statement commenting on the information in the student’s record. Although improperly recorded grades may be challenged, contesting a student’s grade in a course is handled through the general complaint process found in policy FNG. [See **Report Cards/Progress Reports and Conferences** on page 10 and **Student or Parent Complaints and Concerns** on page 15 for an overview of the process.]

Copies of student records are available at a cost of ten cents per page, payable in advance. If the student qualifies for free or reduced-price lunches and the parents are unable to view the records

during regular school hours, one copy of the record will be provided at no charge upon written request of the parent.

### ***DIRECTORY INFORMATION***

The law permits the district to designate certain personal information about students as “directory information.” This “directory information” will be released to anyone who follows procedures for requesting it.

However, release of a student’s directory information may be prevented by the parent or an eligible student. This objection must be made in writing to the principal within ten school days of the child’s first day of this school year.

### ***DIRECTORY INFORMATION FOR SCHOOL-SPONSORED PURPOSES***

The district often requires the use of student information for school-sponsored purposes. [See FL(LOCAL)] For these specific school-sponsored purposes, the district will use only necessary student information. This information will not be released to the public without the consent of the parent or eligible student.

Unless you object to the use of your child’s information for these limited purposes, the school will not need to ask your permission each time the district wishes to use this information for the school-sponsored purposes.

### ***RELEASE OF STUDENT INFORMATION TO MILITARY RECRUITERS AND INSTITUTIONS OF HIGHER EDUCATION***

The district is required by federal law to comply with a request by a military recruiter or an institution of higher education for students’ names, addresses, and telephone listings, unless parents have advised the district not to release their child’s information without prior written consent. A form is available for you to complete if you do not want the district to provide this information to military recruiters or institutions of higher education.

[See APPENDIX VII for more information]

#### **Please note:**

Parents or eligible students have the right to file a complaint with the U.S. Department of Education if they believe the district is not in compliance with federal law regarding student records. The district’s policy regarding student records is available from the principal’s or superintendent’s office, or on the district’s Web site at [www.thrallisd.com](http://www.thrallisd.com).

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 teachers’ personal notes about a student that are shared only with a substitute teacher—do not have to be made available to the parents or student.

## ***STUDENT OR PARENT COMPLAINTS AND CONCERNS***

Usually student or parent complaints or concerns can be addressed simply—by a phone call or a conference with the teacher. For those complaints and concerns that cannot be handled so easily, the District has adopted a standard complaint policy at FNG (LOCAL) in the District’s policy manual. A copy of this policy may be obtained in the Superintendent’s office or on the District’s Web site at [www.thrallisd.com](http://www.thrallisd.com)

In general, **the student or parent should submit written complaint and request a conference with the campus principal. If the concern is not resolved, a request for a conference should be sent to the Superintendent.** If still unresolved, the District provides for the complaint to be presented to the Board of Trustees.

## ***RELEASE OF STUDENTS FROM SCHOOL***

Because class time is important, doctor’s appointments should be scheduled, if possible, at times when the student will not miss instructional time.

A student who will need to leave school during the day must bring a note from his or her parent that morning and follow the campus sign-out procedures before leaving the campus. Otherwise, a student will not be released from school at times other than at the end of the school day. Unless the principal has granted approval because of extenuating circumstances, a student will not regularly be released before the end of the instructional day.

If a student becomes ill during the school day, the student should receive permission from the teacher before reporting to the school nurse. The nurse will decide whether or not the student should be sent home and will notify the student’s parent.

## ***Late Arrival to School***

A secondary student who is tardy to class by more than 20 minutes will be considered absent. Tardies are a violation of the Student Code of Conduct and will be addressed as per Campus procedures. Repeated instances of tardiness will result in more severe disciplinary action. [See **Attendance for Credit** on page 30.]

## ***Withdrawing from School***

A student under 18 may be withdrawn from school only by a parent. The school requests notice from the parent at least three days in advance so that records and documents may be prepared. The parent may obtain a withdrawal form from the principal's office.

On the student’s last day, the withdrawal form must be presented to each teacher for current grade averages and book clearance; to the librarian to ensure a clear library record; to the clinic for health records; to the counselor for the last report card and course clearance; to the cafeteria to clear account; and finally, to the principal. A copy of the withdrawal form will be given to the student and a copy will be placed in the student’s permanent record.

A student who is 18 or older, who is married, or who has been declared by a court to be an emancipated minor, may withdraw without parental signature.

## **SECTION II CURRICULUM-RELATED INFORMATION**

This section of the handbook contains information on academics and school activities, which is of particular interest to students. Students should take the time to review this information with their parents - especially if they are entering 9th grade or are a transfer student. The section includes information on graduation programs and requirements; options for earning course credit; extracurricular activities and other school-related organizations; and awards, honors, and scholarships.

### ***QUICK REFERENCE:***

#### **Where to look when you need help with...**

<input type="checkbox"/> Academic programs	page 18
<input type="checkbox"/> Awards and honors	page 18
<input type="checkbox"/> Class rank/top ten percent/highest-ranking student	page 18
<input type="checkbox"/> State scholarships and grants	page 20
<input type="checkbox"/> Class schedules	page 20
<input type="checkbox"/> Computer resources	page 20
<input type="checkbox"/> Correspondence courses	page 21
<input type="checkbox"/> Counseling: academic	page 21
<input type="checkbox"/> Counseling: personal	page 21
<input type="checkbox"/> Credit by exam	page 21
<input type="checkbox"/> Distance Learning	page 22
<input type="checkbox"/> Dual credit courses/college courses	page 22
<input type="checkbox"/> Career and technology programs	page 23
<input type="checkbox"/> Extracurricular activities, clubs, and organizations	page 23
<input type="checkbox"/> Grade classification	page 24
<input type="checkbox"/> Promotion and Retention	page 24
<input type="checkbox"/> Graduation	page 25
<input type="checkbox"/> Homework	page 26
<input type="checkbox"/> Nontraditional academic programs	page 26
<input type="checkbox"/> Special programs	page 27
<input type="checkbox"/> Summer school	page 28
<input type="checkbox"/> Textbooks	page 28

## **ACADEMIC PROGRAMS**

The school counselor provides information to students and their parents regarding academic programs to prepare for higher education and career choices. [For more information, see page 21 of this handbook and policy EIF.]

## **AWARDS AND HONORS**

Students are eligible for awards and honors based on the following criteria.

### **Perfect Attendance**

The student shall not be absent from any class, on any day, for the entire school year.

### **Honor Roll**

At the end of each six-weeks' grading period, students who meet the following requirements will be recognized as members of the Honor Roll.

- Honor Roll criteria: The student is required to earn no grade less than 90 in all enrolled courses.
- Merit Roll criteria: The student is required to earn no grade less than 80 in all enrolled courses.

### **National Honor Society**

The purpose of the National Honor Society is to create enthusiasm for scholarship, to stimulate a desire to render service, to promote worthy leadership, and to encourage the development of character within its members. Academic performance and the accrual of documented community service are requirements for induction into and continued membership in this organization. [See NHS advisor for specific requirements.]

## **CLASS RANK / TOP TEN PERCENT / HIGHEST-RANKING STUDENT**

### **Class Rank**

Class rank will be based on graduation plans and weighted grade point averages (GPAs). Candidates for graduation will be ranked according to graduation plan. Distinguished graduates are to be ranked first, followed by Recommended graduates, then Minimum graduates.

To be ranked among the Distinguished candidates for graduation, a student must maintain a cumulative, weighted GPA of 87.0 or above. If a Distinguished student's GPA falls below 87.0, the student will be ranked among the Recommended students according to his/her GPA.

To be ranked among the Recommended candidates for graduation, a student must maintain a cumulative, weighted GPA of 80.0 or above. If a Recommended student's GPA falls below 80.0, the student will be ranked among the Minimum students according to his/her GPA.

Three-year graduates will be ranked according to the same standards as four-year graduates. Any student who is not graduating under one of the State of Texas' graduation plans will be ranked among the Minimum graduates.

## **Valedictorian/Salutatorian**

The Valedictorian and Salutatorian will be the two students with the highest class ranking. The rank will be determined by weighted grade averages for high school course work, excluding the final six-weeks' grading period of the senior year.

## **Top Ten Percent**

In order to be considered for the top 10% of the class, a student must have completed the last three (3) full semesters of high school coursework at Thrall High School. Advanced and identified classes will be weighted for class ranking and weighted GPAs.

For two school years following their graduation, District graduates who ranked in the top ten percent of their graduating class are eligible for admission into four-year public universities and colleges in Texas. Students and parents should contact the counselor for further information about how to apply and the deadline for application. [For further information, see policies at EIC.]

## **Weighted Grades and Calculation of GPA**

Advanced and identified classes will be weighted for class ranking and weighted GPAs. In calculating class rankings and GPAs, all school courses taken, including those in which the student failed to earn credit, will be included in the calculation of GPA with the following exceptions:

- Credit by Exam courses
- Correspondences courses
- Teacher Aide positions
- Local Credit classes

Although these courses will not be counted in the calculation of GPA, they will count as appropriately determined credit(s) toward the student's graduation plan.

## **Grade Point Average Weighted Scale (Refer to Board Policy)**

Advanced Placement\*, Dual Credit College, and Designated College Level Classes:

- Add 7 points for earned grades 90 – 100
- Add 5 points for earned grades 80 – 89
- Add 3 points for earned grades 70 – 79

*\*An additional three (3) points will be added to the student's grade if the student scores a three (3) or higher on the corresponding Advanced Placement exam.*

Pre-AP and other Designated Advanced Classes\*:

- Add 6 points for earned grades 85 – 100
- Add 3 points for earned grades 70 – 84

*\*Due to the nature of constantly improving curriculum, advanced classes may change or be added. The campus administrator may designate and/or change an advanced class not listed at the beginning of the school year.*

Dual Credit Courses approved by the campus administrator will count towards the student's GPA. The grade recorded by the college will be converted to high school credit according to the following scale approved by the Thrall ISD School Board:

A (4.0) – 97

B (3.0) – 87

C (2.0) – 77

D (1.0) – 72

F (0.0) – 70

## **STATE SCHOLARSHIPS AND GRANTS**

Under the Texas Early High School Graduation Scholarship Program, students who complete the Recommended or Advanced (Distinguished Achievement) High School Program may earn financial credits in varying amounts, to apply toward college tuition. The amounts depend on the number of consecutive months in which the student completed graduation requirements and the number of early college credits earned and may be used at public or private higher education institutions within the state. The counselor can provide additional information about meeting the program's eligibility requirements.

Students who have a financial need according to federal criteria and who complete the Recommended High School Program or Distinguished Achievement Program may be eligible under the TEXAS Grant Program for tuition and fees to Texas public universities, community colleges, and technical schools, as well as to private institutions. [For further information, see the principal or counselor and policy EJ.]

## **CLASS SCHEDULES**

Class schedules are set at the beginning of the year to meet the graduation requirements of the Thrall ISD student. A student may request changes during the first week of each semester. After the first week of each semester, a student may not request a change in schedule but changes can occur for class leveling purposes or by teacher request. Approval of any schedule change will require the signature of the building principal. In instances of schedule changes involving extra-curricular activities, the request should be approved and signed by the activity sponsor before submission to the office.

## **COMPUTER RESOURCES**

To prepare students for an increasingly computerized society, the District has made a substantial investment in computer technology for instructional purposes. Use of these resources is restricted to students working under a teacher's supervision and for approved purposes only. Students and their parents will be asked to sign a user agreement (separate from this handbook) regarding use of these resources; violations of this agreement may result in withdrawal of privileges and other disciplinary action.

Students and their parents should be aware that electronic communications—e-mail—using District computers are not private and may be monitored by District staff.

[For additional information, see policy CQ.]

## ***CORRESPONDENCE COURSES***

The District permits high school students to take correspondence courses—by mail or via the Internet—for credit toward high school graduation. [For further information, see policy EEJC.]

## ***COUNSELING***

### **Academic Counseling**

Students and their parents are encouraged to talk with a school counselor, teacher, or principal to learn about course offerings, the graduation requirements of various programs, and early graduation procedures. Each spring, students will be provided information on anticipated course offerings for the next year and other information that will help them make the most of academic and vocational opportunities.

To plan for the future, students should work closely with the counselor in order to take the high school courses that best prepare them for attendance at a college, university, or training school, or for pursuit of some other type of advanced education. The counselor can also provide information about entrance exams and deadlines for application, as well as information about automatic admission to state colleges and universities, financial aid, housing, and scholarships.

### **Personal Counseling**

The school counselor is available to assist students with a wide range of personal concerns, including such areas as social, family, or emotional issues, or substance abuse. The counselor may also make available information about community resources to address these concerns. A student who wishes to meet with the counselor should ask a teacher for a pass to the counselor's office or fill out a request to see the counselor.

***Please note:*** The school will not conduct a psychological examination, test, or treatment without first obtaining the parent's written consent. Parental consent is not necessary when a psychological examination, test, or treatment is required by state or federal law for special education purposes or by the Texas Education Agency for child abuse investigations and reports..

[For more information, refer to policy FFE and FFG (EXHIBIT).]

### ***CREDIT BY EXAM—If a Student Has Taken the Course***

A student who has received prior instruction in a course or subject—but did not receive credit for it—may, in circumstances determined by the teacher, counselor, principal, or attendance committee, be permitted to earn credit by passing an exam on the essential knowledge and skills defined for the course or subject. To receive credit, a student must score at least 70 on the exam.

The attendance review committee may offer a student with excessive absences an opportunity to earn credit for a course by passing an exam. A student may not use this exam, however, to regain eligibility to participate in extracurricular activities.

[For further information, see the counselor and policy EEJA.]

### ***CREDIT BY EXAM—If a Student Has Not Taken the Course***

A student will be permitted to take an exam to earn credit for an academic course for which the student has no prior instruction. The dates on which exams are scheduled during the 2006-2007 school year include:

<u>Date Scheduled</u>	<u>Course</u>
August 2-5, 2006	Academic Courses
January 10-14, 2007	Academic Courses

A student will earn credit with a passing score of at least 90 on the exam.

If a student plans to take an exam, the student (or parent) must register with the principal no later than 30 days prior to the scheduled testing date. The District will honor a request by a parent to administer a test on a date other than the published dates. The parent will be responsible for purchasing the test from a university approved by the State Board of Education. [For further information, see EEJB.]

### ***DISTANCE LEARNING***

Thrall ISD is equipped with a Distance Learning Lab. Courses offered will be determined by availability and student interest

### ***DUAL CREDIT COURSES / COLLEGE COURSES***

Dual Credit College Courses are college classes available to high school juniors and seniors. Some of the classes required for a high school diploma are the core curriculum required for a college degree. To participate in dual credit courses, students must submit a signed concurrent enrollment form, register for college courses according to the college's schedule, and pay tuition.

Earning a passing grade at the end of the course will satisfy both college credit and units toward the high school diploma. Academic credits earned through dual credit courses will transfer to any State higher education institution and most private institutions. Thrall ISD administration determines the college level courses that can be taken to fulfill high school credit.

### ***ADVANCED PLACEMENT (AP) CLASSES***

Advanced Placement (AP) classes are specified high school level classes with a nationally standardized curriculum that is differentiated from the curriculum offered in a regular high school class. AP courses are designed to be more challenging than regular high school classes. In order to offer AP classes, a teacher must be AP certified through The College Board. These courses fulfill the required units of study towards a high school diploma.

In order to receive college credit for the AP course, the student must score a 3 or better on the AP exam offered at the end of the course. Some colleges and universities apply the earned score on the college transcript, while others grant credit only without awarding a grade. The student has only one opportunity to earn a transferable grade for the course because college credit is based solely on the AP exam given at the end of the course. If the student does not score a 3 or better on the AP exam, or elects not to take the exam, no college credit is earned. Advanced Placement courses do not require; however, there is a fee for the Advanced Placement test as determined by The College Board.

## ***CAREER AND TECHNOLOGY PROGRAMS***

The District offers career and technology programs in agricultural science, consumer science, business, and computer technology. Admission to these programs is based on student interest, enrollment, and staff availability.

Thrall ISD will take steps to ensure that lack of English language skills will not be a barrier to admission and participation in all educational and vocational programs.

## ***EXTRACURRICULAR ACTIVITIES, CLUBS, AND ORGANIZATIONS***

Participation in school-related activities is an excellent way for a student to develop talents, receive individual recognition, and build strong friendships with other students; participation, however, is a privilege, not a right.

Eligibility for participation in many of these activities is governed by state law and the rules of the University Interscholastic League (UIL)—a statewide association overseeing interdistrict competition. The following requirements apply to all extracurricular activities:

- ❑ A student who receives at the end of a grading period a grade below 70 in any academic class, other than a class identified as honors or advanced by either the State Board of Education or by the local Board of Trustees, may not participate in extracurricular activities for at least three school weeks.
- ❑ A student with disabilities 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.
- ❑ A student is allowed in a school year up to ten absences not related to post-district competition, a maximum of five absences for post-district competition prior to state, and a maximum of two 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 student who misses a class because of participation in an activity that has not been approved will receive an unexcused absence.

**Please note:** 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 local policy will apply in addition to any consequences specified by the organization's standards of behavior.

[For further information, see policies FM and FO.]

## **GRADE CLASSIFICATION**

After the ninth grade, students are classified according to the number of credits earned toward graduation.

<u>Credits Earned</u>	<u>Classification</u>
5	Grade 10 (Sophomore)
10	Grade 11 (Junior)
15	Grade 12 (Senior)

## **PROMOTION AND RETENTION**

A student will be promoted only on the basis of academic achievement or demonstrated proficiency in the subject matter of the course or grade level. To earn credit in a course, a student must receive a grade of at least 70 based on course-level or grade-level standards. Grades 1-8 promotion and retention is based on policy EIE (Local).

**This policy states that in grades 1-8, promotion to the next grade level shall be based on an overall average of 70 on a scale of 100 based on course-level, grade-level standards (essential knowledge and skills) for all subject areas and a grade of 70 or above in three of the following areas: language arts, mathematics, science, and social studies.**

Grade-level advancement for students in grades 9-12 shall be earned by course credits.

In addition, at certain grade levels a student – with limited exceptions – will be required to pass the Texas Assessment of Knowledge and Skills (TAKS), if the student is enrolled in a public Texas school on any day between January 1 and April 15 and is a Texas resident during the week that the TAKS is administered the first time.

- In order to be promoted to grade 4, students must have performed satisfactorily on the Reading section of the grade 3 assessment in English or Spanish.
- In order to be promoted to grade 6, students enrolled in grade 5 must have performed satisfactorily on the Mathematics and Reading sections of the grade 5 assessment in English or Spanish.
- In order to be promoted to grade 9, students enrolled in grade 8 in the 2007–2008 school year must perform satisfactorily on the Mathematics and Reading sections of the grade 8 assessment in English.

Parents of a student in grades 3, 5 or 8 who does not perform satisfactorily on his or her exams will be notified that their child will participate in special instructional programs designed to improve performance. Such students will also have two additional opportunities to take the test. If a student fails a second time, a grade placement committee, consisting of the principal or designee, the teacher, and the student's parent, will determine the additional special instruction the student will receive. After a third failed attempt, the student will be retained; however, the parent can appeal this decision to the committee. In order for the student to be promoted, based

on standards previously established by the District, the decision of the committee must be unanimous. Whether the student is retained or promoted, an educational plan for the student will be designed to enable the student to perform at grade level by the end of the next school year. [See policy EIE.]

A Personal Graduation Plan (PGP) will be prepared for any student in a middle school or beyond who did not perform satisfactorily on a state-mandated assessment or is determined by the District as not likely to earn a high school diploma before the fifth school year following enrollment in grade 9. The PGP will be designed and implemented by a guidance counselor, teacher, or other staff member designated by the principal. The plan will identify the student's educational goals, address the parent's educational expectations for the student, and outline an intensive instruction program for the student. [For additional information, see the counselor and policy EIF.]

Certain students—some with disabilities and some with limited English proficiency—may be eligible for exemptions, accommodations, or deferred testing. For more information, see the principal, counselor, or special education director.

## **GRADUATION**

### **Requirements for a Diploma**

To receive a high school diploma from the District, a student must successfully complete the required number of credits and pass a statewide exit-level exam.

The grade 11 exit-level test, required for students in grade 11 in the 2003–2004 school year and thereafter, covers English language arts, mathematics, science, and social studies and requires knowledge of Algebra I, Geometry, Biology, Integrated Chemistry and Physics, English III, and early American and United States History. A student who does not pass the exit-level assessment will have additional opportunities to take the test.

**Any student who was in grade 9 or higher on January 1, 2001, is eligible to graduate under the former TAAS exam.**

### **Graduation Programs**

The District offers the graduation programs listed below. All students entering grade 9 are required to enroll in the Recommended High School Program or Distinguished Achievement Program. Permission to enroll in the Minimum Graduation Program will be granted only if an agreement is reached among the student, student's parent or person standing in parental relation, and the counselor or appropriate administrator. [See policy EIF.]

	<u>Number of Credits</u>
<input type="checkbox"/> Minimum Graduation Plan	25
<input type="checkbox"/> Recommended High School Program	25
<input type="checkbox"/> Distinguished Achievement Program	25*
<input type="checkbox"/> *Plus four (4) advanced measures.	

## **Certificates of Coursework Completion**

A certificate of coursework completion will be issued to a senior student who successfully completes state and local credit requirements for graduation, but fails to perform satisfactorily on the exit-level tests.

## **Students with Disabilities**

Upon the recommendation of the admission, review, and dismissal committee, a student with disabilities may be permitted to graduate under the provisions of his or her individualized education program (IEP).

## **Graduation Activities**

- Graduation activities will include commencement exercises.

## **Graduation Expenses**

Because students and parents will incur expenses in order to participate in the traditions of graduation, such as the purchase of invitations, senior ring, cap and gown, and senior picture, both 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 **Student Fees** on page 41.]

# **HOMEWORK**

## ***Student Responsibilities in Homework***

1. Make sure s/he understands the homework assignment(s) before leaving school.
2. Complete homework on time and make sure it is turned in on time.
3. Be accountable for all required work that is missed due to absence.
4. Take home all necessary assignments and materials needed to complete homework.
5. Have an organized means of keeping and transporting homework to and from school.
6. Arrange for a quiet place to study at a regular, set time.
7. Schedule time for homework that is compatible with family and/or after school activities.
8. Complete homework with a minimum of parental help or assistance from other sources.
9. Complete homework as carefully and neatly as in-school work.
10. Budget adequate time for long-term projects, daily review and studying for tests.

## ***Parent Responsibilities in Homework***

*Parents can support a student's interest in life-long learning by encouraging good study habits and providing a positive learning environment at home. Parents should:*

1. Take an active interest in what your child is doing in school. Ask for an explanation of a particular assignment and what is being learned. Compliment good work or when improvement is shown.
2. Offer constructive criticism and suggestions, but avoid severe criticism and undue pressure. Parents' positive attitudes encourage students to do the best work possible.
3. Help your child budget his/her time so that a regular schedule for studying is set.
4. Monitor television, radio, and other activities to ensure that the student has sufficient study time.
5. Provide a quiet, well-lit place for your child to complete homework.
6. Encourage your child to seek additional help from his/her teacher(s) if there seems to be any difficulty with assignments. [See Tutorials]
7. Encourage and guide your child with assigned homework. Under no circumstances should the parent do the work for the child.
8. Emphasizing regular school attendance is important for your child's continued progress in learning.
9. Be supportive of the District in achieving the mission and goals of the school.
10. Consult your child's teacher often. Good communication between home and school is essential to the academic success of children.

### ***NONTRADITIONAL ACADEMIC PROGRAMS***

Thrall ISD offers the online curriculum program called Nova Net. The program is designed to service credit recovery, credit acceleration and academically at-risk students. There is limited space and the program assignments are reviewed on an individual basis. Please see the building principal for more information.

### ***SPECIAL PROGRAMS***

The District provides special programs for gifted and talented students, homeless students, bilingual students, migrant students, students with limited English proficiency, dyslexic students, 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 the campus principal.

### **Options and Requirements for Providing Assistance to Students Who Have Learning Difficulties or Who Need or May Need Special Education**

If a child is experiencing learning difficulties, the parent may contact the person listed below to learn about the District's overall general education referral or screening system for support services. This system links students to a variety of support options, including referral for a special education evaluation. Students having difficulty in the regular classroom should be

considered for tutorial, compensatory, and other support services that are available to all students.

At any time, a parent is entitled to request an evaluation for special education services. Within a reasonable amount of time, the District must decide if the evaluation is needed. If evaluation is needed, the parent will be notified and asked to provide consent for the evaluation. The District must complete the evaluation and the report within 60 calendar days of the date the District receives the written consent. The District must give a copy of the report to the parent.

If the District determines that the evaluation is not needed, the District will provide the parent with a written notice that explains why the child will not be evaluated. This written notice will include a statement that informs the parent of his or her rights if the parent disagrees with the District. Additionally, the notice must inform the parent how to obtain a copy of the *Notice of Procedural Safeguards=Rights of Parents of Students with Disabilities*.

The designated person to contact regarding options for a child experiencing learning difficulties or a referral for evaluation for special education is the diagnostician assigned to Thrall ISD by East Williamson County Special Education Co-op at 898-2419.

If a student is receiving special education services at a campus outside his or her attendance zone, the parent or guardian may request that any other student residing in the household be transferred to the same campus, if the appropriate grade level for the transferring student is offered on that campus. The district will not provide transportation, except for the special education student. [see Policy FDB(LOCAL )]

## **SUMMER SCHOOL**

Summer school programs are available at each campus. Please contact the campus principal for information regarding each program.

## **TEXTBOOKS**

State-approved textbooks are provided to students free of charge for each subject or class. Books must be covered by the student, as directed by the teacher, and treated with care. A student who is issued a damaged book should report the damage to the teacher. Any student failing to return a book issued by the school loses the right to free textbooks until the book is returned or paid for by the parent; however, the student will be provided textbooks for use at school during the school day.

## **SECTION III**

### **GENERAL INFORMATION AND REQUIREMENTS**

Topics in this section of the handbook contain important information regarding school operations and requirements. Included are provisions such as student health and safety issues; fees; the school's expectations for student conduct (other than Student Code of Conduct requirements); use of facilities, such as the cafeteria, library, and transportation services; and emergency closings. For additional information or questions you may have, please see the principal.

#### ***QUICK REFERENCE:***

##### **Where to look when you need information about...**

<input type="checkbox"/> Attendance	page 30
<input type="checkbox"/> Driver license attendance verification	page 32
<input type="checkbox"/> Make up work	page 32
<input type="checkbox"/> Communicable diseases/conditions	page 33
<input type="checkbox"/> Health-related matters	page 34
<input type="checkbox"/> Freedom from Discrimination	page 35
<input type="checkbox"/> Conduct	page 37
<input type="checkbox"/> Disruptions	page 37
<input type="checkbox"/> Law enforcement agencies	page 38
<input type="checkbox"/> Distribution of published materials or documents	page 39
<input type="checkbox"/> Dress and grooming	page 40
<input type="checkbox"/> Student fees	page 42
<input type="checkbox"/> Fund-raising	page 43
<input type="checkbox"/> Immunization	page 43
<input type="checkbox"/> Physical examinations/health screenings	page 43
<input type="checkbox"/> Pledges of allegiance and a minute of silence	page 44
<input type="checkbox"/> Prayer	page 44
<input type="checkbox"/> Safety	page 44
<input type="checkbox"/> Emergency school-closings information	page 45
<input type="checkbox"/> School facilities	page 45
<input type="checkbox"/> Searches	page 47
<input type="checkbox"/> Transportation	page 48
<input type="checkbox"/> Video Cameras	page 48
<input type="checkbox"/> Visitors to the school	page 49

## **ATTENDANCE**

Regular school attendance is essential for the student to make the most of his or her education—to benefit from teacher-led and school activities, to build each day’s learning on the previous day’s, and to grow as an individual. Absences from class may result in serious disruption of a student’s mastery of the instructional materials; therefore, the student and parent should make every effort to avoid unnecessary absences. Two state laws, one dealing with compulsory attendance, the other with attendance for course credit, are of special interest to students and parents. They are discussed in the following sections:

### **Compulsory Attendance**

State law requires that a student between the ages of 6 and 18 attend school, as well as any applicable accelerated instruction programs, extended year programs, or tutorial sessions unless the student is otherwise legally exempt or excused. A student who voluntarily attends or enrolls after his or her eighteenth birthday is required to attend each school day. If a student 18 or older has more than five unexcused absences in a semester, however, the District may revoke the student’s enrollment. The student’s presence on school property thereafter would be unauthorized and may be considered trespass.

If kindergarten, first grade, or second grade students are assigned to an accelerated reading instruction program under state law, compulsory attendance applies to attendance in the reading program. Parents will be notified in writing if their child is assigned to an accelerated reading instruction program as a result of the reading diagnosis test.

School employees must investigate and report violations of the state compulsory attendance law. A student absent without permission from school; from any class; from required special programs, such as additional special instruction (termed “accelerated instruction” by the state) assigned by the grade placement committee and basic skills for ninth graders; or from required tutorials, will be considered in violation of the compulsory attendance law and subject to disciplinary action.

A court of law may also impose penalties against both the student and his or her parents if a school-aged student is deliberately not attending school. A complaint against the parent may be filed in court if the student:

- ❑ Is absent from school on ten or more days or parts of days within a six-month period in the same school year,
- ❑ Is absent on three or more days or parts of days within a four-week period.

### **Attendance for Credit**

To receive credit in a class, a student must attend at least 90 percent of the days the class is offered. A student who attends fewer than 90 percent of the days the class is offered may be referred to the attendance review committee to determine whether there are extenuating circumstances for the absences and how the student can regain credit.

In determining whether there were extenuating circumstances for the absences, the attendance committee will use the following guidelines:

- ❑ All absences will be considered in determining whether a student has attended the required percentage of days. If makeup work is completed, absences for religious holy days and health-care appointments will be considered days of attendance for this purpose. [See policy FEB.]
- ❑ A transfer or migrant student begins to accumulate absences only after he or she has enrolled in the District. For a student transferring into the District after school begins, including a migrant student, only those absences after enrollment will be considered.
- ❑ In reaching a decision about a student's absences, the committee will attempt to ensure that it is in the best interest of the student.
- ❑ The committee will consider the acceptability and authenticity of documented reasons for the student's absences.
- ❑ The committee will consider whether the absences were for reasons over which the student or the student's parent could exercise any control.
- ❑ The committee will consider the extent to which the student has completed all assignments, mastered the essential knowledge and skills, and maintained passing grades in the course or subject.
- ❑ The student or parent will be given an opportunity to present any information to the committee about the absences and to talk about ways to earn or regain credit.

The student or parent may appeal the committee's decision to the Board of Trustees by filing a written request with the Superintendent in accordance with policy FNG.

The actual number of days a student must be in attendance in order to receive credit will depend on whether the class is for a full semester or for a full year.

When a student must be absent from school, the student—within three school days of returning to school—must bring a note, signed by the parent, describing the reason for the absence. A note signed by the student, even with the parent's permission, will not be accepted unless the student is 18 or older. A violation of the three day rule will result in an unexcused absence for the student.

### **Excused Absence**

Thrall ISD accepts the following as extenuating circumstances, which produce excused absences:

- Personal illness, family illness/death, quarantine, dangerous weather/road conditions, or any other unusual cause acceptable to the Superintendent or campus principal;
- Days of suspension. (For grades taken during a suspension, an academic penalty of no more than 20% of the grade may be imposed);
- Observance of religious holy days, including travel for that purpose;
- Required screening, diagnosis, and treatment for Medicaid-eligible students;
- An extracurricular activity or public performance, as approved by the Board;
- A juvenile court proceeding documented by a probation officer;
- An absence required by state or local welfare workers;

- Family emergencies or unforeseen or unavoidable instances requiring immediate attention. *Please note: Family business is not excused.*

## **Release of Students**

A student shall not be released from school at times other than regular dismissal hours, except with approval and according to campus sign-out procedures. Any deviation from a student's primary way home will necessitate a written note from the parent as your child comes to school that morning. Once the school day has begun, changes will be made on an emergency basis only. A student will not regularly be released before the end of the instruction day.

## **Driver License Attendance Verification**

To obtain a driver license, a student between the ages of 16 and 18 must annually provide to the Texas Department of Public Safety a form obtained from the school verifying that the student has met the 90 percent attendance requirement for the semester preceding the date of application. The student can obtain this form at the campus registrar's office.

## ***MAKEUP WORK***

### **Routine and In-Depth Makeup Work Assignments**

For any class missed, the teacher may assign the student makeup work based on the instructional objectives for the subject or course and the needs of the individual student in mastering the essential knowledge and skills or in meeting subject or course requirements.

A student will be responsible for obtaining and completing the makeup work in a satisfactory manner and within the time specified by the teacher. [For further information, see policy EIAB.]

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.

### **DAEP or In-School Suspension Makeup Work**

A student removed to a disciplinary alternative education program (DAEP) during the school year will have an opportunity to complete, before the beginning of the next school year, coursework needed to fulfill the student's high school graduation requirements. The District may provide the opportunity to complete the coursework through an alternative method, including a correspondence course, distance learning, or summer school. The District will not charge the student for any method of completion provided by the District. [See policy FOCA.]

A student removed from the regular classroom to in-school suspension or another setting, other than a DAEP, will have an opportunity to complete before the beginning of the next school year each course the student was enrolled in at the time of removal from the regular classroom. The District may provide the opportunity by any method available, including a correspondence course, distance learning, or summer school. [See policy FEA.]

Students and their parents are encouraged to discuss options with the teacher or counselor to ensure the student completes all work required for the course or grade level.

## **COMMUNICABLE DISEASES / CONDITIONS**

To protect other students from contagious illnesses, students infected with certain diseases are not allowed to come to school while contagious. If a parent suspects that his or her child has a communicable or contagious disease, the parent should contact the school nurse so that other students who might have been exposed to the disease can be alerted.

The school nurse's office can provide information from the Texas Department of Health regarding these diseases.

### **Bacterial Meningitis**

State law specifically requires the District to provide the following information:

- ❑ What is meningitis?

Meningitis is an inflammation of the covering of the brain and spinal cord. It can be caused by viruses, parasites, fungi, and bacteria. Viral meningitis is most common and the least serious. Bacterial meningitis is the most common form of serious bacterial infection with the potential for serious, long-term complications. It is an uncommon disease, but requires urgent treatment with antibiotics to prevent permanent damage or death.

- ❑ What are the symptoms?

Someone with meningitis will become very ill. The illness may develop over one or two days, but it can also rapidly progress in a matter of hours. Not everyone with meningitis will have the same symptoms.

Children (over 1 year old) and adults with meningitis may have a severe headache, high temperature, vomiting, sensitivity to bright lights, neck stiffness or joint pains, and drowsiness or confusion. In both children and adults, there may be a rash of tiny, red-purple spots. These can occur anywhere on the body.

The diagnosis of bacterial meningitis is based on a combination of symptoms and laboratory results.

- ❑ How serious is bacterial meningitis?

If it is diagnosed early and treated promptly, the majority of people make a complete recovery. In some cases it can be fatal or a person may be left with a permanent disability.

- ❑ How is bacterial meningitis spread?

Fortunately, none of the bacteria that cause meningitis are as contagious as diseases like the common cold or the flu, and they are not spread by casual contact or by simply breathing the air where a person with meningitis has been. The germs live naturally in the back of our noses and throats, but they do not live for long outside the body. They are spread when people exchange saliva (such as by kissing; sharing drinking containers, utensils, or cigarettes).

The germ does not cause meningitis in most people. Instead, most people become carriers of the germ for days, weeks, or even months. The bacteria rarely overcome the body's immune system and cause meningitis or another serious illness.

- ❑ How can bacterial meningitis be prevented?

Do not share food, drinks, utensils, toothbrushes, or cigarettes. Limit the number of persons you kiss.

While there are vaccines for some other strains of bacterial meningitis, they are used only in special circumstances. These include when there is a disease outbreak in a community or for people traveling to a country where there is a high risk of getting the disease. Also, a vaccine is recommended by some groups for college students, particularly freshmen living in dorms or residence halls. The vaccine is safe and effective (85–90 percent). It can cause mild side effects, such as redness and pain at the injection site lasting up to two days. Immunity develops within seven to ten days after the vaccine is given and lasts for up to five years.

- What should you do if you think you or a friend might have bacterial meningitis?

You should seek prompt medical attention.

- Where can you get more information?

Your school nurse, family doctor, and the staff at your local or regional health department office are excellent sources for information on all communicable diseases. You may also call your local health department or Regional Texas Department of Health office to ask about meningococcal vaccine. Additional information may also be found at the Web sites for the Centers for Disease Control and Prevention, <http://www.cdc.gov>, and the Texas Department of Health, <http://www.tdh.state.tx.us>.

## **HEALTH-RELATED MATTERS**

### **Physical Activity for Students in Elementary Grades**

In accordance with EHAB, EHAC, and FFA, the district will ensure that students in elementary school engage in at least 30 minutes of physical activity per day or 135 minutes per week. The district offers physical education and athletics to students in middle school. For additional information on the District's requirements and programs regarding elementary and middle school student physical activity requirements, please see the principal.

### **School Health Advisory Council**

During the preceding school year, the district's School Health Advisory Council held meetings. Additional information regarding the district's School Health Advisory Council is available from the school nurse. [See also policies BDF and EHAA.]

### **Vending Machines**

The district has adopted policies and implemented procedures to comply with agency and food service guidelines for restricting student access to vending machines. For more information regarding these policies and guidelines see the Superintendent. [See policies CO and FFA]

## **Other Health Related Matters**

### **Tobacco Prohibited**

The District and its staff strictly enforce prohibitions against the use of tobacco products by students and others on school property or at school-sponsored or school-related activities. [See the Student Code of Conduct and policy GKA.]

### **Asbestos Management Plan**

The District's Asbestos Management Plan, designed to be in compliance with state and federal regulations, is available in the administration office. If you have any questions, please contact Mr. Keith Brown, Superintendent.

### **Pest Management Plan**

The District applies only pest control products that comply with state and federal guidelines. Except in an emergency, signs will be posted 48 hours before application. Parents who want to be notified prior to pesticide application inside their child(ren)'s school assignment area may contact Mr. Keith Brown, Superintendent.

## ***FREEDOM FROM DISCRIMINATION***

The District believes that all students learn best in an environment free from harassment and that their welfare is best served when they can work free from discrimination. Students are expected to treat other students and District employees with courtesy and respect; to avoid any behaviors known to be offensive; and to stop those behaviors when asked or told to stop. District employees are expected to treat students with courtesy and respect.

The Board has established policies and procedures to prohibit and promptly respond to inappropriate and offensive behaviors that are based on a person's race, religion, color, national origin, gender, sex, age, or disability. [See policy FFH] Prohibited harassment, in general terms, is conduct so severe, persistent, or pervasive that it affects the student's ability to participate in or benefit from an educational program or activity; or substantially interferes with the student's academic performance. A copy of the District's policy is available in the principal's office and in the Superintendent's office.

Examples of prohibited discrimination may include, but are not limited to, derogatory language directed at a person's religious beliefs or practices, accent, skin color, or need for accommodation; bullying, threatening or intimidating conduct; name-calling or slurs, taunting, teasing (even when presented as "jokes"), or rumors; aggression or assault; graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or aggressive conduct such as theft or damage to property. Examples of prohibited sexual harassment may include touching private body parts or coercing physical contact that is sexual in nature; sexual advances; jokes or conversations of a sexual nature; and 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 not reasonably construed as sexual in nature. However, all romantic

and inappropriate social relationships, as well as all sexual relationships, between students and District employees are prohibited, even if consensual.

### **Reporting Procedures**

Any student who believes that he or she has experienced prohibited harassment should immediately report the problem to a teacher, counselor, principal, or other district employee. The report may be made by the student's parent.

### **Investigation of Reported Harassment**

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 to comply with law. Allegations will be promptly investigated. The district will notify the parents of any student alleged to have experienced prohibited harassment by an adult associated with the district, or by another student, when the allegations, if proven, would constitute "sexual harassment" or "other prohibited harassment" as defined by board policy.

If the district's investigation indicates that prohibited harassment occurred, appropriate disciplinary or corrective action will be taken to address the harassment. The district may take disciplinary action even if the conduct that is the subject of the complaint did not rise to the level of harassment prohibited by law or policy.

Retaliation against a person who makes a good faith report of prohibited harassment is prohibited. A person who makes a false claim or offers false statements or refuses to cooperate with a district investigation, however, may be subject to appropriate discipline.

A student or parent who is dissatisfied with an outcome of the investigation may appeal in accordance with policy FNG.

In its efforts to promote nondiscrimination, the district makes the following statements:

Thrall ISD does not discriminate on the basis of race, religion, color, national origin, gender, sex, or disability in providing education services, activities, and programs, including vocational programs, in accordance with Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Educational Amendments of 1972; and Section 504 of the Rehabilitation Act of 1973, as amended.

The following district staff members have been designated to coordinate compliance with these requirements:

- ❑ Title IX Coordinator, for concerns regarding discrimination on the basis of sex: Keith A. Brown.
- ❑ Section 504 Coordinator, for concerns regarding discrimination on the basis of disability: Denise Carter.
- ❑ All other concerns: Contact Keith Brown, Superintendent, (512) 898-0062

### **Services for the Homeless and for Title I Participants**

Other designated staff you may need to contact include:

- ❑ Liaison for Homeless Children and Youths, who coordinates services for homeless students: Keith A. Brown.

- Parent Involvement Coordinator, who works with parents of students participating in Title I programs: Carolyn Hubnik.

## **Services for Students with Disabilities**

Parents of students with learning difficulties or who may need special education services may request an evaluation for special education at any time. For more information, see page 27 and contact the diagnostician assigned by East Williamson County Special Education Co-op at 898-2419.

## **CONDUCT**

### **Applicability of School Rules**

As required by law, the board has adopted a Student Code of Conduct that prohibits certain behaviors and defines standards of acceptable behavior—both on and off campus—and consequences for violation of the standards. Students need to be familiar with the standards set out in the Student Code of Conduct, as well as campus and classroom rules.

To achieve the best possible learning environment for all students, the Student Code of Conduct and other campus rules of behavior will 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 in accordance with the Student Code of Conduct.

### **Corporal Punishment**

Corporal punishment—spanking or paddling the student—may be used as a discipline management technique in accordance with the Student Code of Conduct and policy FO (LOCAL) in the District’s policy manual.

### **Disruptions**

As identified by law, disruptions include the following:

- Interference with the movement of people in an exit, an entrance, or a 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 District property or on public property that is within 500 feet of District property. Class disruption includes making loud

noises; trying to entice a student away from, or to prevent a student from attending, a required class or activity; and entering a classroom without authorization and disrupting the activity with profane language or any misconduct.

- ❑ Interference with the transportation of students in District vehicles.

## **Radios, CD Players, Cell Phones, and Other Electronic Devices and Games**

Students are not permitted to possess such items as pagers, radios, CD players, tape recorders, camcorders, DVD players, cameras, or electronic devices or games at school, unless prior permission has been obtained from the principal. Telecommunication devices are governed by policy FNCE.

Without such permission, teachers will collect the items and turn them in to the principal's office. The principal will determine whether to return the items at the end of the day for the student to take home or whether the parent will be contacted to pick up the item. Any disciplinary action will be in accordance with the Student Code of Conduct. For certain items, such as cell phones and pagers, in which a third party retains a legal right of ownership, the school may be charge for the releasing the pager to the third party. [See policy FNCE.]

## **Social Events**

School rules apply to all school social events. Guests attending these events are expected to observe the same rules as students, and the person inviting the guest will share responsibility for the conduct of his or her guest.

A student attending a social event will be asked to sign out when leaving before the end of the event; anyone leaving before the official end of the event will not be readmitted.

## ***LAW ENFORCEMENT AGENCIES***

### **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, if the questioning or interview 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 or interview the student at school.
- ❑ The principal ordinarily will make reasonable efforts to notify the parents unless the interviewer raises what the principal considers to be a valid objection.
- ❑ The principal ordinarily will be present 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 probation officer if there is probable cause to believe the student has violated a condition of probation imposed by the juvenile court.
- ❑ To comply with a properly issued directive to take a student into custody.
- ❑ By an authorized representative of Child Protective Services, Texas Department of Family and Protective Services, 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.

Before a student is released to a law enforcement officer or other legally authorized person, the principal will verify the officer's identity and, to the best of his or her ability, will verify the official's authority to take custody of the student.

The principal will immediately notify the Superintendent and will ordinarily attempt to notify the parent unless the officer or other 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 law enforcement officer, 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 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 of delinquent conduct for any felony offense or certain misdemeanors.

[For further information, see policy GRA.]

## ***DISTRIBUTION OF PUBLISHED MATERIALS OR DOCUMENTS***

### **School Materials**

Publications prepared by and for the school may be posted or distributed, with prior approval by the principal, sponsor, or teacher. Such items may include school posters, brochures, murals, etc.

The school yearbook is available to students.

All school publications are under the supervision of a teacher, sponsor, and the principal.

**[See Directory Information for School-Sponsored Purposes on page 15]**

## **Non-school Materials...from students**

Students must obtain prior approval from the principal before posting, circulating, or distributing written materials, handbills, photographs, pictures, petitions, films, tapes, posters, or other visual or auditory materials that were not developed under the oversight of the school. To be considered, any non-school material must include the name of the sponsoring person or organization. The decision regarding approval will be made in two school days.

The student may appeal the principal's decision in accordance with policy FNG (LOCAL). Any student who posts material without prior approval will be subject to disciplinary action in accordance with the Student Code of Conduct. Materials displayed without this approval will be removed.

## **Non-school Materials...from others**

Written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials not sponsored by the District or by a District-affiliated school-support organization will not be sold, circulated, distributed, or posted on any District premises by any District employee or by persons or groups not associated with the District, except as permitted by policy GKDA. To be considered, any non-school material must meet the limitations on content established in the policy, include the name of the sponsoring organization or individual, and be submitted to the principal or Superintendent for specific prior review. The principal or 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 policy DGBA, FNG, or GF.]

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 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 non-school materials distributed under these circumstances must be removed from District property immediately following the event at which the materials are distributed.

## ***DRESS AND GROOMING***

The District's dress code is established to teach grooming and hygiene, to prevent disruption, and minimize safety hazards. Students and parents may determine a student's personal dress and grooming standards, provided that they comply with the following:

### **Accessories**

Accessories such as wallet/pocket chains, spiked dog collars, and dagger rings that could be deemed dangerous or inappropriate are not allowed. No earrings or studs may be worn by male

students. Female ear piercing is limited to two piercings per ear. No other body and/or facial piercings are allowed for either male or female students.

❑ Hats and Caps and Sunglasses

❑ The wearing of any headgear, hats, caps, or sunglasses is not permitted in the Thrall ISD buildings during the instructional day. Exceptions to this are hairnets and safety helmets/caps required by legal safety standards set for some programs and courses may be work in authorized areas for safety reasons.

❑ Bandanas may not be worn at school or school functions.

❑ Fabrics and Undergarments

❑ See-through material and torn or frayed clothing that shows skin is not permitted. Appropriate undergarments must be worn, and any clothing that exposes undergarments is not allowed.

❑ Hair and Facial Hair

❑ Hair must be well groomed and not cover the eyes. Colored hair must be of a natural color and not be disruptive to the educational environment. Hairnets, curlers, and hair accessories such as, but not limited to, oriental hairpins, hat pins, or genie cones, which could be used to hurt and/or distract other students is not permitted.

❑ Male students must keep facial hair well groomed. Facial hair may not be worn in a manner that would be considered a distraction.

❑ Logos, Advertising, Emblems, Graphics, and Tattoos

❑ Students may not wear any apparel that contains advertising for alcohol, tobacco, or drugs.

❑ Clothing, with obscene or suggestive slogans may not be worn; this includes items that depict and advertise death, violence, sadism, evil, and/or sex.

❑ All tattoos must remain covered.

❑ Shirts, Tops, Dresses, and Overalls

❑ The midriff section must be kept covered and not be revealed, even when the arms are raised. The front neckline shall not be low and revealing. The back neckline shall be no lower than the armpits. Armholes shall be appropriate and not reveal undergarments. Tight clothing that draws undue attention or any clothing that creates a distraction is prohibited.

❑ No tank tops, halter tops, muscle shirts, white undershirts, string-straps, or shirts with torn and/or frayed sleeves are permitted. Sleeveless shirts, tops, and dresses must have straps that are at least the width of three fingers.

❑ All straps on overalls must be fastened. No pajamas or pajama-like clothing are permitted.

❑ Shirts with excessively long shirttails, that could conceal a weapon or pager, may be required to be tucked in.

❑ Shoes

- ❑ Shoes must be worn at all times. Shoes should be appropriate for identified physical and instructional activities. Shoes with taps, grooves, wheels, shower shoes, house shoes/house-slippers are not allowed on campus.
- ❑ Shorts, Skorts, Skirts, and Pants
- ❑ Shorts and skorts must be no shorter than the length of the fingertips. Leggings, biking shorts, wind shorts, and workout shorts are not permitted.
- ❑ Pants and shorts must be fitted at the waist and must not sag.
- ❑ Skirts, dresses, and the split of the skirt or dress must be no shorter than three inches above the knee when standing.
- ❑ School-sponsored uniforms which are shorter than three inches above the knee while standing may be worn, at the discretion of the campus principal on special game or event days.

### **Gang Apparel**

If any item is identified as gang apparel/paraphernalia, and/or is disruptive to the educational environment, it may be banned from school at the discretion of the principal. The principal has the right to determine infraction of this rule.

NOTE: Additional guidelines may be set forth during the school year as deemed appropriate. Final interpretation of the dress code will be determined by the building principal.

### ***STUDENT FEES***

Materials that are part of the basic educational program are provided with state and local funds and are at no charge to a student. A student, however, is expected to provide his or her own pencils, paper, erasers, and notebooks and may be required to pay certain other fees or deposits, including:

- ❑ Costs for materials for a class project that the student will keep.
- ❑ Membership dues in voluntary clubs or student organizations and admission fees to extracurricular activities.
- ❑ Security deposits.
- ❑ Personal physical education and athletic equipment and apparel.
- ❑ Voluntarily purchased pictures, publications, class rings, yearbooks, graduation announcements, etc.
- ❑ Voluntarily purchased student 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, if offered.

- ❑ Fees for optional courses offered for credit that requires 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** on page 48.]
- ❑ A fee not to exceed \$50 for costs of providing an educational program outside of regular school hours for a student who has lost credit because of absences and whose parent chooses the program in order for the student to meet the 90 percent attendance requirement. The fee will be charged only if the parent or guardian signs a District-provided request form.

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 District business manager. [For further information, see policy FP.]

## **FUND-RAISING**

Student clubs or classes and/or parent groups may be permitted to conduct fund-raising drives for approved school purposes. An application for permission must be made to the campus principal at least 10 school days before the event. [For further information, see policies FJ and GE.]

## **IMMUNIZATION**

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 Health, Immunization Division, can be honored by the District. **PreK students have additional immunization requirements. The school nurse can provide The immunizations required are: diphtheria, rubeola (measles), rubella, mumps, tetanus, Haemophilus influenza type B, poliomyelitis, hepatitis B, and varicella (chicken pox).** information on age-appropriate doses or on an acceptable physician-validated history of illness required by the Texas Department of Health. Proof of immunization may be personal records from a licensed physician or public health clinic with a signature or rubber-stamp validation. The school nurse can provide immunizations free of charge for students age 18 and under. Contact the school nurse for more information.

If a student should not be immunized for medical reasons, the student or parent must present a certificate signed by a U.S. licensed physician stating that, in the doctor's opinion, the immunization required poses a significant risk to the health and well-being of the student or any member of the student's family or household. This certificate must be renewed yearly unless the physician specifies a life-long condition. [For further information, see policy FFAB and the Texas Department of Health Web site: [http://www.dshs.state.tx.us/immunize/school\\_info.shtm](http://www.dshs.state.tx.us/immunize/school_info.shtm)]

## **PHYSICAL EXAMINATIONS / HEALTH SCREENINGS**

State-mandated screenings for Thrall ISD are as follows:

- Vision and Hearing: Pre-K, Kindergarten, 1<sup>st</sup> grade, 3<sup>rd</sup> grade, 5<sup>th</sup> grade, 7<sup>th</sup> grade
- Posture Screening: 5<sup>th</sup> and 8<sup>th</sup> grades

- Acanthosis Nigricans: 3<sup>rd</sup>, 5<sup>th</sup>, and 7<sup>th</sup> grades

#### Local screening:

- Height, weight, blood pressure, body mass index, and Acanthosis Nigricans for all grade levels as time permits.

### **PLEDGES OF ALLEGIANCE AND A MINUTE OF SILENCE**

Each school day, students will recite the Pledge of Allegiance to the United States 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.

A minute of silence will follow recitation of the pledges. Each student may choose to reflect, pray, meditate, or engage in any other silent activity so long as the silent activity does not interfere with or distract others. [See policy EC for more information.]

### **PRAYER**

Each student has a right to individually, voluntarily, and silently pray or meditate in school in a manner that does not disrupt instructional or other activities of the school. The school will not encourage, require, or coerce a student to engage in or to refrain from such prayer or meditation during any school activity.

### **SAFETY**

Student safety on campus and at school-related events is a high priority of the District. Although the District has implemented safety procedures, the cooperation of students is essential to ensuring school safety. A student should:

- ❑ Avoid conduct that is likely to put the student or other students at risk.
- ❑ Follow the behavioral standards in this handbook and the Student Code of Conduct, as well as any additional rules for behavior and safety set by the principal, teachers, or bus drivers.
- ❑ Remain alert to and promptly report to a teacher or the principal any safety hazards, such as intruders on campus and threats made by any person toward a student or staff member.
- ❑ 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 school opens, 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.

### **Drills: Fire, Tornado, and Other Emergencies**

From time to time, students, teachers, and other District employees will participate in drills of emergency procedures. When the alarm is sounded, students should follow the direction of teachers or others in charge quickly, quietly, and in an orderly manner.

### Fire Drill Bells – Middle/High School

3 bells	leave the building
1 bell	halt; stand at attention
2 bells	return to the classroom

### Fire Drill Bells – Elementary

Emergency Tone	leave the building
Authorized Personnel will signal return	

### Severe Weather Drill Bells – Middle/High School

1 continuous bell	move quietly but quickly to the designated locations
2 bells	return to the classroom

### Severe Weather Drill – Elementary

Siren	move quietly and quickly to designated locations
Bullhorn or intercom	return to classroom

## **Emergency Medical Treatment and Information**

If a student has a medical emergency at school or a school-related activity when the parent cannot be reached, the school will need to have written parental consent to obtain emergency medical treatment, and information about allergies to medications, foods, insect bites, etc. Therefore, parents are asked each year to complete an emergency care consent form and annual health statement. Parents should keep emergency care information up-to-date (name of doctor, emergency phone numbers, allergies, etc.). Please contact the school nurse to update any information that the nurse or the teacher needs to know.

## **Emergency School-Closing Information**

Contact the Superintendent's office for information regarding closures. Elementary parents will be directly contacted prior to buses running or students being released.

## ***SCHOOL FACILITIES***

### **Use by Students Before and After School**

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.

- The cafeteria is open to students who will be eating breakfast before school, beginning at 7:30 a.m.

Unless the teacher or sponsor overseeing the activity gives permission, a student will not be permitted to go to another area of the building or campus.

After dismissal of school in the afternoon, and unless involved in an activity under the supervision of a teacher, students must leave campus immediately.

### **Arrivals and Departures**

Classes for secondary students begin at 8:00 a.m. and school is dismissed at 3:32 p.m. Elementary classes begin at 8:00 a.m., with tutorials beginning at 7:45. No student should be allowed to arrive at school before 7:45 a.m., unless the child will be eating breakfast in the school cafeteria. Cafeteria service begins at 7:30 a.m. Some of the school staff will be on duty to receive students beginning at 7:45 a.m. Parents of elementary students who do not ride the bus must pick up their children in the designated car pick-up area by 3:40 p.m. Parents whose children do not ride the bus must use the designated areas for car pick-ups.

### **Conduct Before and After School**

Teachers and administrators have full authority over student conduct at before- or after-school activities on District premises and at school-sponsored events off District premises, such as play rehearsal, club meetings, athletic practice, and special study groups or tutorials. Students are subject to the same rules of conduct that apply during the instructional day and will be subject to consequences established by the Student Code of Conduct or any stricter standards of behavior for extracurricular participants established by the sponsor.

### **Use of Hallways During Class Time**

Loitering or standing in the halls during class is not permitted. During class time, 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.

### **Cafeteria Services**

The District participates in the National School Lunch Program and offers students nutritionally balanced lunches daily. Free and reduced-price lunches are available based on financial need. Information about a student's participation is confidential. See the cafeteria manager to apply.

The District follows the federal and state guidelines regarding foods of minimal nutritional value being served or sold on school premises during the school day. [For more information, see policy CO.]

Thrall ISD will allow ONE charge per student for a full meal, unless prior arrangements are made. Elementary students will receive a peanut butter sandwich and/or crackers with fruit, and milk, until the charge is paid. Students will be charged a regular lunch rate for this meal. Junior High and High School students will not be served until the charge is paid. No students will be allowed to charge snack bar items if any money is owed.

## **Library**

- The library is a learning laboratory with books, computers, magazines, and other materials available for classroom assignments, projects, and reading or listening pleasure. The library is open for student use with a teacher permit.

## **Meetings of Non-curriculum Related Groups**

Student-organized, student-led non-curriculum related groups are permitted to meet during the hours designated by the principal before and after school. These groups must comply with the requirements found in policy FNAB.

A list of these groups is available in the principal's office.

## **Vandalism**

The taxpayers of the community have made a sustained financial commitment for the construction and upkeep of school facilities. To ensure that school facilities can serve those for whom they are intended—both this year and for years to come—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.

## ***SEARCHES***

In the interest of promoting student safety and attempting to ensure that schools are safe and drug free, District officials may from time to time conduct searches. Such searches are conducted without a warrant and as permitted by law.

## **Students' Desks and Lockers**

Students' desks and lockers are school property and remain under the control and jurisdiction of the school even when assigned to an individual student.

Students are fully responsible for the security and contents of their assigned desks and lockers. Students must be certain that their lockers are locked, and that the combinations are not available to others.

Searches of desks or lockers may be conducted at any time there is reasonable cause to believe that they contain articles or materials prohibited by board policy, whether or not a student is present.

The parent will be notified if any prohibited items are found in the student's desk or locker.

## **Vehicles on Campus**

Vehicles parked on school property are under the jurisdiction of the school. School officials may search any vehicle any time there is reasonable cause to do so, with or without the permission of the student. A student has full responsibility for the security and content of his or her vehicle and must make certain that it is locked and that the keys are not given to others. [See also the Student Code of Conduct.]

## **Trained Dogs**

The district will use trained dogs to alert school officials to the presence of prohibited or illegal items, including drugs and alcohol. At any time, trained dogs may be used on lockers and vehicles parked on school property. Searches of classrooms, common areas, or student belongings may also be conducted by trained dogs when students are not present. A locker, a vehicle, or an item in a classroom to which a trained dog alerts may be searched by school officials.

## **Metal Detectors**

[For further information, see policy FNF.]

## ***TRANSPORTATION***

### **School-Sponsored**

Students who participate in school-sponsored trips are required to use transportation provided by the school to and from the event. The principal, however, may make an exception if the parent makes a written request that the student be released to the parent or to another adult designated by the parent.

### **Buses and Other School Vehicles**

The District makes school bus transportation available to all students living two or more miles from school. This service is provided at no cost to students. Bus routes and any subsequent changes are posted at the school. Further information may be obtained by calling the high school office at 898-5193.

See the Student Code of Conduct for provisions regarding transportation to the disciplinary alternative education program.

Students are expected to assist District staff in ensuring that buses remain in good condition and that transportation is provided safely. When riding in District vehicles, students are held to behavioral standards established in this handbook and the Student Code of Conduct. **See Appendix VI for detailed rules, discipline procedures and policies.**

### ***VIDEO CAMERAS***

For safety purposes, video/audio equipment may be used to monitor student behavior on buses (and in common areas on campus). Students will not be told when the equipment is being used.

The principal will review the tapes routinely and document student misconduct. Discipline will be in accordance with the Student Code of Conduct.

## ***VISITORS TO THE SCHOOL***

### **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 first report to the principal's office.

Visits to individual classrooms during instructional time are permitted only with approval of the principal and teacher and only as long as the duration or frequency does not interfere with the delivery of instruction or disrupt the normal school environment.

All visitors are expected to demonstrate the highest standards of courtesy and conduct; disruptive behavior will not be permitted.

## **GLOSSARY**

**Accelerated instruction** is an intensive supplemental program designed to address the needs of an individual student in acquiring the knowledge and skills required at his or her grade level.

**ACT** refers to one of the two most frequently used college or university admissions exams: the American College Test. The test may be a requirement for admission to certain colleges or universities.

**ARD** is the admission, review, and dismissal committee convened for each student who is identified as needing a full and individual evaluation for special education services. The eligible student's parents are part of the committee.

**Attendance Review Committee** is responsible for reviewing a student's absences when the student's attendance drops below 90 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 lost because of absences.

**DAEP** stands for a disciplinary alternative education program, a placement for students who have violated certain provisions of the Student Code of Conduct. The DAEP will be separated from students not assigned to the program. It will focus on English language arts, mathematics, science, history, and self-discipline, and provide for students' educational and behavior needs, as well as supervision and counseling.

**FERPA** refers to the federal Family Educational Rights and Privacy Act that grants specific privacy protections to student records. The law contains certain exceptions, such as directory information, unless the student's parent or a student 18 or older directs the school not to release directory information.

**IEP** is the written record of the Individualized Education Program prepared by the ARD committee for a student with disabilities who is eligible for special education services. The IEP contains several parts such as a statement of the student's present educational performance; a statement of measurable annual goals, with short-term objectives; the special education and related services and supplemental aids and services, and program modifications or support for school personnel; a statement regarding how the student's progress will be measured and how the parents will be kept informed; modifications to state or district tests, etc.

**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 disciplinary alternative education program (DAEP), ISS removes the student from the regular classroom.

**NCLBA** is the federal No Child Left Behind Act of 2001 that, along with other requirements for schools, provides for parent information and opportunities for "opting" their students out of certain activities or surveys.

**Personal Graduation Plan (PGP)** is a new state requirement for any student in middle school or higher who fails a section on a state-mandated assessment test or is determined by the District as not likely to earn a high school diploma before the fifth school year after he or she begins grade 9.

**SAT** refers to the second of the two most frequently used college or university admissions exams: the Scholastic Aptitude Test. The test may be a requirement for admissions to certain colleges or universities.

**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 by an ARD committee to be eligible for special education services, appropriate regular educational services will be provided.

**State-mandated tests** are required of students at certain grade levels and in specified subjects. Successful performance **sometimes** is a condition of promotion and the grade 11 exit-level test is a condition of graduation. Students have multiple opportunities to take the tests **if necessary for promotion or graduation**.

**Student Code of Conduct**, developed with the advice of the District-level committee and adopted by the Board, identifies the circumstances, consistent with law, when a student may be removed from the classroom or campus. It also sets out the conditions that authorize or require the principal or another administrator to place the student in a disciplinary alternative education program. It outlines conditions for out-of-school suspension and for expulsion, and states whether self-defense is a consideration in suspension, DAEP placement, or expulsion. The Student Code of Conduct also addresses notice to the parent regarding a student's violation of one of its provisions.

**TAKS** is short for the Texas Assessment of Knowledge and Skills the state's current standardized achievement test given to students in certain grade levels and subjects in grades 3–11.

**UIL** refers to the University Interscholastic League, the statewide voluntary non-profit organization that oversees educational extracurricular academic, athletic, and music contests.

# **APPENDIX I**

## **ACCEPTABLE USE OF THRALL ISD ELECTRONIC COMMUNICATIONS SYSTEM**

You are being given access to the District's electronic communications system. Through this system, you will be able to communicate with other schools, colleges, organizations, and people around the world through the Internet and other electronic information systems and networks. You will have access to countless databases libraries, and computer services through the worldwide web.

With this educational opportunity also comes responsibility. It is important that you read the District policy, administrative regulations, and agreement form and ask questions if you need help understanding them. It is your responsibility to follow the rules of appropriate use. Inappropriate use will result in the loss of the privilege to use this educational tool.

Please note that the Internet is a network of many types of communication and information networks. It is possible that you may run across areas of adult content and some information that you (or your parents) may find objectionable. While the District will use filtering technology to restrict access to some material, it is impossible to absolutely prevent such access.

### **Appropriate Use**

- Grades 2-12 will be assigned an individual system user account, and you are responsible for not sharing the account or password for that account with others.
- Grades Pre K-1 will have access only through the class account.
- You will be held responsible at all times for the proper use of your account, and the District may suspend and/or revoke your access if you violate the rules.
- Parent/Guardian permission, student agreement, and Internet training are required for a student account to be activated
- The account is to be used primarily for identified educational purposes.

### **Inappropriate Use**

- Using the system for any illegal purposes, in the support of illegal activities, or for any other activity prohibited by District policy.
- Disabling or attempting to disable any Internet filtering device.
- Encrypting communications to avoid security review.
- Borrowing someone's account without permission.

- Posting personal information about either yourself or others (including addresses and phone numbers).
- Downloading or using copyrighted information without permission from the copyright holder.
- Intentionally introducing a virus to the computer system.
- Posting messages or accessing materials that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another person's reputation, or illegal.
- Wasting school resources through the improper use of the computer system.
- Gaining unauthorized access to restricted information or resources.
- Accessing or using any personal e-mail accounts.
- Visiting or using a chat room.
- Subscriptions to LISTSERVs.

### **Consequences for Inappropriate Use**

- Suspension of access to the system;
- Revocation of the computer system account; or
- Other disciplinary action, in accordance with the Student Code of Conduct and applicable laws.

The principal will be responsible for disseminating and enforcing applicable District policies and acceptable use guidelines for the District's system at the campus level. S/he will insure that all student users of the District's system complete and sign an agreement to abide by District policies and administrative regulations regarding such use. Parents/guardians of the student must also complete and sign a permission form for their child's use of the system. All such agreements will be maintained on file in the principal's office. The principal is authorized to monitor and/or examine all system activities, as deemed appropriate to ensure proper use of the system.

*The student agreement must be renewed each academic year.*

**APPENDIX II**  
**WARNING NOTICE**  
**Compulsory School Attendance**

*Please Read Carefully*

**TO THE PARENT(S), LEGAL GUARDIAN(S), OR ANY PERSON STANDING IN A PARENTAL RELATION:**

This is official notice that if a student is absent from school on ten (10) or more days within a six-month period in the same school year or on three (3) or more days or parts of days within a four-week period:

1. the student's parent is subject to prosecution under **Section 25.093 Parent Contributing to Truancy**, and
2. the student is subject to prosecution under **Section 25.094 Failure to Attend School** or referral to a juvenile court in a county with a population of less than 100,000 for conduct that violates that section.

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Administration/School Attendance Officer

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Date

## APPENDIX III GPA Rank

This system became effective with the freshman class of 2004-05, and all classes thereafter.

If your Numeric

Your GPA points will be-

<u>Grade is:</u>	<u>Regular</u>	<u>Adv/Pre-AP</u>	<u>AP</u>
100	4.0	5.0	6.0
99	3.9	4.9	5.9
98	3.8	4.8	5.8
97	3.7	4.7	5.7
96	3.6	4.6	5.6
95	3.5	4.5	5.5
94	3.4	4.4	5.4
93	3.3	4.3	5.3
92	3.2	4.2	5.2
91	3.1	4.1	5.1
90	3.0	4.0	5.0
89	2.9	3.9	4.9
88	2.8	3.8	4.8
87	2.7	3.7	4.7
86	2.6	3.6	4.6
85	2.5	3.5	4.5
84	2.4	3.4	4.4
83	2.3	3.3	4.3
82	2.2	3.2	4.2
81	2.1	3.1	4.1
80	2.0	3.0	4.0
79	1.9	2.9	3.9
78	1.8	2.8	3.8
77	1.7	2.7	3.7
76	1.6	2.6	3.6
75	1.5	2.5	3.5
74	1.4	2.4	3.4
73	1.3	2.3	3.3
72	1.2	2.2	3.2
71	1.1	2.1	3.1
70	1.0	2.0	3.0

GPA is cumulative and includes points earned in grades 9 through 12. Students will receive GPA points according to the grade point scale for all required courses of study.

Algebra I and IPC can be offered in the 8<sup>th</sup> grade for high school credit, but while in 9<sup>th</sup> -12<sup>th</sup> grade, a student will be expected to take 3 math credits and 3 science credits as required for the recommended graduation plan.

This four point matrix will be used to determine eligibility for JH Algebra I and IPC:

- Previous TAKS scores
- Classroom grade
- Teacher recommendation
- Parent recommendation

Courses excluded from the GPA points table are: TAKS remediation courses, credit by exam, correspondence courses, summer school courses, and local credit courses.

## GPA Curriculum Levels

<u>Regular</u>	<u>Adv/Pre-AP</u>	<u>AP</u>
English 1	Eng 1 Pre-AP	
English 2	Eng 2 Pre-AP	
English 3	DC English 3	English 3 AP
English 4	DC English 4	English 4 AP
Technical Writing		
Algebra I		
Geometry		
Algebra II	DC Math	Calculus AB
Math Models	Pre-Calculus	Calculus BC
Biology	Biology Pre-AP	Biology AP
IPC		
Chemistry	Chemistry Pre-AP	Chemistry AP
	DC Science	
	Physics	
	Anatomy & Physiology	
W Geography		
W History		W History AP
US History		US History AP
Government	DC Social Studies	
Economics		
Agriculture Science		
Art		
Building Trades		
Business		
Consumer Science		
Health		
Music/Band		
Physical Education/Athletics		
Reading		
Spanish 1		
Spanish 2	Spanish 3	
Speech		
Technology		
Yearbook		

\*\*Courses excluded from the GPA point table are: TAKS remediation courses, credit by exam, correspondence courses, summer school and student aides.

## **APPENDIX IV ISS/DAEP**

### **In School Suspension (ISS)**

In School Suspension (ISS) is an alternative supervised classroom situation that a student may be assigned to if his/her conduct becomes such that it interferes with or disrupts the regular classroom learning activities. A student may be assigned to ISS at the discretion of the principal for any continued policy or rule violation when other forms of discipline have failed to solve the student's problem.

Rules of ISS:

1. A student assigned to ISS will report to the ISS room before the 8:00 tardy bell.
2. ISS is a learning environment, and as such a student will bring all school supplies, materials, and textbooks for the entire school day.
3. Students assigned to ISS will eat lunch in the ISS classroom. Students may bring a sack lunch if they desire or purchase a lunch from the cafeteria.
4. No student will be allowed movement from his/her desk or conversation with another student or the ISS teacher without raising his/her hand and receiving verbal acknowledgement from the ISS teacher. Disobedience of this rule may result in an extension of the assignment in the ISS or other disciplinary action. Refusal to comply with ISS regulations may result in out of school suspension and upon return completion of the ISS terms.
5. The length of time a student is assigned to the ISS classroom will not be reduced due to excused absences; however, the time assigned is subject to a recommendation for extended time due to unexcused absences.
6. All schoolwork assigned in the ISS classroom will be completed at the regular time, any work not completed during the school day will become homework and work must be completed upon return to the regular classroom.
7. Students assigned to ISS will not be permitted to attend school functions, events, or athletic contests until the end of the school day of the last placement day.
8. If a student arrives for ISS before 8:00, they must report to the ISS room without delay. A student is prohibited from being on regular campus during their ISS placement.

9. Students placed in ISS must be working on school related material. If at any time the student completes all school assigned work, the ISS teacher will assign remedial work related to the particular subject, TAKS, and/or ACT/SAT.
10. Students must be on time to ISS. Tardiness to ISS can result in extending the placement.
11. Students may not read any material that is not relevant to the instructional day without permission from the ISS teacher.
12. Sleeping or putting your head down is not permitted while assigned to ISS.

**ISS is a structured environment that requires all of the above rules to be strictly enforced.** Please remember that the student will be held accountable for his/her actions. It is the intent of the school for the student to behave properly and not be assigned to ISS.

### **Disciplinary Alternative Education Program (DAEP)**

Students assigned to the DAEP will follow the same rules and guidelines that are put forth for the ISS students. See the Student Code of Conduct for consequences of misbehavior while placed in a DAEP.

## **APPENDIX V**

### **ISS-Elementary**

#### **In School Suspension (ISS)**

In School Suspension (ISS) is an alternative supervised classroom situation that a student may be assigned to if his/her conduct becomes such that it interferes with or disrupts the regular classroom learning activities. A student may be assigned to ISS at the discretion of the principal for any continued policy or rule violation when other forms of discipline have failed to solve the student's problem.

Rules of ISS:

1. A student assigned to ISS will report to the office upon arrival to school, no later than 8:15 a.m., and will be escorted to the ISS room.
2. ISS is a learning environment. A student will bring all school supplies, materials, and textbooks needed for the entire school day.
3. Students assigned to ISS will eat lunch in the ISS classroom. Students may bring a sack lunch if they desire, or purchase a lunch from the cafeteria.
4. No student will be allowed movement from his/her desk or conversation with another student or the ISS teacher without raising his/her hand and receiving verbal acknowledgement from the ISS teacher. Disobedience of this rule may result in an extension of the assignment in the ISS or other disciplinary action. Refusal to comply with ISS regulations may result in out of school suspension, with completion of the ISS term upon return.
5. The length of time a student is assigned to the ISS classroom will not be reduced due to excused absences; however, the time assigned is subject to extended time due to unexcused absences.
6. All schoolwork assigned in the ISS classroom will be completed at the regular time. Any work not completed during the school day will become homework and must be completed upon return to the regular classroom. Refusal to work in ISS may result in extended ISS time.
7. Students assigned to ISS will not be permitted to attend school functions, events, or athletic contests until the end of the school day of the last placement day.
8. A student assigned to ISS who needs to eat breakfast will report to the office upon arrival to school. The student will eat breakfast in the office or the ISS classroom.

9. Students placed in ISS must be working on school related material. If at any time the student completes all assigned work, the ISS teacher will assign remedial work, TAKS practice, or request additional work from the homeroom teacher.
10. Students must be on time to ISS. Tardiness to ISS can result to extended placement.
11. Students may not read any material that is not relevant to the instructional day without permission from the ISS teacher.
12. Sleeping or putting your head down is not permitted during ISS assignment.

**ISS is a structured environment that requires all of the above rules to be strictly enforced.** Please remember that the student will be held accountable for his/her actions. It is the intent of the school for the student to behave properly and not be assigned to ISS.

## **Appendix VI**

### **Transportation Procedures**

#### **Bus Rules**

1. No cursing, profane language, obscene gestures, or gang signs. Respect each other as well as the bus driver.  
*(Cursing and profanity will not be tolerated on any Thrall ISD school bus.)*
2. Help keep the bus clean. Do not litter inside or outside of the bus. Do not throw items around the bus.  
*(Loose debris such as trash, notepaper, etc., blowing around on the bus can be a safety hazard.)*
3. Do not be destructive or tamper with safety equipment on the bus.  
*(Students/Parents will be held responsible for any and all damages to the bus. Student will lose riding privileges if found to be tampering with emergency equipment.)*
4. Stay seated in assigned seat. No walking, changing seats, etc. while the bus is in Motion. Keep head, arms and all body parts inside of the bus.  
*(In case of sudden stop or turn, student may be injured. In the case of an accident, the chance for injury increases.)*
5. No eating, drinking or tobacco use.  
*(These activities create a choking hazard while on the bus. Water in a plastic bottle is acceptable. No glass containers or straws allowed. Tobacco use on school property is prohibited by state law.)*

#### **Transportation Department Policies**

- Students will not carry hazardous materials (hair spray, perfume), nuisance items or animals of any kind on a Thrall ISD school bus.
- Students are permitted to carry only objects that can be held on their laps. This includes backpack, band instruments, props for plays, school projects, etc. All supplies must remain in backpack.
- Students must board the bus and depart the bus at the same stop everyday, morning and afternoon, throughout the school year. Students may ride only the bus that they have been assigned. Exceptions will only be made with consent from a parent/guardian in the form of a note, signed by the parent/guardian and/or principal, specifying the date(s) of exception(s) along with a daytime phone number (if available). If you wish for your child to ride a bus they are not assigned to (to go home with a friend, for example, they must have a note also.
- Aisle and emergency exit are to be kept clear of backpacks, instruments, feet, etc. at all times.
- Students are expected to be at their designated bus stop a minimum of 5 minutes prior to scheduled pick up. Due to traffic flow, the bus may run up to 5 minutes early or late.
- Students are expected to wait at their assigned bus stop in an orderly line, avoiding horseplay and destruction of private property.
- Students shall observe same conduct as in the classroom and follow bus driver's directives.
- When necessary, students will be expected to sit three to a seat.
- Students are prohibited from using tobacco, alcohol, drugs, or any controlled substance. Possession of weapons of any kind is also prohibited. Proper actions will be taken.
- The Director of Transportation reserves the right to remove a student from the bus on an immediate riding suspension if student poses a risk to themselves and/or others on the bus. Students may also be removed pending any investigation into allegations of harassment of any nature.
- All conduct reports are kept on file for the entire school year.

## **Student Discipline Procedures**

While it is the duty of the Transportation Department to provide safe and efficient transport of student to school and home, it should be understood that riding a bus is a **privilege**. It should be further understood that if a student displays inappropriate behavior, the following actions will be taken:

- 1<sup>st</sup> infraction – Driver will counsel with student on bus. Written notation by bus driver will be made.
- 2<sup>nd</sup> infraction – Driver will counsel with student on bus. A written discipline referral will be completed signed by bus driver and student and returned to campus office for disciplinary action.
- 3<sup>rd</sup> infraction – Written discipline referral completed signed by bus driver and student and returned to campus office for disciplinary action. Parent contacted.
- 4<sup>th</sup> infraction – 5 day suspension of bus riding privileges. Parent contacted. Parent must make alternative arrangements for transportation to and from school.
- 5<sup>th</sup> infraction – 10 day suspension of bus riding privileges. Parent contacted. Parent must make alternative arrangements for transportation to and from school.
- 6<sup>th</sup> infraction – Student suspended from bus for remainder of semester. Parent contacted. Parent must make alternative arrangements for transportation to and from school.
- 7<sup>th</sup> infraction – Student suspended from bus for remainder of school year. Parent contacted. Parent must make alternative arrangements for transportation to and from school.

Certain infractions will result in an automatic suspension of bus riding privileges. The length of the suspension will be at the discretion of the transportation director and/or the principal. These infractions are as follows:

- Smoking
- Fighting
- Possession of a weapon
- Possession/use of a controlled substance
- Possession/use of alcohol
- Terroristic threat to driver and/or passengers
- Harassment (physical or sexual)
- Opening of emergency exits while bus is in transit
- Running in front of the bus
- Touching outside of bus while bus is in motion and student is outside of the bus
- Crawling under the bus

It is our intent that all parents/guardians be fully aware of the procedures and practices of the Thrall ISD Transportation Department. If you wish to discuss your student's behavior on the bus, please contact the campus your child attends or the transportation department at 898-5193. A conference at school involving the principal, student, parent/guardian, transportation director, and the bus driver can be arranged if the circumstances warrant such, or at the parent's request.

## **APPENDIX VII DIRECTORY INFORMATION**

State law requires the district to give you the following information:

Certain information about district students is considered directory information and will be released to anyone who follows the procedures for requesting the information unless the parent or guardian objects to the release of the directory information about the student. If you do not want Thrall ISD to disclose directory information from your child's education records without your prior written consent, you must notify the district in writing within ten school days of child's first day of instruction for this school year.

This means that the district must give certain personal information (called "directory information") about your child to any person who requests it, unless you have told the District in writing not to do so. In addition, you have the right to tell the district that it may, or may not, use certain personal information about your child for specific school-sponsored purposes. The district is providing you this information so that you can communicate your wishes about these issues.

**For all purposes, Thrall ISD has designated the following information as directory information:**

- Student's name**
- Address**
- Telephone listing**
- E-mail address**
- Photograph**
- Date and place of birth**
- Major field of study**
- Degrees, honors, and awards received**
- Dates of attendance**
- Grade level**
- Most recent school previously attended**
- Participation in officially recognized activities and sports**
- Weight and height, if a member of an athletic team**

**A form is available in each principal's office for your use if you wish to block any directory information, for any purpose.**



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# STUDENT CODE OF CONDUCT

## Purpose

The Student Code of Conduct is the district's response to the requirements of Chapter 37 of the Texas Education Code.

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

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

This Student Code of Conduct has been adopted by the Thrall ISD Board of Trustees and developed with the advice of the district-level committee. This Code provides information to parents and students regarding standards of conduct, consequences of misconduct, and procedures for administering discipline.

In accordance with state law, the Code will be posted at each school campus or will be available for review at the office of the campus principal. Parents will be notified of any conduct violation that may result in a student being suspended, placed in a DAEP, or expelled.

Because the Student Code of Conduct is adopted by the district's board of trustees it has the force of policy; therefore, in case of conflict between the Code and the student handbook, the Code will prevail.

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

## **School District Authority and Jurisdiction**

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

The district has disciplinary authority over a student:

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

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

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

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

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

## **Standards for Student Conduct**

Each student is expected to:

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

## General Conduct Violations

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

The district prohibits the following:

### Disregard for Authority

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

### Mistreatment of Others

- Using profanity or vulgar language or making obscene gestures.
- Fighting or scuffling. (For assault see DAEP Placement and Expulsion)
- Threatening another student or district employee on or off school property.
- Engaging in bullying, harassment, and making hit lists. (See glossary for all three terms)
- Engaging in conduct that constitutes sexual harassment or sexual abuse, whether by word, gesture, or any other conduct, including requests for sexual favors directed toward another student or a district employee.
- Engaging in inappropriate or indecent exposure of private body parts.
- Hazing. (See glossary)
- Causing an individual to act through the use of or threat of force (coercion).
- Committing extortion or blackmail (obtaining money or an object of value from an unwilling person).
- Engaging in inappropriate verbal, physical, or sexual conduct directed toward another student or a district employee.

### Property Offenses

- Damaging or vandalizing property owned by others. (For felony criminal mischief see DAEP Placement or Expulsion)

**Possession of Prohibited Items**

- Defacing or damaging school property—including textbooks, lockers, furniture, and other equipment—with graffiti or by other means.
- Stealing from students, staff, or the school.
- Committing or assisting in a robbery or theft even if it does not constitute a felony according to the Texas Penal Code. (For felony robbery and theft see DAEP Placement and Expulsion)
- Possessing or using:
  - fireworks of any kind, smoke or stink bombs, or any other pyrotechnic device;
  - a razor, box cutter, chain, or any other object used in a way that threatens or inflicts bodily injury to another person;
  - a “look-alike” weapon;
  - an air gun or BB gun;
  - ammunition;
  - a stun gun;
  - a pocketknife;
  - mace or pepper spray;
  - pornographic material;
  - tobacco products;
  - matches or a lighter;
  - a laser pointer for other than an approved use; or
  - any articles not generally considered to be weapons, including school supplies, when the principal or designee determines that a danger exists. (For weapons and firearms see DAEP Placement and Expulsion)

**Possession of Telecommunications Devices**

- Displaying, turning on, or using a cellular telephone or other telecommunications device on school property during the school day.

**Illegal and Prescription Drugs**

- Possessing or selling seeds or pieces of marijuana in less than a usable amount. (For illegal drugs, alcohol, and inhalants see DAEP Placement and Expulsion)
- Possessing, using, giving, or selling paraphernalia related to any prohibited substance. (See glossary for “paraphernalia”)
- Possessing or selling look-alike drugs or items attempted to be passed off as drugs or contraband.

**Misuse of Computers and the Internet**

- Abusing the student's own prescription drug, giving a prescription drug to another student, or possessing or being under the influence of another person's prescription drug on school property or at a school-related event.
- Having or taking prescription drugs or over-the-counter drugs at school other than as provided by district policy.
- Violating computer use policies, rules, or agreements signed by the student and/or agreements signed by the student's parent.
- Using the Internet or other electronic communications to threaten students or employees or cause disruption to the educational program.
- Sending or posting electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal.
- Using e-mail or Web sites at school to encourage illegal behavior or threaten school safety.

**Safety Transgressions**

- Possessing published or electronic material that is designed to promote or encourage illegal behavior or that could threaten school safety.
- Engaging in verbal (oral or written) exchanges that threaten the safety of another student, a school employee, or school property.
- Making false accusations or perpetrating hoaxes regarding school safety.
- Engaging in any conduct that school officials might reasonably believe will substantially disrupt the school program or incite violence.
- Throwing objects that can cause bodily injury or property damage.
- Discharging a fire extinguisher without valid cause.

**Miscellaneous Offenses**

- Violating dress and grooming standards as communicated in the student handbook.
- Cheating or copying the work of another.
- Gambling.
- Falsifying records, passes, or other school-related documents.
- Engaging in actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Repeatedly violating other communicated campus or classroom standards of conduct.

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

## **Discipline Management Techniques**

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

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

### **Students with Disabilities**

The discipline of students with disabilities is subject to applicable state and federal law in addition to the Student Code of Conduct. To the extent any conflict exists, state and/or federal law will prevail.

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

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

### **Techniques**

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

- Verbal (oral or written) correction.
- Cooling-off time or "time-out."
- Seating changes within the classroom.
- Temporary confiscation of items that disrupt the educational process.
- Rewards or demerits.
- Behavioral contracts.
- Counseling by teachers, counselors, or administrative personnel.
- Parent-teacher conferences.
- Grade reductions as permitted by policy.
- Detention.
- Sending the student to the office or other assigned area, or to in-school suspension.

- Assignment of school duties such as cleaning or picking up litter.
- Withdrawal of privileges, such as participation in extracurricular activities, eligibility for seeking and holding honorary offices, or membership in school-sponsored clubs and organizations.
- Penalties identified in individual student organizations' extracurricular standards of behavior.
- Withdrawal or restriction of bus privileges.
- School-assessed and school-administered probation.
- Corporal punishment.
- Out-of-school suspension, as specified in the Suspension section of this Code.
- Placement in a DAEP, as specified in the DAEP section of this Code.
- Expulsion, as specified in the Expulsion section of this Code.
- Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the district.
- Other strategies and consequences as determined by school officials.

**Notification**

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

**Appeals**

Parental questions or complaints regarding disciplinary measures should be addressed to the teacher or campus administration, as appropriate, and in accordance with policy FNG(LOCAL). A copy of the policy may be obtained from the principal's office or the central administration office or through Policy On Line at the following address: [www.thrallisd.com](http://www.thrallisd.com).

Consequences will not be deferred pending the outcome of a grievance.

## Removal from the Regular Educational Setting

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

### Routine Referral

A routine referral occurs when a teacher sends a student to the principal's office as a discipline management technique. The principal may then employ additional techniques.

### Formal Removal

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

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

A teacher or administrator **must** remove a student from class if the student engages in behavior that under the Education Code requires or permits the student to be placed in a DAEP or expelled. When removing for those reasons, the procedures in the subsequent sections on DAEP or expulsion will be followed. Otherwise, within three school days of the formal removal, the appropriate administrator will schedule a conference with the student's parent; the student; the teacher, in the case of removal by a teacher; and any other administrator.

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

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

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

### Returning Student to Classroom

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

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

## Suspension

### Misconduct

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

In deciding whether to order suspension, the district will take into consideration:

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

### Process

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

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

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

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

## Disciplinary Alternative Education Program (DAEP) Placement

### Discretionary Placement: Misconduct That May Result in DAEP Placement

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

In deciding whether to order placement in a DAEP, the district will take into consideration:

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

### General Misconduct

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

### Misconduct Identified in State Law

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

- Involvement in gang activity, including participating as a member or pledge, or soliciting another person to become a pledge or member of a gang.
- Involvement in a public school fraternity, sorority, or secret society, including participating as a member or pledge, or soliciting another person to become a pledge or member of a public school fraternity, sorority, or secret society.
- Criminal mischief, not punishable as a felony.

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

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

### Certain Felonies

Unless removal is otherwise required by one of the reasons below, in accordance with Education Code 37.0081, a student **may** be placed in a DAEP after an opportunity for a hearing before the board of trustees or its designee, if:

- The student receives deferred prosecution for conduct defined as a felony offense in Title 5 (see glossary) of the Texas Penal Code, or
- The student has been found by a court to have engaged in delinquent conduct for conduct defined as a felony offense in Title 5 of the Texas Penal Code.

The board or the board’s designee must determine that 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.

A student’s placement in the DAEP as a result of receiving deferred prosecution or delinquent conduct, as described above, may occur 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.

**Mandatory Placement:  
Misconduct That  
Requires DAEP  
Placement**

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

- Engages in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school. (See glossary)
- Commits the following offenses on school property or within 300 feet of school property as measured from any point on the school’s real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
  - Engages in conduct punishable as a felony.
  - Commits an assault (see glossary) under Penal Code 22.01(a)(1).
  - Sells, gives, or delivers to another person, or possesses, uses, or is under the influence of marijuana, a controlled substance, or a dangerous drug in an amount not constituting a felony offense. (School-related felony drug offenses are addressed in the Expulsion section.) (See glossary for “under the influence”)
  - Sells, gives, or delivers to another person an alcoholic beverage; commits a serious act or offense while under the influence of alcohol; or possesses, uses, or is under the influence of alcohol, if the conduct is not punishable as a felony offense. (School-related felony alcohol offenses are addressed in the Expulsion section.)

- Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
- Behaves in a manner that contains the elements of the offense of public lewdness or indecent exposure.
- Engages in expellable conduct and is between six and nine years of age.
- Commits a federal firearms violation and is younger than six years of age.
- Engages in conduct that contains the elements of the offense of retaliation against any school employee or volunteer on or off school property. (Committing retaliation in combination with another expellable offense is addressed in the Expulsion section of this Code.)
- Engages in conduct punishable as a felony listed under Title 5 (see glossary) of the Texas Penal Code when the conduct occurs off school property and not at a school-sponsored or school-related event and:
  1. The student receives deferred prosecution (see glossary),
  2. A court or jury finds that the student has engaged in delinquent conduct (see glossary), or
  3. The superintendent or designee has a reasonable belief (see glossary) that the student engaged in the conduct.

**Sexual Assault and Campus Assignments**

If a student has been convicted of or placed on deferred adjudication for sexual assault or aggravated sexual assault against another student on the same campus, and if the victim or the victim's parents request that the board transfer the offending student to another campus, the offending student shall be transferred to another campus in the district. If there is no other campus in the district serving the grade level of the offending student, the offending student will be transferred to a DAEP.

**Emergencies**

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

**Process**

Removals to a DAEP will be made by the building principal and a Discipline Review Committee.

***Conference***

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

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

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

***Placement Order***

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

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

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

**Length of Placement**

The duration of a student's placement in a DAEP will be determined by the building principal and Discipline Review Committee.

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

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

***Exceeds One Year***

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

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

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

***Exceeds School Year***

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

For placement in a DAEP to extend beyond the end of the school year, the building principal and Discipline Review Committee must determine that:

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

***Exceeds 60 Days***

For placement in a DAEP to extend beyond 60 days or the end of the next grading period, whichever is sooner, a student's parent will be given

notice and the opportunity to participate in a proceeding before the board or the board's designee.

**Appeals**

Questions or complaints from parents regarding disciplinary measures should be addressed to the campus administration, in accordance with policy FNG(LOCAL). A copy of this policy may be obtained from the principal's office or the central administration office or through Policy On Line at the following address: [www.thrallisd.com](http://www.thrallisd.com).

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

**Restrictions during Placement**

State law prohibits a student placed in a DAEP for reasons specified in state law from attending or participating in school-sponsored or school-related extracurricular activities.

The district will provide transportation to students in a DAEP.

For seniors who are eligible to graduate and are assigned to a DAEP at the time of graduation, the last day of placement in the program will be the last instructional day, and the student will be allowed to participate in the graduation ceremony and related graduation activities unless otherwise specified in the DAEP placement order.

**Placement Review**

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

**Additional Misconduct**

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

**Notice of Criminal Proceedings**

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

1. Prosecution of a student's case was refused for lack of prosecutorial merit or insufficient evidence and no formal proceedings, deferred adjudication (see glossary), or deferred prosecution will be initiated; or

2. The court or jury found a student not guilty, or made a finding that the student did not engage in delinquent conduct or conduct indicating a need for supervision, and the case was dismissed with prejudice.

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

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

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

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

**Withdrawal during Process**

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

**Newly Enrolled Students**

A student assigned to a DAEP in an open-enrollment charter school or another district, including a district in another state (if the behavior

committed is a reason for DAEP placement in the receiving district), at the time he or she enrolls in the district will be placed directly into the district's DAEP.

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

**Emergency Placement**

When an emergency placement occurs, the student will be given oral notice of the reason for the action. Not later than the tenth day after the date of the placement, the student will be given the appropriate conference required for assignment to a DAEP.

## Expulsion

### Discretionary Expulsion: Misconduct That May Result in Expulsion

In deciding whether to order expulsion, the district will take into consideration:

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

A student **may** be expelled for:

#### *Any Location*

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

- Committing any of the following offenses on or within 300 feet of school property, as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
  - Selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana, a controlled substance, or a dangerous drug, if the conduct is not punishable as a felony.
  - Selling, giving, or delivering to another person, or possessing, using, or being under the influence of alcohol; or committing a serious act or offense while under the influence of alcohol, if the conduct is not punishable as a felony.

- Engaging in conduct that contains the elements of an offense relating to abusable volatile chemicals.
  - Engaging in conduct that contains the elements of assault under Section 22.01(a)(1) against an employee or a volunteer.
  - Engaging in deadly conduct. (See glossary)
- Within 300 Feet of School**
- Engaging in the following conduct while within 300 feet of school property, as measured from any point on the school’s real property boundary line:
    - Aggravated assault, sexual assault, or aggravated sexual assault.
    - Arson.
    - Murder, capital murder, or criminal attempt to commit murder or capital murder.
    - Indecency with a child, aggravated kidnapping, manslaughter, criminally negligent homicide, or aggravated robbery.
    - Felony drug- or alcohol-related offense.
    - Use, exhibition, or possession of a firearm (as defined by state law), an illegal knife, a club, or prohibited weapon, or possession of a firearm (as defined by federal law).
- Property of Another District**
- Committing any offense that is a state-mandated expellable offense if the offense is committed on the property of another district in Texas or while the student is attending a school-sponsored or school-related activity of a school in another district in Texas.
- While in DAEP**
- Engaging in serious offenses or persistent misbehavior (see glossary) that violates the district’s Code, while placed in a DAEP.
- Mandatory Expulsion: Misconduct That Requires Expulsion**
- A student **must** be expelled for any of the following offenses that occur on school property or while attending a school-sponsored or school-related activity on or off school property:
- Federal Law**
- Bringing to school a firearm, as defined by federal law. “Firearm” under federal law includes:
    - Any weapon (including a starter gun) that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive.
    - The frame or receiver of any such weapon.
    - Any firearm muffler or firearm weapon.
    - Any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade.
- Texas Penal Code**
- Using, exhibiting, or possessing the following, as defined by the Texas Penal Code:

- A firearm (any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use).
- An illegal knife, such as a knife with a blade over 5½ inches; hand instrument, designed to cut or stab another by being thrown; dagger, including but not limited to a dirk, stiletto, and poniard; bowie knife; sword; or spear.
- A club (see glossary) such as an instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with the instrument, including a blackjack, nightstick, mace, and tomahawk.
- A prohibited weapon, such as an explosive weapon, a machine gun, a short-barrel firearm, a firearm silencer, a switchblade knife, knuckles, armor-piercing ammunition, a chemical dispensing device, or a zip gun. (See glossary)
- Behaving in a manner that contains elements of the following offenses under the Texas Penal Code:
  - Aggravated assault, sexual assault, or aggravated sexual assault.
  - Arson. (See glossary)
  - Murder, capital murder, or criminal attempt to commit murder or capital murder.
  - Indecency with a child.
  - Aggravated kidnapping.
  - Aggravated robbery.
  - Manslaughter.
  - Criminally negligent homicide.
  - Behavior punishable as a felony that involves selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana, a controlled substance, a dangerous drug, or alcohol; or committing a serious act or offense while under the influence of alcohol.
  - Retaliation against a school employee combined with one of the above-listed offenses on or off school property or at a school-related activity.

**Under Age Ten**

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

**Emergency**

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

**Process**

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

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

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

**Hearing**

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

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

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

The board of trustees delegates to the superintendent authority to conduct hearings and expel students.

**Board Review of  
Expulsion**

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

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

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

**Expulsion Order**

After the due process hearing, if the student is expelled, the board or its designee will deliver to the student and the student’s parent a copy of the order expelling the student.

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

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

**Length of Expulsion**

The length of an expulsion will be correlated to the seriousness of the offense, the student’s age and grade level, the frequency of misbehavior, the student’s attitude, and statutory requirements.

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

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

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

State and federal law require a student to be expelled from the regular classroom for a period of at least one calendar year for bringing a firearm, as defined by federal law, to school. However, the superintendent or other appropriate administrator may modify the length of the expulsion on a case-by-case basis.

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

**Withdrawal during Process**

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

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

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

**Additional Misconduct**

If during the expulsion, the student engages in additional conduct for which placement in a DAEP or expulsion is required or permitted,

additional proceedings may be conducted, and the appropriate administrator or the board may issue an additional disciplinary order as a result of those proceedings.

**Restrictions during Expulsion**

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

No district academic credit will be earned for work missed during the period of expulsion unless the student is enrolled in a Juvenile Justice Alternative Education Program or another district-approved program.

**Newly Enrolled Students**

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

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

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

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

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

**Emergency Expulsion**

When an emergency expulsion occurs, the student will be given verbal notice of the reason for the action. Within ten days after the date of the emergency expulsion, the student will be given appropriate due process required for a student facing expulsion.

**DAEP Placement of Expelled Students**

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

## Glossary

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

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

**Arson** is a crime that involves starting a fire or causing an explosion with intent to destroy or damage:

1. Any vegetation, fence, or structure on open-space land; or
2. Any building, habitation, or vehicle:
  - a. Knowing that it is within the limits of an incorporated city or town;
  - b. Knowing that it is insured against damage or destruction;
  - c. Knowing that it is subject to a mortgage or other security interest;
  - d. Knowing that it is located on property belonging to another;
  - e. Knowing that it has located within it property belonging to another; or
  - f. 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.

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

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

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

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

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

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

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

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

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

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

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

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

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

**Graffiti** are markings with aerosol paint or an indelible pen or marker on tangible property without the effective consent of the owner. The markings may include inscriptions, slogans, drawings, or paintings.

**Harassment** is:

1. Conduct that meets the definition established in district policies DIA(LOCAL) and FFH(LOCAL); or
2. Conduct that threatens to cause harm or bodily injury to another student, is sexually intimidating, causes physical damage to the property of another student, subjects another student to physical confinement or restraint, or maliciously and substantially harms another student's physical or emotional health or safety.

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

**Hit list** is a list of people targeted to be harmed, using a firearm, a knife, or any other object to be used with intent to cause bodily harm.

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

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

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

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

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

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

**Reasonable belief** is a determination made by the superintendent or designee using all available information, including the information furnished under Article 15.27 of the Code of Criminal Procedure.

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

**Serious offenses** include but are not limited to:

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

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

**Switchblade** is any knife with a blade that folds, closes, or retracts into the handle or sheath and that opens automatically by pressing a button or by the force of gravity or centrifugal force.

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

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

**Title 5 offenses** are those that involve injury to a person and include murder; kidnapping; assault; sexual assault; unlawful restraint; coercing, soliciting, or inducing gang membership if it causes bodily injury to a child; indecency with a child; injury to a child, an elderly person, or a disabled person; abandoning or endangering a child; deadly conduct; terroristic threat; aiding a person to commit suicide; and tampering with a consumer product. [See FOC(EXHIBIT)]

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

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

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



# THRALL INDEPENDENT SCHOOL DISTRICT

Central Administration

[www.thrallisd.com](http://www.thrallisd.com)

(512) 898-0062 ~ Fax (512) 898-5349 ~ 201 S. Bounds ~ Thrall, Texas 76578



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Elementary (512) 898-5293 – Elementary Fax (512) 898-2879 – High School/Middle (512) 898-5193 – HS/MS Fax (512) 898-2132

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## Action Sheet

### City Water Rate Increase

1. Superintendent Brown and Ms. Fox will review all current information on the City of Thrall water rate increase and status of our appeal to TCEQ.



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## Action Sheet

### Localized Policy Update #78

1. We will need a motion, a second and a vote to approve the Localized Policy Update #78 as presented.



# Localized Policy Manual

## *Update 78*

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Thrall ISD

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Your Localized Update 78 addresses changes in the legal context that have arisen since the conclusion of the 79th regular legislative session. It also includes policy changes arising from HB 1 from the recently completed special legislative session on school finance and effective for the 2006–2007 school year. Those policies, highlighted in **Vantage Points** (described below) range from property taxes and accountability to student admissions and student health issues.

Please bear in mind that the (LEGAL) policies reflect the ever-changing legal context for governance and management of the district. They should NOT be adopted but, rather, should inform local decision making. The (LOCAL) policy recommendations in this update will need close attention by both the administration and the board to ensure that they reflect the practices of the district and the intentions of the board. Board action is needed to adopt, revise, or repeal (LOCAL) policy.

To better focus board attention and expedite its review, your Localized Update 78 packet contains:

- **Vantage Points—A Board Member’s Guide to Update 78**, copies of which may be found in the separately wrapped package accompanying this packet. **Vantage Points** offers a highly summarized overview of the update and is intended to provide local officials a first glance at the scope of the update—as a prelude to studying the detailed Explanatory Notes and policy text within the packet. **Please distribute Vantage Points to your board members at the earliest possible opportunity, preferably with their review copies of this update.**
- Your Localized Update, which includes:
  - INSTRUCTIONS . . .** providing specific, policy-by-policy directions on how this update, if accepted as prepared, should be incorporated into your Localized Policy Manuals.
  - EXPLANATORY NOTES . . .** summarizing changes in the policies in each code and how those changes affect your policy manual. Please note that, where appropriate, the Explanatory Notes ask you to **verify that a particular policy continues to reflect your current practice and to advise us of changes needed** so that our records and your manual accurately track the district’s actual practice.

Update 78 materials can be identified by the DATE ISSUED—06/07/2006 in the lower left corner of each page. If you have any questions concerning this Update, please call your Policy Consultant/Analyst, Jim Williams, at 800-580-7529 or 512-467-0222.

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## Regarding board action on Update 78 . . .

- Board action on Localized Update 78 must occur within a properly posted, open meeting of the board and may be addressed on the agenda posting as “Policy Update 78, affecting (LOCAL) policies (see attached list).” Using the Instruction Sheet as a guide, create and attach to the posting a list of the (LOCAL) policy codes **and the titles/subtitles of those policies**. BoardBook compilers should use “Policy Update 78, affecting (LOCAL) policies” as the agenda item and, as agenda sub-items, the code and name of each of the (LOCAL) policies affected by the update.
- An appropriate motion for board action on Localized Update 78 is as follows:  
  
*“I move that the board add, revise, or delete (LOCAL) policies as recommended by TASB Policy Service and according to the Instruction Sheet for TASB Localized Policy Manual Update 78 [with the following changes:]”*
- The board’s action on Localized Update 78 must be reflected in board minutes. The Instruction Sheet—annotated to reflect any changes made by the board—and the Explanatory Notes for the update should be filed with the minutes where they make up the authoritative record of your board’s actions. Include a copy of new, replaced or rescinded (**LOCAL**) policies.
- In constructing the separate historical record of the manual, the emphasis is on the history of specific policies. For guidance on maintaining this record, please refer to the **Policy Administrator’s Guide** at [https://www.tasb.org/docs-my-tasb/gov\\_svcs/policy\\_svc/admin-guide/policy\\_admin\\_guide.pdf.cfm](https://www.tasb.org/docs-my-tasb/gov_svcs/policy_svc/admin-guide/policy_admin_guide.pdf.cfm).

## Regarding manual maintenance and administrative regulations . . .

- **Notify your Policy Consultant/Analyst of any changes made by the board so that Policy Service records—forming the basis for these and subsequent updating recommendations—exactly mirror your manual.**
- The update should be incorporated into each of the district’s Localized Policy Manuals as soon as practicable. If the district uses *Policy On Line*, you will need to notify us of the board’s action on Update 78 so that your district’s Localized Policy Manual as it appears on TASB’s Web server can be updated. *Policy On Line* staff may be reached by phone (800–580–7529 or 512–467–0222), fax (512–467–3618, using the pink form enclosed), e-mail ([pol-support@tasb.org](mailto:pol-support@tasb.org)), or Internet feedback form (<http://www.tasb.org/policy/pol/private/polfdbk.html>).
- Administrative procedures and documents—including formal REGULATIONS, handbooks, and guides—that may be affected by Update 78 policy changes should be inspected and revised as needed. If the district routinely submits REGULATIONS to Policy Service for processing or desires that the updated REGULATION be included in the district’s *Policy On Line* manual, please submit these changes to your Policy Consultant/Analyst at your earliest convenience.

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**PLEASE NOTE:** This Localized Update packet and the Update 78 **Vantage Points** may not be considered as legal advice and are not intended as a substitute for the advice of the board’s own legal counsel.

# Instruction Sheet

## TASB Localized Policy Manual Update 78

District      Thrall ISD

Code		Action To Be Taken	Note
BAA	(LEGAL)	Replace policy	Revised policy
BBB	(LEGAL)	No policy enclosed	See explanatory note
BBBA	(LEGAL)	Replace policy	Revised policy
BBFA	(LEGAL)	Replace policy	Revised policy
BDF	(LEGAL)	Replace policy	Revised policy
CCG	(LEGAL)	Replace policy	Revised policy
CDA	(LOCAL)	Replace policy	Revised policy
CE	(LEGAL)	Replace policy	Revised policy
CHF	(LEGAL)	Replace policy	Revised policy
CKC	(LOCAL)	Replace policy	Revised policy
CO	(LEGAL)	Replace policy	Revised policy
CRD	(LEGAL)	Replace policy	Revised policy
CRD	(LOCAL)	Replace policy	Revised policy
DBD	(LOCAL)	Replace policy	Revised policy
DC	(LEGAL)	Replace policy	Revised policy
DEA	(LEGAL)	Replace policy	Revised policy
DEA	(LOCAL)	Replace policy	Revised policy
DEB	(LOCAL)	DELETE policy	See explanatory note
DHE	(LOCAL)	Replace policy	Revised policy
EFAA	(LEGAL)	Replace policy	Revised policy
EHBC	(LEGAL)	Replace policy	Revised policy
EHBE	(LEGAL)	Replace policy	Revised policy
EHBG	(LEGAL)	Replace policy	Revised policy
EKB	(LEGAL)	Replace policy	Revised policy
FDA	(LOCAL)	Replace policy	Revised policy
FDAA	(LEGAL)	Replace policy	Revised policy
FEA	(LEGAL)	Replace policy	Revised policy
FEB	(LEGAL)	Replace policy	Revised policy
FFAB	(LEGAL)	Replace policy	Revised policy
FFAB	(EXHIBIT)	DELETE exhibit	See explanatory note
FFAC	(LEGAL)	Replace policy	Revised policy

# Instruction Sheet

## TASB Localized Policy Manual Update 78

<b>Code</b>		<b>Action To Be Taken</b>	<b>Note</b>
FL	(LOCAL)	Replace policy	Revised policy
FOC	(LEGAL)	Replace policy	Revised policy

# Explanatory Notes

## TASB Localized Policy Manual Update 78

District: Thrall ISD

BAA (LEGAL) BOARD LEGAL STATUS  
POWERS AND DUTIES

A new item 8—on INTERNAL AUDITOR—has been added. HB 1 from the recently completed special legislative session on school finance newly requires that any internal auditor that may be employed by the district be selected by and report directly to the board.

BBB (LEGAL) BOARD MEMBERS  
ELECTIONS

**Please note:** HB 1, from the recently completed special legislative session on school finance, requires school districts to hold trustee elections on the same date as:

- The election of members of the governing body of a municipality located in the district, or
- The general election for state and county officers (November of even numbered years).

Additionally, elections held on the same date as the municipality or county must be held as joint elections, with common polling places.

Analysis by TASB Legal Services attorneys, in consultation with the Elections Division of the Office of the Texas Secretary of State, suggests that districts that held or cancelled trustee elections in May will not be required to hold another election on November 7, 2006 (the next general election). Districts should work with local counsel to determine what actions need to be taken for the 2007 election cycle.

Districts with questions about how these provisions apply to their trustee elections should contact the Secretary of State's Election Division at 1-800-252-VOTE (8683).

HB 1 does not require an immediate change in policy. Districts already committed to a November 7, 2006, election may proceed by having a joint election with the county. Preclearance from the U.S. Department of Justice may be required for November elections to the extent the district makes changes in election practices or procedures.

BBBA (LEGAL) BOARD MEMBERS  
REPORTING CAMPAIGN FUNDS

For clarity, TASB attorneys have added to this policy Election Code provisions pertaining to terminating the campaign treasurer appointment of an inactive candidate or political committee. Included are circumstances under which a candidate or committee become inactive and the process by which the board terminates the campaign treasurer appointment.

BBFA (LEGAL) ETHICS  
CONFLICT OF INTEREST DISCLOSURES

The newly enacted Local Government Code requirement that local government officers file a conflicts disclosure statement—for themselves and family members—includes by reference the Government Code definition of "family member." That definition—a person related within the first degree by consanguinity or affinity—has been added on page 3.

FAQs about this new requirement and a chart of the various conflict disclosure requirements may be found at <https://www.tasb.org/apps/icen/icenDetail.cfm?kv=232>. (Click on the title, "Legal FAQs: HB 914.")

BDF (LEGAL) BOARD INTERNAL ORGANIZATION  
CITIZEN ADVISORY COMMITTEES

A perceived requirement—that elementary, middle, and junior high school students each engage in physical activity at least 30 minutes per school day or 135 minutes per school week—has been deleted from STATEMENT FOR PUBLIC INSPECTION.

# Explanatory Notes

## TASB Localized Policy Manual Update 78

TASB's Governmental Relations Division indicates that, while it may have been the intention of the 79th Legislature to require physical activity time for middle school, that intention was not enacted into law. The State Board of Education will consider this summer an extension of a physical education and/or physical activity requirement to middle schools to remedy the legislative oversight.

### CCG (LEGAL) LOCAL REVENUE SOURCES AD VALOREM TAXES

Key local property tax provisions from HB 1, enacted by the recently completed special legislative session on school finance, are incorporated into this policy, as follows:

- TAX RATE CAP, on page 1, reflects the newly imposed limit on the tax rate adopted by a local district. The new cap may not exceed by more than 17 cents the product of the "compression percentage" and \$1.50 (or actual rate levied for 2005 if greater than \$1.50).
- 2006 TAX YEAR ELECTION, on page 4, addresses a 2006 transition provision requiring voter approval of a tax rate exceeding the rollback rate. The election must be called no later than August 31 and held on September 30. But for this transitional change, such an election would be governed by the time lines specified by Tax Code 26.08(a) and (b), subsections that appear in the policy immediately above the 2006 addition.
- COLLECTION AND DEPOSIT OF TAX INCREMENTS, on page 9, affects certain districts' payments into the tax increment funds.

At DISCOUNTS, on page 4, the text has been revised to reflect HB 2491 (from the regular session of the 79th legislature): a district now has clear statutory authority to adopt early-payment discounts even if the district contracts with another entity for the collection of taxes.

### CDA (LOCAL) OTHER REVENUES INVESTMENTS

On page 3, we have added text addressing INTEREST RATE RISK, as suggested by independent auditors working with school districts to respond to various risk assessment issues addressed by General Accounting Standards Board (GASB) Statement 40. Essentially, the provision specifies that the district will reduce the risk of interest rate fluctuation by specifying final and weighted-average-maturity limits and by diversification.

In reviewing this policy, the district might concurrently fulfill its obligation to review—at least annually—this particular policy and to document its review and any resulting changes. The following sections merit special attention to ensure that they are in harmony with practice:

- MONITORING MARKET PRICES, on page 2: The law requires the policy to define the methods/resources that will be used to monitor the market price of investments. While the law provides for such monitoring to be performed quarterly, your policy requires monthly or more frequent monitoring by the investment officer.
- FUNDS/STRATEGIES, on page 2: The law requires the policy to define an investment strategy for each fund type to be invested.
- PORTFOLIO REPORT, beginning on page 3: While not required by law, good investment management practice suggests that the board at least annually consider overall portfolio performance and refine policies and strategies as needed to enhance the investment program. This provision was intended to provide a longer view of performance than quarterly, as provided by law, and somewhat presumes a diversified portfolio.

The district should confer with its investment counselor, its local attorney, and others with expertise in investment management when reviewing this policy. (The *TASB Regulations Resource Manual*, an administra-

# Explanatory Notes

## TASB Localized Policy Manual Update 78

tive document available to policy administrators through myTASB, contains a model resolution form that may be used to document the review and changes.)

Please advise your policy consultant/analyst of any policy changes that arise from this review.

### CE (LEGAL) ANNUAL OPERATING BUDGET

At PUBLICATION OF PROPOSED BUDGET SUMMARY, on page 3, appears a new requirement imposed by HB 1, enacted by the recently completed special legislative session on school finance. Statute now requires the district to post on the Internet—at the same time it publishes the required “notice of the meeting on the budget and proposed tax rate”—a comparison of the proposed budget with the previous year’s budget. The comparison must include per-student and aggregate spending in six categories:

- Instruction
- Instructional support
- Central administration
- District operations
- Debt service
- Any other category designated by the commissioner of education

### CHF (LEGAL) PURCHASING AND ACQUISITION PAYMENT PROCEDURES

HB 2425 from the 78th regular legislative session amends the “Prompt Payment Law” to set the rate of interest payable by the district for tardy payment of vendor invoices to one percent over the prime rate. The prime rate is established on the first weekday in July and “prime-plus-one” applies to any payments due between September 1 and August 31 of the ensuing year.

This indexing is reflected on page 1 at INTEREST.

### CKC (LOCAL) SAFETY PROGRAM/RISK MANAGEMENT EMERGENCY PLANS

Your current policy—addressing emergency procedures, retaining students during emergencies, evacuation procedures, school closings, and drills—has been effectively superseded by the district’s Emergency Operations Plan (EOP) aligned with the Texas School Safety Center (TSSC) template.

The TSSC template was promulgated in response to SB 11, from the 79th regular legislative session; districts were required to have developed a compatible plan by March 1, 2006. The EOP addresses emergency preparedness and emergency response and recovery as systems built on planning, training, drills, assessment, interagency cooperation, accountability, recordkeeping, and evaluation.

We recommend replacing your (LOCAL) policy with the streamlined language enclosed that speaks to the superintendent’s responsibility for ensuring that the plan is maintained and staff trained on an ongoing basis.

### CO (LEGAL) FOOD SERVICES MANAGEMENT

SB 42 from the 79th regular session prohibits districts from barring a parent or grandparent from providing any food product of his or her choosing for a classroom birthday celebration or to students at school-related functions. The legislation, also known as “Lauren’s Law,” is effective with the 2006–2007 school year.

## Explanatory Notes

### TASB Localized Policy Manual Update 78

The Texas Department of Agriculture does not believe this more recent law conflicts with the Texas Public School Nutrition Policy (TPSNP) promulgated by the Commissioner of Agriculture and last revised in June 2004, six months before the 79th Legislature convened. TDA “policy” guidance states:

TDA recognizes that celebrating student birthdays with a classroom party is a time-honored tradition that provides the opportunity for parental involvement in the education of their children, which is beneficial for students, parents and teachers. Foods otherwise restricted by the policy are permitted in classroom student birthday parties. It is recommended such parties be scheduled at the end of the lunch period for the class so that these celebrations will not replace a nutritious lunch. Federal regulations do not permit foods of minimal nutritional value to be served in the food service area during meal periods.

In essence, TDA’s guidance does not construe such birthday celebrations as a violation. “Lauren’s Law” (and the fact that it amends, curiously, the portion of the Education Code that speaks to the required curriculum, rather than some more generalized section) blurs the picture. TASB attorneys believe that districts can still specify when classroom birthday celebrations may be held, so long as they are held after lunch service ends for that classroom.

In updated FAQs—issued January 24, 2006—TDA further notes, “‘Lauren’s Law’ does not supersede the TPSNP ‘Event Day’ provisions, which limits such [event] days to three per year; if a school permits restricted food at more than three school events per year, TDA will not reimburse the school for meals served for any days in excess of the three days permitted under the TPSNP.”

The complete document may be found at <http://www.squaremeals.org>. (Click on “Texas Public School Nutrition Policy,” then “Frequently Asked Questions.”)

#### CRD (LEGAL) INSURANCE AND ANNUITIES MANAGEMENT HEALTH AND LIFE INSURANCE

New language regarding the health care supplement appears at DESIGNATION OF COMPENSATION FOR BENEFITS, on page 5. This text, drawn from HB 1 from the recently completed special legislative session on school finance, essentially clarifies previous statutory language. [Further statutory details regarding this supplement are included at DEA(LEGAL), in this update.]

In addition to this change, the policy itself has been extensively redeveloped to more closely track statutory language, to present the various provisions in a more logical flow, and to include additional text from current statute where such text might be helpful.

#### CRD (LOCAL) INSURANCE AND ANNUITIES MANAGEMENT HEALTH AND LIFE INSURANCE

Changes in CRD(LEGAL) have prompted a review—and significant redevelopment—of the companion (LOCAL) policy to more precisely reflect the interaction of continuation coverage with Family and Medical Leave and the district’s health care plan, TRS Active Care or otherwise. The resulting policy clarifies:

- The board’s role in establishing its contribution toward the employee’s health insurance premium cost, allowing for differentiated contributions for part-time employees.
- An employee’s responsibility for sustaining the full premium cost while on unpaid leave—subject to the exception provided by federal law for family and medical leave. That exception requires the district to sustain its customary contribution through the family and medical leave period.
- The requirement that an absent employee who is not on paid leave (or family and medical leave) may continue participating—with the employee funding the entire premium cost—for as long as the group health insurance plan permits. (TRS Active Care currently allows a participant to continue coverage for up to six full months after the unpaid leave begins, until employment terminates, or until eligibility terminates for a reason unrelated to the unpaid leave.)

# Explanatory Notes

## TASB Localized Policy Manual Update 78

### DBD (LOCAL) EMPLOYMENT REQUIREMENTS AND RESTRICTIONS CONFLICT OF INTEREST

We have rewritten the SUBSTANTIAL INTEREST section to make it clear that the substantial interest of an employee's relative does not in itself obligate the employee to file an affidavit. As noted in the policy text, however, the superintendent must file an affidavit if his or her relative (in the first degree) has a substantial conflict.

### DC (LEGAL) EMPLOYMENT PRACTICES

At INTERNAL AUDITOR, on page 1, appears a new requirement from HB 1 from the recently completed special legislative session on school finance. Also recited at BAA(LEGAL), the law now requires that any internal auditor that may be employed by the district be selected by and report directly to the board.

### DEA (LEGAL) COMPENSATION AND BENEFITS SALARIES, WAGES, AND STIPENDS

HB 1, from the recently completed special legislative session on school finance, prompts two additions:

- At STATE FUNDING, on page 1, new statute provides, subject to recapture and inclusive of the compensation supplement, \$2,500 for each classroom teacher, full-time librarian, full-time counselor, and full-time school nurse. This increase in compensation becomes effective with the 2006–2007 school year.
- At DESIGNATION OF COMPENSATION FOR BENEFITS, on page 5, revised statutory language addresses the (health care) compensation supplement. Eligible employees will annually elect in writing, (at the same time that the employee may elect to participate in a cafeteria plan) to earmark a portion of the supplement for the cafeteria plan or for payment of health care premiums.

In addition to these key changes, the policy has been restructured and its provisions revised for clarity:

- On page 1, DEFINITIONS have been added from TEA rules to further explain the introductory paragraph addressing the MINIMUM SALARY SCHEDULE.
- Education Code language has been added to EMPLOYEES FORMERLY ON CAREER LADDER—beginning on page 2—to more precisely define the salary guarantee to teachers and librarians on the career ladder in 1993 (when the career ladder was repealed).
- Repeated at PAY INCREASES, on page 3, are prohibitions—also found at CE(LEGAL)—against:
  - An employee's receiving a supplementary financial benefit after services are rendered or performance of a contract begun.
  - An employee's receiving a salary advance and loan.
- Further material from federal regulations implementing the Fair Labor Standards Act has been added to pages 4–6.
- The section on PRINCIPAL PERFORMANCE INCENTIVES, previously at the end of the policy, has been deleted to avoid redundancy, as these provisions also appear at BQB(LEGAL).

### DEA (LOCAL) COMPENSATION AND BENEFITS SALARIES, WAGES, AND STIPENDS

This policy has been substantially revised for clarity as follows:

- The term “compensation plans” replaces “pay structures” to encompass pay schedules, stipends, benefits, and incentives.

# Explanatory Notes

## TASB Localized Policy Manual Update 78

- At PAY ADMINISTRATION, we have restated the administrative authority of the superintendent over the compensation plans. This authority includes classification of positions and determination of appropriate pay for new and reassigned employees.
- At ANNUAL PAY INCREASES, we have refined the text addressing the superintendent's responsibility of determining annual increases for individual employees, consistent with compensation plans and the approved budget.
- A new section on MID-YEAR PAY INCREASES restricts mid-contract increases in pay unless the employee has been reassigned or duties have been increased, with these increases requiring board approval. However, the superintendent is authorized to grant a mid-year pay increase to a noncontract employee whose assignment or duties have changed or for market value adjustments. Increases of this type are reported to the board.
- The new last paragraph at EXEMPT addresses the superintendent's authority to assign supplemental duties to exempt employees. Other provisions previously at SUPPLEMENTAL DUTIES have been deleted in favor of a cross-reference to DK(LOCAL)—Assignments and Schedules.

The COMPENSATORY TIME section, on page 2, has been revised to more clearly present the options and requirements governing overtime payment and compensatory time. As with current policy, a nonexempt employee may not accumulate more than 60 hours of compensatory time and must "clear the balance sheet" at the end of each fiscal year.

### DEB (LOCAL) COMPENSATION AND BENEFITS FRINGE BENEFITS

We recommend that the district delete its DEB(LOCAL) policy, as these provisions are either more appropriately addressed at a different code or are likely out of date.

- Regarding children of nonresident employees: FDA(LOCAL), enclosed in this update packet, has been redeveloped to address all nonresident student transfer, making your separate provisions at DEB(LOCAL) unnecessary.
  - For districts that admit nonresident transfer students, transfer request procedures for all applicants, including children of nonresident district employees, are covered by the new streamlined FDA(LOCAL).
  - For districts that do not admit nonresident transfer students except for children of nonresident employees, that exception is addressed at FDA(LOCAL).
- Regarding employees' complimentary access to certain events. Our auditing of district manuals consistently shows that these provisions seldom reflect current practice. Moreover, districts increasingly tend to view free passes to events as an administrative matter not requiring board policy direction.

The deletion of these provisions leaves no policy text, only a pointer to other policy codes. For that reason and since these codes are also identified within your manual's cross-index, we recommend deletion of your DEB(LOCAL) in its entirety.

### DHE (LOCAL) EMPLOYEE STANDARDS OF CONDUCT SEARCHES AND ALCOHOL/DRUG TESTING

At DRUG-RELATED VIOLATIONS, we have added—at item 2—"providing an adulterated, diluted, or a substituted specimen on an alcohol or drug test" as a violation of district policy. While such a violation has long been noted in DHE(LEGAL) as an offense requiring a report to the Texas Department of Public Safety, it was not specifically restated in DHE(LOCAL) as a violation of policy.

# Explanatory Notes

## TASB Localized Policy Manual Update 78

### EFAA (LEGAL) INSTRUCTIONAL MATERIALS SELECTION AND ADOPTION TEXTBOOK SELECTION AND ADOPTION

This policy has been extensively supplemented with key Education Code provisions and State Board of Education rules regarding state and local textbook selection responsibilities. On page 1 is found the critical distinction between “conforming” (covering all Texas Essential Knowledge and Skills [TEKS] elements) and “nonconforming” (covering at least half but less than all TEKS elements). On page 2 is included the DURATION OF SELECTION provision, previously at CMD but more appropriately expressed here. Similarly, the CRIMINAL OFFENSE provision on page 2 echoes language found at DBD.

While the policy contains no other substantive changes, TASB attorneys have adjusted text throughout to more closely track statutory language.

### EHBC (LEGAL) SPECIAL PROGRAMS COMPENSATORY/ACCELERATED SERVICES

A new section titled COMPENSATORY EDUCATION ALLOTMENT—appearing on page 1—has been drawn from the Education Code to anchor the policy.

At OPTIONAL FLEXIBLE SCHOOL DAY PROGRAM, beginning on page 4, we have incorporated provisions from HB 1, enacted by the recently completed special legislative session on school finance, effective for the 2006–2007 school year. Districts may apply to the commissioner of education for permission to offer an “optional flexible school day program” to at-risk students in grades 9–12 that would allow them to work at their own pace, with flexible hours, flexible days, and even on a part-time schedule. When approved by the commissioner, credits and funding are determined based on accumulation of time spent, not on a calendar year or semester.

Other changes to the policy are nonsubstantive, more closely tracking statutory language or the statutory order of topics and omitting, where appropriate, excessive detail.

### EHBE (LEGAL) SPECIAL PROGRAMS BILINGUAL EDUCATION/ESL

New state law regarding assessment of limited English proficient students anchors revision of this policy. HB 1, arising from the recently completed special legislative session on school finance, establishes new requirements (found at PROGRAM EXIT on page 5) for exiting students from a bilingual or English as a Second Language program. Exiting may occur if the student is found to be able to participate equally in a regular all-English program. English proficiency is determined by TEA-approved tests; local tests are no longer permitted in making this determination. Proficiency in the student’s primary language is no longer considered; the student must perform satisfactorily on English language assessments, and parental evaluation is no longer considered.

On page 6 may be found HB 1 provisions regarding POST–EXIT MONITORING: the language proficiency assessment committee must reevaluate an exited student if he or she earns a failing grade in a foundation curriculum subject within the first two years of leaving the bilingual or ESL program.

These revisions allow for redevelopment of the policy to more closely track statute and to present the legal provisions in a more comprehensible manner.

### EHBG (LEGAL) SPECIAL PROGRAMS PREKINDERGARTEN

HB 1 from the recently completed special legislative session broadens prekindergarten eligibility to include:

- A child of an active duty member of the U.S. armed forces.

# Explanatory Notes

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- A child of a member of the state military forces or reserves called to active duty.
- A child of a member injured or killed while on active duty.

These new provisions may be found at ELIGIBILITY on page 1.

### EKB (LEGAL) TESTING PROGRAMS STATE ASSESSMENT

Prompted by SB 658 from the 79th regular session, the commissioner of education adopted rules, effective April 3, 2006, concerning exceptions to the statewide testing calendar and restrictions on University Interscholastic League activities on test dates. The rule, summarized on pages 1 and 2 under ALTERNATE TEST DATES, defines four exceptional circumstances whereby a requesting district may be granted an alternate test date:

- Inclement weather or natural disasters severely impacting attendance on a test date.
- Health epidemics resulting in extensive absenteeism.
- Death of a student or school official that might impact student performance.
- Sudden emergencies on the day of testing (e.g., power outages, water main break, fire on campus).

If the commissioner approves an alternate test date, the commissioner may also prohibit the district or campus from participating in UIL competition on the new date.

Although not recited in this policy, it is of note that the legislation also requires the commissioner to provide UIL a three-year calendar of dates earmarked for testing, to develop a procedure for changing—in exceptional circumstances—these dates, and to establish criteria for determining whether a UIL competition must be cancelled if it conflicts with a changed date.

### FDA (LOCAL) ADMISSIONS INTERDISTRICT TRANSFERS

Changes are as follows:

- “Ancestral language” has been added to the array of considerations that cannot be used when granting or denying a student transfer in accordance with Texas Education Code 25.032.
- New language at FACTORS notes that, when approving transfers, the superintendent will consider availability of space and instructional staff and the student’s disciplinary history and attendance record.
- Under REVOCATION OF TRANSFER, the policy now clarifies that a transfer may be withdrawn in accordance with the written transfer agreement if the student violates district rules and regulations. The district will notify the student’s home district if the student’s transfer is revoked.
- The provision on TUITION has been generalized to affirm the authority of the board to set tuition if it deems it appropriate and to waive tuition for financial hardship.

**Please note:** Available June 20, Update 30 to the *TASB Regulations Resource Manual* contains a new model transfer agreement for processing interdistrict transfer requests.

### FDAA (LEGAL) INTERDISTRICT TRANSFERS PUBLIC EDUCATION GRANTS

While this policy has been redeveloped for clarity and to more closely reflect statutory language, a key change is shown in the first paragraph on page 1. Eligibility for public education grants or intradistrict transfers previously hinged on two conditions regarding the student’s assigned school:

## Explanatory Notes

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- Fifty or more students at the school failed to perform satisfactorily on state mandated assessments in any two of the three preceding years, OR
- The school was identified as “low performing” in any of the three preceding years. HB 1, from the recent special legislative session on school finance, revamped the terminology and replaced “low performing” with “academically unacceptable.”

Now, an eligible student may attend a public school in the district in which the student resides, or the student may use a public education grant to attend any other district chosen by the student’s parent.

#### FEA (LEGAL) ATTENDANCE COMPULSORY ATTENDANCE

Several revisions, intended for clarity and completeness, appear under EXCUSED ABSENCES, on pages 3–4:

- At SPECIAL EDUCATION MATTERS, text from longstanding State Board of Education rule has been added. That provision allows students to miss school for special education assessments and related services without triggering compulsory attendance enforcement.
- At COURT PROCEEDINGS, a State Board of Education rule has been added allowing the excused absence—for compulsory attendance purposes—of a student who has been referred to juvenile court (for delinquent conduct or conduct indicating a need for supervision). This provision is recoded from FEB (Attendance Accounting) to this more appropriate code.
- At HUMAN SERVICES ACTIVITIES has been added the State Board compulsory attendance exemption for abused or neglected students who have been referred to the Texas Department of Human Services or a county or local welfare unit. This provision has been recoded from FEB since it pertains to compulsory attendance rather than attendance accounting.

#### FEB (LEGAL) ATTENDANCE ATTENDANCE ACCOUNTING

As noted at FEA(LEGAL), above, various provisions specific to compulsory attendance have been moved from FEB(LEGAL). Remaining provisions—dealing with attendance accounting—have been re-examined for clarity and consistency with statutory language. As a result of that inspection, various nonsubstantive changes have been made throughout this policy.

Please note that the third paragraph on page 1, dealing with the superintendent’s responsibility for safekeeping of attendance records and reports, has existed in State Board of Education rule since 1996. It has been added to policy for a more complete rendering of legal requirements.

#### FFAB (LEGAL) WELLNESS AND HEALTH SERVICES IMMUNIZATIONS

At MILITARY DEPENDENTS, on page 2, appears a 2004 Texas Department of State Health Services rule allowing provisional admission of military dependents transferring from one school to another while awaiting receipt of immunization records.

**Please note:** On page 1 of this policy, we include a pointer to [http://www.dshs.state.tx.us/immunize/imm\\_sched.shtm](http://www.dshs.state.tx.us/immunize/imm_sched.shtm) where the Texas Department of State Health Services displays its updated immunization charts. To ensure that your policy manual does not present out-of-date immunization requirements, we recommend deletion of FFAB(EXHIBIT) in favor of this pointer. See the explanatory note below for further information.

## Explanatory Notes

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FFAB (EXHIBIT) WELLNESS AND HEALTH SERVICES  
IMMUNIZATIONS

Because this cited material is regularly updated by the Texas Department of State Health Services, we are urging deletion of this exhibit in favor of charts maintained on the TDSHS Web site. As noted at FFAB(LEGAL), the URL for this Web site is now contained in the (LEGAL) policy. For *Policy On Line* users, this URL will appear as an active hyperlink.

FFAC (LEGAL) WELLNESS AND HEALTH SERVICES  
MEDICAL TREATMENT

HB 1, from the recently completed special legislative session on school finance, enacted law allowing a student suffering from a severe allergic reaction (“anaphylaxis”) to self-administer appropriate medicine, within the same constraints that apply to asthmatics.

FL (LOCAL) STUDENT RECORDS

Information recently released by the U.S. Department of Education regarding the Family Educational Rights and Privacy Act (FERPA) both simplifies and complicates the issue of “directory information”—student-specific information that must be released to any requestor, unless a parent has indicated otherwise.

- Districts do not have to allow parents to pick and choose (for release or withholding) individual items from the directory information listing established by a district. Instead the district can have an “all or nothing” provision whereby parents agree to or object to release of all directory information.

Your current FL(LOCAL) expressly permits parents to make such an item-by-item objection. Because that practice is clearly **not** a federal expectation and because the practice vastly complicates—and greatly increases the likelihood of errors in—releasing information, we recommend that the district adopt the “all or nothing” approach. Consequently, we have deleted from the enclosed policy a sentence permitting parents to selectively release certain kinds of directory information.

- Districts do have the authority to offer parents two different “directory information” lists: one list detailing information that will be released **by the school or district for specifically identified school purposes** and another for information that will be provided to **any requestor**. Examples of the former include publication of the student’s name, photo, and other information in the yearbook and newspaper, in choral and athletic programs, and on honor rolls. If the parent opts not to allow release of directory information for these specific purposes, release of information will be governed by the second listing. Any exceptions—for school purposes or otherwise—would require individual parental consent. Further information may be found in the **Model Student Handbook** recently released by Policy Service to superintendents and designated policy contacts. If your district would like to revise its FL(LOCAL) policy to exercise this new option, please contact your policy consultant/analyst for assistance.

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

At COMPLETION OF PROCEEDINGS UPON WITHDRAWAL, on page 6, text has been added from current law—enacted in 2003—to close a troublesome Chapter 37 loophole that allowed a student facing disciplinary proceedings for a violation of the Student Code of Conduct to withdraw and avoid disciplinary consequences. The law authorizes a district to complete the proceedings for a withdrawing student and, if the student re-enrolls at a later date within the same or subsequent school year, to impose the consequences at that time. Also, a district to which the student may have transferred to avoid the proceedings and consequences may complete the proceedings and impose the appropriate disciplinary consequence.

This provision echoes similar language found at FOD(LEGAL) and was contained within HB 1314 from the 78th Legislature.

BOARD LEGAL STATUS:  
POWERS AND DUTIES

BAA  
(LEGAL)

All powers and duties not specifically delegated by statute to TEA or the State Board are reserved for the Board. *Education Code 11.151(b)*

The Board has the legal power to:

- |                                            |                                                                                                                                                                                                                                                       |
|--------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| GOVERNANCE                                 | 1. Govern and oversee the management of the public schools of the District. <i>Education Code 11.151(b)</i>                                                                                                                                           |
| RULES AND BYLAWS                           | 2. Adopt rules and bylaws. <i>Education Code 11.151(d)</i> [See BF]                                                                                                                                                                                   |
| PLANNING AND<br>DECISION-MAKING<br>PROCESS | 3. Adopt a policy to establish a District- and campus-level planning and decision-making process. <i>Education Code 11.251(b)</i> [See BQ series]                                                                                                     |
| TAX COLLECTION                             | 4. Levy and collect taxes and issue bonds. <i>Education Code 45.001</i> [See CCA, CCG]                                                                                                                                                                |
| TAX OFFICIALS                              | 5. Employ and compensate a tax assessor or collector, as the Board considers appropriate. <i>Education Code 45.231(a)</i> ; <i>Tax Code 6.22</i> [See BDAF]                                                                                           |
| ANNUAL BUDGET                              | 6. Adopt and file a budget for the next succeeding fiscal year. <i>Education Code 44.004, 44.005</i> [See CE]                                                                                                                                         |
| ANNUAL AUDIT                               | 7. Have District fiscal accounts audited at District expense by a certified or public accountant holding a permit from the Texas State Board of Public Accountancy following the close of each fiscal year. <i>Education Code 44.008(a)</i> [See CFC] |
| INTERNAL AUDITOR                           | 8. Select the internal auditor if the District employs an internal auditor. The internal auditor shall report directly to the Board. <i>Education Code 11.170</i>                                                                                     |
| ANNUAL<br>SUPERINTENDENT<br>APPRAISAL      | 9. Appraise the Superintendent annually using either the Commissioner's recommended appraisal process or a process and criteria developed by the District. <i>Education Code 21.354(c)</i> [See BJCD]                                                 |
| PERFORMANCE<br>REPORT                      | 10. Publish an annual report describing the District's educational performance including campus performance objectives and the progress of each campus toward those objectives. <i>Education Code 39.053(a)</i> [See BQ series, BR]                   |
| BEQUESTS                                   | 11. Receive bequests and donations or other moneys or funds coming legally into its hands in the name of the District. <i>Education Code 11.151(a)</i> [See CDC]                                                                                      |
| DEPOSITORY                                 | 12. Select a depository for District funds. <i>Education Code, Ch. 45, Subch. G</i> [See BDAE]                                                                                                                                                        |

BOARD LEGAL STATUS:  
POWERS AND DUTIES

BAA  
(LEGAL)

- |                                 |                                                                                                                                                                                                                                                                                                                                                                                                                  |
|---------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ELECTIONS                       | 13. Canvass election results as required by law. <i>Election Code 67.003</i> [See BBB]                                                                                                                                                                                                                                                                                                                           |
| PROPERTY ACQUISITION            | 14. Acquire and hold real and personal property in the name of the District. <i>Education Code 11.151(a); Local Gov't Code 271.004</i> [See CHG]                                                                                                                                                                                                                                                                 |
| LEASE OF PERSONAL PROPERTY      | 15. Execute, perform, and make payments under contracts, which may include leases, leases with option(s) to purchase, or installment purchases, with any person for the use, acquisition, or purchases of any personal property, or the financing thereof. The contracts shall be on terms and conditions that are deemed appropriate by the Board in accordance with state law. <i>Local Gov't Code 271.005</i> |
| EMINENT DOMAIN                  | 16. Exercise the right of eminent domain to acquire property. <i>Education Code 11.155</i>                                                                                                                                                                                                                                                                                                                       |
| TITLE TO PROPERTY               | 17. Hold all rights and titles to the school property of the District, whether real or personal. <i>Education Code 11.151(c)</i> [See CI]                                                                                                                                                                                                                                                                        |
| SALE OF PROPERTY                | 18. Authorize the sale of any property, other than minerals, held in trust for free school purposes. <i>Education Code 11.154(a)</i> [See CDB]                                                                                                                                                                                                                                                                   |
| MINERAL RIGHTS                  | 19. Sell minerals in land belonging to the District. <i>Education Code 11.153(a)</i> [See CDB]                                                                                                                                                                                                                                                                                                                   |
| REAL ESTATE BROKER              | 20. Employ, retain, contract with, or compensate a licensed real estate broker or salesperson for assistance in the acquisition or sale of real property. <i>Education Code 11.154(c)</i>                                                                                                                                                                                                                        |
| PERSONNEL                       | 21. Adopt a policy providing for the employment and duties of District personnel. <i>Education Code 11.163</i> [See BJ series, DC series, DEA]                                                                                                                                                                                                                                                                   |
| RESTRICTIONS ON WRITTEN REPORTS | 22. Limit redundant requests for information and the number and length of written reports that a classroom teacher is required to prepare. <i>Education Code 11.164(a)</i> [See DLB]                                                                                                                                                                                                                             |
| PAPERWORK REVIEW                | 23. Review paperwork requirements imposed on classroom teachers and transfer to existing noninstructional staff a reporting task that can reasonably be accomplished by that staff. <i>Education Code 11.164(b)</i> [See also DLB]                                                                                                                                                                               |
| ATTORNEY GENERAL                | 24. Request the assistance of the attorney general on any legal matter. The District must pay any costs associated with the assistance. <i>Education Code 11.151(e)</i>                                                                                                                                                                                                                                          |
| LAWSUITS                        | 25. Sue and be sued in the name of the District. <i>Education Code 11.151(a)</i>                                                                                                                                                                                                                                                                                                                                 |

Candidates for the Board shall file the designation of a campaign treasurer and all required financial statements with the Board Secretary in accordance with applicable law and directives from the Texas Ethics Commission. *Election Code 251.001-254.001 et seq.*

TERMINATION OF  
CAMPAIGN  
TREASURER  
APPOINTMENT

In accordance with statute, the Board by ordinance or order may adopt a process by which the Secretary may terminate the campaign treasurer appointment of an inactive candidate or political committee that is required to file a campaign treasurer appointment with the Secretary.

For purposes of this statute, a candidate or political committee is inactive if the candidate or committee:

1. Has never filed or has ceased to file reports under Election Code Chapter 254;
2. In the case of a candidate, has not been elected to an office for which a candidate is required to file a campaign treasurer appointment with the authority who is seeking to terminate the candidate's campaign treasurer appointment; and
3. Has not filed a final report under Election Code Section 254.065 or 254.125, or a dissolution report under Election Code Section 254.126 or 254.159.

Before the Secretary of a political subdivision may terminate a campaign treasurer appointment, the Board must consider the proposed termination in a regularly scheduled open meeting.

The termination of a campaign treasurer appointment under this section takes effect on the 30th day after the date of the meeting at which the Board votes to terminate the appointment. Following that meeting, the Secretary shall promptly notify the affected candidate or political committee that the appointment has been terminated. The notice must state the effective date of the termination.

*Election Code 252.0131*

SUBSTANTIAL  
INTEREST AFFIDAVIT  
AND ABSTENTION

If a local public official or a person related to a local public official in the first degree by either affinity or consanguinity has a substantial interest in a business entity or in real property, the local public official, before a vote or decision on any matter involving the business entity or the real property, shall file an affidavit with an official Board recordkeeper stating the nature and extent of the interest and shall abstain from further participation in the matter if:

1. In the case of a substantial interest in a business entity, the action on the matter will have a special economic effect on the business entity that is distinguishable from the effect on the public; or
2. In the case of a substantial interest in real property, it is reasonably foreseeable that an action on the matter will have a special economic effect on the value of the property, distinguishable from its effect on the public.

*Local Gov't Code 171.004*

CONTRACTS  
PERMITTED

The Board may contract with a business entity in which a Trustee has a substantial interest if the Trustee follows the disclosure and abstention procedure set out above. *Atty. Gen. Op. JM-424 (1986)*

DEFINITION OF  
SUBSTANTIAL  
INTEREST

A person has a substantial interest in a business entity if any of the following is the case:

1. The person owns at least:
  - a. Ten percent of the voting stock or shares of the business entity, or
  - b. Either ten percent or \$15,000 of the fair market value of the business entity.
2. Funds received by the person from the business entity exceed ten percent of the person's gross income for the previous year.

A person has a substantial interest in real property if the interest is an equitable or legal ownership with a fair market value of \$2,500 or more.

The local public official is considered to have a substantial interest if a person related in the first degree by either affinity or consanguinity to the local public official, as determined under Government Code, Chapter 573, Subchapter B [see DBE], has a substantial interest as defined above.

*Local Gov't Code 171.002*

ETHICS:  
CONFLICT OF INTEREST DISCLOSURES

BBFA  
(LEGAL)

DEFINITION OF LOCAL PUBLIC OFFICIAL	“Local public official” shall mean a member of the governing body or another officer, whether elected, appointed, paid, or unpaid, of any district (including a school district), central appraisal district, or other local governmental entity who exercises responsibilities beyond those that are advisory in nature. <i>Local Gov’t Code 171.001(1)</i>
DEFINITION OF BUSINESS ENTITY	“Business entity” means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, or any other entity recognized by law. <i>Local Gov’t Code 171.001(2)</i>
MAJORITY CONFLICT	If a Trustee is required to file and does file an affidavit, that Trustee shall not be required to abstain from further participation in the matter or matters requiring such an affidavit if a majority of the trustees are likewise required to file and do file affidavits of similar interests on the same official action. <i>Local Gov’t Code 171.004</i>
SEPARATE VOTE ON BUDGET	The Board shall take a separate vote on any budget item specifically dedicated to a contract with a business entity in which a Trustee has a substantial interest. The affected Trustee shall not participate in that separate vote, but may vote on a final budget if he or she filed the affidavit and the matter in which he or she is concerned has been resolved. <i>Local Gov’t Code 171.005</i>
VIOLATIONS	Except as provided above, the local public official shall not knowingly: <ol style="list-style-type: none"><li>1. Participate in a vote or decision on a matter involving a business entity or real property in which the local public official has a substantial interest if it is reasonably foreseeable that an action on the matter will have a special economic effect on the business entity or value of the property that is distinguishable from the effect on the public.</li><li>2. Act as surety for a business entity that has a contract, work, or business with the District.</li><li>3. Act as surety on any official bond required of an officer of the District.</li></ol> <p><i>Local Gov’t Code 171.003</i></p> <p>If a Trustee has a substantial interest in a bank with which the District is considering entering into a loan or other transaction besides a depository contract, then the Trustee must comply with the affidavit and abstention requirements. <i>Atty. Gen. Op. JM–1082 (1989); Local Gov’t Code 171.004</i></p>
VOIDABLE ACTIONS	The finding by a court of a violation of Local Government Code Chapter 171 does not render an action of the Board voidable

unless the measure that was the subject of an action involving a conflict of interest would not have passed without the vote of the person who violated the chapter. *Local Gov't Code 171.006*

CONFLICTS  
DISCLOSURE  
STATEMENT

A local government officer shall file the required conflicts disclosure statement, as adopted by the Texas Ethics Commission, with respect to an applicable vendor if the vendor has contracted with the District or the District is considering doing business with the vendor; and the vendor has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income; or has given to the local government officer or a family member of the officer one or more gifts, other than gifts of food, lodging, transportation, or entertainment accepted as a guest, that have an aggregate value of more than \$250 in the 12-month period preceding the date the officer becomes aware that such a contract has been executed or the local governmental entity is considering doing business with the vendor.

A local government officer shall file the conflicts disclosure statement with the records administrator of the District not later than 5:00 p.m. on the seventh business day after the date on which the officer becomes aware of the facts that require the filing of the statement.

VIOLATIONS

A local government officer commits a Class C misdemeanor if the officer knowingly violates this law. It is a defense to prosecution that the local government officer filed the required conflicts disclosure statement not later than the seventh business day after receiving notice of the violation.

*Local Gov't Code 176.003-.004*

DEFINITION OF  
LOCAL  
GOVERNMENT  
OFFICER

"Local government officer" means a member of the governing body of a local governmental entity; or a director, superintendent, administrator, president, or other person designated as the executive officer of the local governmental entity. *Local Gov't Code 176.001(4)*

DEFINITION OF  
FAMILY MEMBER

"Family member" shall mean a person related to another person within the first degree by consanguinity or affinity, as described by Subchapter B, Chapter 573, Government Code. *Local Gov't Code 176.001(2)*

DEFINITION OF  
RECORDS  
ADMINISTRATOR

"Records administrator" means the director, Superintendent, or other person responsible for maintaining the records of the District. *Local Gov't Code 176.001(5)* [See CPC]

INTERNET POSTING  
REQUIREMENT

The District shall provide access on the District's Internet Web site to the required conflicts disclosure statements and questionnaires filed with the records administrator. *Local Gov't Code 176.009*

AFFIDAVIT  
DISCLOSING  
INTEREST IN  
PROPERTY

If a public servant has a legal or equitable interest in any property that is to be acquired with public funds, and has actual notice of the acquisition or intended acquisition of the property, the public servant shall file an affidavit as follows:

1. The affidavit shall be filed with the county clerk(s) of the county or counties in which the property is located and of the county in which the public servant resides within ten days before the date on which the property is to be acquired by purchase or condemnation.
2. The affidavit must:
  - a. State the name of the public servant and the public office title or job designation held or sought.
  - b. Fully describe the property.
  - c. Fully describe the nature, type, and amount of interest in the property, including the percentage of ownership interest and the date the interest was acquired.
  - d. Include a verification of the truth of the information in the affidavit. [See BBFA(EXHIBIT)]
  - e. Include an acknowledgment of the same type required for recording a deed in the deed records of a county.

*Gov't Code 553.002, 553.003*

VIOLATIONS

A public servant who fails to file the affidavit when required is presumed to have the intent to commit an offense. An offense under this section is a Class A misdemeanor. *Gov't Code 553.003*

DEFINITION OF  
PUBLIC SERVANT —  
GOVERNMENT  
CODE

“Public servant” shall mean a person who is elected, appointed, employed, or designated, even if not yet qualified for or having assumed the duties of office, as:

1. A candidate for nomination or election to public office, or
2. An officer of government.

*Gov't Code 553.001*

TRUSTEE FINANCIAL  
STATEMENT

The Board by resolution adopted by majority vote may require each member of the Board to file the financial statement required of state officers under Subchapter B, Chapter 572, Government Code, with the Board and the Texas Ethics Commission.

Not later than the 15th day after the date the Board adopts this resolution, the Board shall deliver a certified copy of the resolution to

the Texas Ethics Commission. A resolution applies beginning on January 1 of the second year following the year in which the resolution is adopted. A member of a board that has adopted a resolution is not required to include, in a financial disclosure statement, financial activity occurring before January 1 of the year following the year in which the resolution is adopted.

The Commissioner by order shall require the members of the Board to file the financial statement required of state officers under Subchapter B, Chapter 572, Government Code, in the same manner as the members of the Board that have adopted a resolution if the Commissioner determines that:

1. A Board member has failed to comply with filing and recusal requirements applicable to the member under Chapter 171, Local Government Code;
2. District financial accounting practices are not adequate to safeguard state and District funds; or
3. The District has not met a standard set by the Commissioner in the financial accountability rating system.

The Commissioner may require the filing of financial statements covering not more than three fiscal years and beginning on January 1 of the second year following the date of the Commissioner's order. A member of the Board subject to an order issued by the Commissioner is not required to include, in a financial disclosure statement, financial activity occurring before January 1 of the year following the year in which the order is issued. The Commissioner may renew the requirement if the Commissioner determines that a condition described above continues to exist.

#### VIOLATIONS

A Trustee serving in a school district that has adopted a resolution or that is subject to an order issued by the Commissioner commits an offense if the Trustee fails to file the statement required by the resolution or order.

An offense under this section is a Class B misdemeanor.

*Education Code 11.064*

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**Note:** See also CBB for requirements when federal funds are involved.

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BOARD INTERNAL ORGANIZATION:  
CITIZEN ADVISORY COMMITTEES

BDF  
(LEGAL)

SCHOOL HEALTH  
ADVISORY COUNCIL

The Board shall establish a local school health advisory council to assist the District in ensuring that local community values and health issues are reflected in the District's health education instruction. The Board shall appoint members to the council, a majority of which must be parents of students enrolled in the District and who are not employed by the District. The Board may also appoint one or more public school teachers, public school administrators, District students, health-care professionals, members of the business community, law enforcement representatives, senior citizens, clergy, representatives of nonprofit health organizations, or representatives of another group. [See EHAA]

STATEMENT FOR  
PUBLIC  
INSPECTION

The District shall publish in the student handbook and post on the District's Internet Web site, if the District has an Internet Web site, a statement of:

1. District policies adopted to ensure that elementary school, middle school, and junior high school students engage in physical activity;
2. The number of times during the preceding year the council has met;
3. District policies to ensure compliance with applicable vending machine and food service guidelines for restricting student access to vending machines; and
4. District policies and procedures that prescribe penalties for the use of tobacco products by students and others on school campuses or at school-sponsored or school-related activities.

CHANGES IN  
CURRICULUM

The District must consider the recommendations of the local school health advisory council before changing the District's health education curriculum or instruction.

*Education Code 28.004*

LOCAL REVENUE SOURCES:  
AD VALOREM TAXES

CCG  
(LEGAL)

MAINTENANCE TAX	The Board may levy, assess, and collect annual ad valorem taxes for the maintenance of the District's schools. <i>Education Code 45.002</i>
TAX RATE CAP	<p>If authorized by a majority of qualified voters of the District voting at an election held for that purpose, the District may impose a maintenance tax rate at a rate not to exceed the rate stated in the proposition. For any year, the maintenance tax rate per \$100 of taxable value adopted by the District may not exceed the rate equal to the sum of \$0.17 and the product of the state compression percentage, as determined under Education Code 42.2516, multiplied by \$1.50.</p> <p>A rate that exceeds this maximum rate for the year in which the tax is to be imposed is void. A district with a tax rate that is void under this subsection may, subject to requirements imposed by other law, adopt a rate for that year that does not exceed the specified maximum rate for that year.</p> <p>Notwithstanding any other law, a district that levied a maintenance tax for the 2005 tax year at a rate greater than \$1.50 per \$100 of taxable value in the District as permitted by special law may not levy a maintenance tax at a rate that exceeds the rate per \$100 of taxable value that is equal to the sum of \$0.17 and the product of the state compression percentage, as determined under Education Code 42.2516, multiplied by the rate of the maintenance tax levied by the District for the 2005 tax year.</p> <p><i>Education Code 45.003(a), (d), (e), (f)</i></p>
APPRAISAL ROLL	<p>By August 1 or as soon thereafter as practicable, the District's tax assessor shall submit to the Board the District's appraisal roll, showing the total appraised, assessed, and taxable values of all property and the total taxable value of new property.</p> <hr/> <p><b>Note:</b> The Texas comptroller of public accounts annually publishes <i>Truth in Taxation: A Guide for Setting Tax Rates</i>. School districts should consult the <i>Truth in Taxation</i> guide, available in print form or through the comptroller's Web site, for detailed guidance on setting local property tax rates.</p> <hr/> <p>By August 1 or as soon thereafter as practicable, the District's tax collector shall certify to the Board the estimates and amounts required by law.</p> <p><i>Tax Code 26.04(b)</i></p>
CERTIFIED ESTIMATE	By June 7, the chief appraiser shall prepare and certify an estimate of the taxable value of District property. <i>Tax Code 26.01(e)</i>

LOCAL REVENUE SOURCES:  
AD VALOREM TAXES

CCG  
(LEGAL)

MEETING ON  
BUDGET AND  
PROPOSED TAX RATE

The Board shall call a public meeting to discuss and adopt its budget and proposed tax rate. The Board must provide notice of the budget and proposed tax rate meeting, as described below. The budget must be adopted before the adoption of the tax rate for the tax year in which the fiscal year covered by the budget begins.  
[See CE]

PUBLISHED  
NOTICE

The Board President shall provide for publication of notice of the budget and proposed tax rate meeting in a daily, weekly, or biweekly newspaper published in the District. If no daily, weekly, or biweekly newspaper is published in the District, the President shall provide for publication of notice in at least one newspaper of general circulation in the county in which the District's central administrative office is located. The notice shall be published not earlier than the 30th day or later than the tenth day before the date of the hearing.

FORM OF  
NOTICE

The published notice of the public meeting to discuss and adopt the budget and the proposed tax rate must meet the size, format, and content requirements dictated by law.

The notice is not valid if it does not substantially conform to the language and format prescribed by the comptroller.

TAXPAYER  
INJUNCTION

If the District has not complied with the published notice requirements in the FORM OF NOTICE described above, and the requirements for DISTRICTS WITH JULY 1 FISCAL YEAR below, if applicable, and the failure to comply was not in good faith, a person who owns taxable property in the District is entitled to an injunction restraining the collection of taxes by the District. An action to enjoin the collection of taxes must be filed before the date the District delivers substantially all of its tax bills.

DISTRICTS WITH  
JULY 1 FISCAL  
YEAR

A district with a fiscal year beginning July 1 may use the certified estimate of the taxable value of District property in preparing the published notice if the District does not receive the certified appraisal roll on or before June 7. A district that uses a certified estimate may adopt a budget at the public meeting designated in the published notice prepared using the estimate, but the District may not adopt a tax rate before the District receives the certified appraisal roll for the District.

After receipt of the certified appraisal roll, the District must publish a revised published notice and hold another public meeting before the District may adopt a tax rate that exceeds:

LOCAL REVENUE SOURCES:  
AD VALOREM TAXES

CCG  
(LEGAL)

1. The rate proposed in the notice prepared using the estimate;  
or
2. The District's rollback rate determined under Tax Code 26.08 using the certified appraisal roll.

*Education Code 44.004*

TAX RATE

Before the later of September 30 or the 60th day after the date the certified appraisal roll is received, the Board shall adopt a tax rate for the current tax year that reflects the two components, maintenance and operations expenditures and the debt service rate published under Education Code Section 44.004(c)(2)(A)(ii)(b), and shall notify the assessor of the tax rate adopted. The two components shall be approved separately. *Tax Code 26.05(a)*

The Board may not impose property taxes in any year until it has adopted a tax rate for that year, and the annual tax rate must be set by ordinance, resolution, or order. The vote on the ordinance, resolution, or order setting the tax rate must be separate from the vote adopting the budget. The budget shall be adopted before the adoption of the tax rate. *Tax Code 26.05(b); Education Code 44.004(g)*

EFFECTIVE TAX RATE

The vote on the ordinance setting a tax rate that exceeds the effective tax rate must be a record vote. A motion to adopt an ordinance setting a tax rate that exceeds the effective tax rate must be made in the following form: "I move that property taxes be increased by the adoption of a tax rate of (specify tax rate)." *Tax Code 26.05(b)*

MAINTENANCE AND  
OPERATIONS TAX  
RATE

If the ordinance sets a tax rate that, if applied to the total taxable value, will impose an amount of taxes to fund maintenance and operation expenditures of the taxing unit that exceeds the amount of taxes imposed for that purpose in the preceding year, the Board must include in the ordinance in type larger than the type used in any other portion of the document the following statement: "THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE."; and if the tax rate exceeds the effective maintenance and operations rate, the following statement: "THE TAX RATE WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$(Insert amount)." The District shall also include on the home page of any Internet Web site operated by the District the following statement: "(Insert name of unit) ADOPTED A TAX RATE THAT WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE"; and if the tax rate exceeds the effective maintenance and operations rate, the following statement: "THE TAX RATE WILL RAISE

TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$(Insert amount).”

*Tax Code 26.05(b)*

ELECTION TO RATIFY  
SCHOOL TAXES

If the Board adopts a tax rate that exceeds the District’s rollback tax rate as defined in Tax Code 26.08, the registered voters of the District at an election held for that purpose must determine whether to approve the adopted tax rate. When increased expenditure of money is necessary due to a natural disaster and the governor has requested federal disaster assistance, an election is not required. *Tax Code 26.08(a)*

The Board shall order that the election be held in the District on a date not less than 30 or more than 90 days after the date on which it adopted the tax rate. The election need not be held on a uniform election date unless a uniform election date falls within the 30–90 day time period. *Tax Code 26.08(b)*

2006 TAX YEAR  
ELECTION

An election to approve the adopted tax rate for the 2006 tax year must be ordered not later than August 31, 2006, and must be held on September 30, 2006. If the election is not held on that date, the Board may not adopt a tax rate for the 2006 tax year that exceeds the District’s rollback tax rate. *Tax Code 26.08(p)*

APPROVAL OF  
PROPOSITION

If a majority of votes cast in the District favor the proposition, the tax rate for the current year is the rate that was adopted by the Board. If the proposition is not approved, the Board may not adopt a tax rate for the current year that exceeds the District’s rollback tax rate. *Tax Code 26.08(c), (d)*

CALL FOR  
ELECTION

A call for an election shall be made not later than the 62nd day before election day except that for an election to be held on the date of the general election for state and county officers, the election shall be called not later than the 70th day before the election day. *Election Code 3.005 [See BBB]*

NOTICE TO  
COUNTY CLERK

The Board shall deliver notice of the election to the county clerk of each county in which the District is located not later than the 60th day before election day. *Election Code 4.008*

PRECLEARANCE  
REQUIRED

A rollback election is subject to federal preclearance requirements to the extent that the District makes changes in the practices or procedures to be followed. Any discretionary setting of the date for a rollback election or scheduling of events leading up to or following a rollback election is subject to the preclearance requirement. *28 CFR 51.17 [See BBB]*

DISCOUNTS

The Board may adopt one or both of the following discount options for early payment of District taxes.

LOCAL REVENUE SOURCES:  
AD VALOREM TAXES

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OPTION 1                      If the Board adopts Option 1, the following apply regardless of the date on which the District mails its tax bills.

1.    Three percent if the tax is paid in October or earlier.
2.    Two percent if the tax is paid in November.
3.    One percent if the tax is paid in December.

*Tax Code 31.05*

This discount does not apply to taxes that are calculated too late for it to be available. *Tax Code 31.04(c)*

OPTION 2                      If the Board adopts Option 2, the following discounts apply only when the District mails its tax bills after September 30:

1.    Three percent if the tax is paid before or during the next full calendar month following the date on which the tax bills were mailed.
2.    Two percent if the tax is paid during the second full calendar month following the date on which the tax bills were mailed.
3.    One percent if the tax is paid during the third full calendar month following the date on which the tax bills were mailed.

BOTH OPTIONS                If the Board adopts both discount options, the discounts described at Option 1 apply unless the District mails its tax bills after September 30, in which case only the discounts described at Option 2 apply.

*Tax Code 31.05*

SPLIT PAYMENT                The Board may provide for split payment of taxes. If a person pays one-half of the taxes before December 1, he or she may pay the remaining one-half of the taxes without penalty or interest at any time before July 1 of the following year. This payment option does not apply to taxes that are calculated too late for it to be available.

*Tax Code 31.03, 31.04(c)*

DISASTER AREA                Owners of certain property in a disaster area are permitted to pay taxes in installment payments. Installment payments are an option for an owner of real property that:

1.    Is the residence homestead of the owner or consists of property that is used for residential purposes and that has fewer than five living units;
2.    Is located in a disaster area and has been damaged as a direct result of the disaster; and
3.    Has had taxes imposed upon it by a taxing unit before the first anniversary of the disaster.

LOCAL REVENUE SOURCES:  
AD VALOREM TAXES

CCG  
(LEGAL)

If the owner of such property pays at least one-fourth of the taxes imposed on the property before the delinquency date, accompanied by notice that the person will pay the remaining taxes in installments, the owner may make the remainder of the payments in three equal installments. Such installment payments shall not incur penalty or interest if paid by the applicable dates provided for in the tax code.

*Tax Code 31.032*

PERFORMING  
SERVICES IN LIEU OF  
PAYING TAXES

The Board may permit certain individuals or business entities to provide certain services to the District in lieu of paying the District property taxes. While performing services for the District, the individual is not an employee of the District and is not entitled to any benefit, including workers' compensation coverage, that the District provides to its employees.

PERSONS 65 AND  
OVER

Subject to the requirements contained in Tax Code 31.035, the Board by order or resolution may permit an individual who is at least 65 years of age to perform services for the taxing unit in lieu of paying taxes imposed by the District on property owned by the individual and occupied as the individual's residence homestead.

*Tax Code 31.035*

TEACHING  
SERVICES BY  
INDIVIDUAL

Subject to the requirements contained in Tax Code 31.036, the Board by resolution may permit qualified individuals, who are not employed by the District, to perform teaching services for the District at a junior high school or high school of the District in lieu of paying taxes imposed by the District on property owned and occupied by the individual as a residence homestead. *Tax Code 31.036*

TEACHING  
SERVICES BY  
EMPLOYEE OF  
BUSINESS ENTITY

Subject to the requirements contained in Tax Code 31.037, the Board by resolution may authorize a corporation or other business entity to permit a qualified individual employed by the business entity to perform teaching services in a high school or a junior high school for the District in lieu of paying taxes imposed by the District on property owned by the business entity. *Tax Code 31.037*

INSTALLMENT  
PAYMENTS

CERTAIN  
HOMESTEADS

An individual who is disabled or at least 65 and qualifies for a homestead exemption may pay taxes on the residence homestead property in installments. To do so, the individual must pay at least one-fourth of the taxes due before the delinquency date. This payment must be accompanied by notice that the individual will pay the remaining taxes in installments. The person may pay the remaining taxes without penalty or interest. The first installment must be paid before April 1, the second before June 1, and the third before August 1. *Tax Code 31.031*

PARTIAL PAYMENTS

The tax collector may decide to accept partial payments of District property taxes. Acceptance of a partial payment does not affect

the delinquency date, but penalties and interest are incurred only by the portion of tax that remains unpaid on the date the tax becomes delinquent. The discounts described above do not apply to any portion of a partial payment of District taxes. *Tax Code 31.07(c)*

DELINQUENCY DATE

Taxes are delinquent if not paid before February 1 of the year following the year in which imposed, except as provided below:

1. The District has provided for split payments. *Tax Code 31.03*
2. The District's tax bills are mailed after January 10.  
*Tax Code 31.04(a)*
3. The District's tax bills are mailed after September 30 and the Board has adopted discounts provided by Tax Code 31.05(c).  
*Tax Code 31.04(d)*

*Tax Code 31.02*

DELINQUENT TAX  
COLLECTION

The Board may contract with any competent attorney to represent the District to enforce the collection of delinquent taxes. The attorney's compensation is set in the contract, but the total amount of compensation provided may not exceed 20 percent of the amount of delinquent tax, penalty, and interest collected. *Tax Code 6.30(c)*

ADDITIONAL  
PENALTIES

If the District or the tax collector for the District has contracted with a private attorney for the collection of delinquent taxes, the Board may impose, by official action, an additional penalty on taxes that become delinquent on or after February 1 but not later than May 1 and remain delinquent on July 1 of the year in which they become delinquent. This penalty may not exceed the amount of compensation specified in the contract with the attorney to be paid in connection with the collection of the delinquent taxes and shall be secured by a tax lien. The District's tax collector shall deliver notice to the property owner of the delinquency and the penalty 30 to 60 days before July 1. *Tax Code 33.07*

If the District or the tax collector for the District has imposed the penalty described above and has contracted with a private attorney for collection of delinquent taxes, the Board may impose, by official action, an additional penalty on all taxes that become delinquent on or after June 1 under Tax Code 26.15(e), 31.03, 31.031, 31.032, or 31.04. This penalty may not exceed the amount of compensation specified in the contract with the attorney to be paid in connection with the collection of the delinquent taxes and shall be secured by a tax lien. The District's tax collector shall send notice of the delinquency and the penalty to the property owner. The penalty is incurred on the first day of the first month that begins at least 21 days after the date the notice is sent. *Tax Code 33.08*

LOCAL REVENUE SOURCES:  
AD VALOREM TAXES

CCG  
(LEGAL)

HOMESTEAD EXEMPTIONS	An adult is entitled to exemption from taxation of \$15,000 of the appraised value of his residence homestead except that \$10,000 of the exemption does not apply to an entity operating under former Education Code Chapters 17, 18, 25, 26, 27, or 28, as those chapters existed on May 1, 1995. An adult who is disabled or 65 or older is entitled to an additional \$10,000 exemption of the appraised value of his residence homestead. <i>Tax Code 11.13(b), (c)</i>
APPLICATION FOR EXEMPTION	To receive the residence homestead exemptions, the person claiming the exemption must apply for the exemption. <i>Tax Code 11.43</i>
PERSONS 65 AND OVER OR DISABLED PERSONS	<p>The District shall not increase the total annual amount of ad valorem tax it imposes on the residence homestead of an individual 65 years of age or older, or on the residence homestead of an individual who is disabled as defined by Section 11.13 of the Tax Code, above the amount of the tax it imposed in the first tax year in which the individual qualified that residence homestead for an applicable exemption.</p> <p>The District may increase the taxes if improvements are made to the property, but that tax amount is then frozen.</p> <p><i>Tax Code 11.26(a), (b)</i></p>
PORTABILITY OF LIMITATION	If an individual who receives the 65-and-over limitation on tax increases subsequently qualifies for a different resident homestead, the District may impose taxes on the subsequently acquired homestead only in accordance with Tax Code 11.26. <i>Tax Code 11.26(g), (h)</i>
ADDITIONAL EXEMPTIONS	The Board may grant additional tax exemptions for homestead historic sites and charitable organizations, as provided by law. <i>Tax Code 11.13, 11.184, 11.24; Tex. Const. Art. VIII, Sec. 1-b(e)</i>
NATURAL DISASTER	If the District is located partly or entirely inside an area declared by the governor to be a natural disaster area, the Board may authorize the reappraisal of all property damaged in the disaster at its market value immediately after the disaster. <i>Tax Code 23.02(a)</i>
REINVESTMENT ZONES / TAX INCREMENT FINANCING	When a portion of the real property taxable by the District is proposed for inclusion in a municipal or county reinvestment zone, the Board shall be notified of a description of the proposed boundaries of the zone, the tentative plans for the development or redevelopment of the zone, and an estimate of the general impact of the proposed zone on property values and tax revenues. The District may request additional information from the governing body of the municipality or county proposing to designate a reinvestment zone, and Board members may attend the formal presentation required of the governing body of the municipality or county. Within 15 days

LOCAL REVENUE SOURCES:  
AD VALOREM TAXES

CCG  
(LEGAL)

of receipt of the notice, the Board shall designate a representative to meet with the governing body of the municipality or county proposing to designate a reinvestment zone to discuss the project plan and the reinvestment zone financing plan and shall notify the municipality or county governing body of its designation. *Tax Code 311.003(e), (f), (g)*

BOARD OF  
DIRECTORS

The Board may appoint one member of the reinvestment zone's board of directors or may waive that right. *Tax Code 311.009(a)*

In certain reinvestment zones, the Board may be entitled to appoint more than one member of the reinvestment zone's board of directors. *Tax Code 311.0091(a), (b)*

When the reinvestment zone has been designated upon petition of property owners under Tax Code 311.005(a)(5), the Board may appoint a member or members, as appropriate, of the reinvestment zone's board of directors only if it has approved the payment of all or part of the tax increment produced by the District. *Tax Code 311.009(b), 311.0091(c)*

COLLECTION AND  
DEPOSIT OF TAX  
INCREMENTS

The District shall provide for the collection of its taxes in the zone as for any other property tax and shall pay into the zone's tax increment fund the amount specified by law. This payment shall be made no later than 90 days after the delinquency date for District property taxes, except that the District is not required to pay the portion attributable to delinquent taxes until those taxes are collected. The District shall not be required to pay a tax increment into the zone's tax increment fund beyond three years from the date the zone was created, except as provided by law. *Tax Code 311.013*

The District is not required to pay into the tax increment fund any of its tax increment produced from a reinvestment zone created upon petition of property owners under Tax Code 311.005(a) unless it enters into an agreement to do so with the governing body of the municipality or county that created the zone. *Tax Code 311.013(f)*

The District is not required to pay into the tax increment fund any of its tax increment produced from property located in an area added to a reinvestment zone under Tax Code 311.007 unless the Board enters into an agreement to do so with the governing body of the municipality or county that created the zone. *Tax Code 311.013(k)*

A district whose taxable value is reduced under Government Code 403.302(d)(5) shall pay into the tax increment fund, in addition to the amount otherwise required to be paid, the amount by which the amount of taxes the District would have been required to pay into the fund in the current year if the District levied taxes at the rate the

LOCAL REVENUE SOURCES:  
AD VALOREM TAXES

CCG  
(LEGAL)

District levied in 2005 exceeds the amount the District is otherwise required to pay into the fund in the year of the reduction, not to exceed the amount the District realizes from the reduction in the District's taxable value. *Tax Code 311.013(n)*

REINVESTMENT  
ZONES — TAX  
ABATEMENT

On or after September 1, 2001, the District may not enter into a tax abatement agreement under Chapter 312. *Tax Code 312.002(f)*

TEXAS ECONOMIC  
DEVELOPMENT ACT

In order to attract large-scale capital investments, create new jobs, strengthen the economy, and expand the property tax base, districts may offer certain ad valorem tax benefits and financial benefits in accordance with the Texas Economic Development Act. *Tax Code 313*

Districts should strictly interpret the criteria and selection guidelines and approve only those applications for an ad valorem tax benefit or financial benefit that:

1. Enhance the local community;
2. Improve the local public education system;
3. Create high-paying jobs; and
4. Advance the economic development goals of Texas as identified by the Texas Strategic Economic Development Planning Commission.

*Tax Code 313.004(3)*

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**Note:** *For complete information regarding the Texas Economic Development Act, refer to Tax Code Chapter 313.*

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OTHER REVENUES:  
INVESTMENTS

CDA  
(LOCAL)

INVESTMENT  
AUTHORITY

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

APPROVED  
INVESTMENT  
INSTRUMENTS

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

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

SAFETY AND  
INVESTMENT  
MANAGEMENT

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

OTHER REVENUES:  
INVESTMENTS

CDA  
(LOCAL)

LIQUIDITY AND  
MATURITY

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

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

DIVERSITY

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

MONITORING  
MARKET PRICES

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

FUNDS / STRATEGIES

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

OPERATING  
FUNDS

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

AGENCY FUNDS

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

DEBT SERVICE  
FUNDS

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

CAPITAL  
PROJECTS

Investment strategies for capital project funds shall have as their objective sufficient investment liquidity to timely meet capital project obligations. Maturities longer than one year are authorized provided legal limits are not exceeded.

SAFEKEEPING AND  
CUSTODY

The District shall retain clearly marked receipts providing proof of the District's ownership. The District may delegate, however, to an

OTHER REVENUES:  
INVESTMENTS

CDA  
(LOCAL)

investment pool the authority to hold legal title as custodian of investments purchased with District funds by the investment pool.

BROKERS / DEALERS

Prior to handling investments on behalf of the District, brokers/dealers must submit required written documents in accordance with law. [See SELLERS OF INVESTMENTS, CDA(LEGAL)] Representatives of brokers/dealers shall be registered with the Texas State Securities Board and must have membership in the Securities Investor Protection Corporation (SIPC), and be in good standing with the National Association of Securities Dealers.

SOLICITING BIDS FOR  
CD'S

In order to get the best return on its investments, the District may solicit bids for certificates of deposit in writing, by telephone, or electronically, or by a combination of these methods.

INTEREST RATE RISK

To reduce exposure to changes in interest rates that could adversely affect the value of investments, the District shall use final and weighted-average-maturity limits and diversification.

The District shall monitor interest rate risk using weighted average maturity and specific identification.

INTERNAL  
CONTROLS

A system of internal controls shall be established and documented in writing and must include specific procedures designating who has authority to withdraw funds. Also, they shall be designed to protect against losses of public funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees and officers of the District. Controls deemed most important shall include:

1. Separation of transaction authority from accounting and recordkeeping and electronic transfer of funds.
2. Avoidance of collusion.
3. Custodial safekeeping.
4. Clear delegation of authority.
5. Written confirmation of telephone transactions.
6. Documentation of dealer questionnaires, quotations and bids, evaluations, transactions, and rationale.
7. Avoidance of bearer-form securities.

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

PORTFOLIO REPORT

In addition to the quarterly report required by law and signed by the District's investment officer, a comprehensive report on the

investment program and investment activity shall be presented annually to the Board. This report shall include a performance evaluation that may include, but not be limited to, comparisons to 91-day U.S. Treasury Bills, six-month U.S. Treasury Bills, the Fed Fund rate, the Lehman bond index, and rates from investment pools. The annual report shall include a review of the activities and total yield for the preceding 12 months, suggest policies, strategies, and improvements that might enhance the investment program, and propose an investment plan for the ensuing year.

AUTHORIZED  
EXPENDITURES

The District shall not lend its credit or gratuitously grant public money or things of value in aid of any individual, association, or corporation. *Tex. Const. Art. III, Sec. 52; Brazoria County v. Perry, 537 S.W.2d 89 (Tex. Civ. App.—Houston [1st Dist.] 1976, no writ)*

The District shall not grant any extra compensation, fee, or allowance to a public officer, agent, servant, or contractor after service has been rendered or a contract entered into and performed in whole or in part. Nor shall the District pay or authorize the payment of any claim against the District under any agreement or contract made without authority of law. *Tex. Const. Art. III, Sec. 53; Harlingen ISD v. C.H. Page and Bro. 48 S.W.2d 983 (Comm. App. 1932)*

The state and county available funds disbursed to the District shall be used exclusively for salaries of professional certified staff and for interest on money borrowed on short time to pay such salaries, when salaries become due before school funds for the current year become available. Loans for paying professional certified staff salaries may not be paid out of funds other than those for the current year. *Education Code 45.105(b)*

Local funds from District taxes, tuition fees, other local sources, and state funds not designated for a specific purpose may be used for salaries of any personnel and for purchasing appliances and supplies; for the payment of insurance premiums; for buying school sites; for buying, building, repairing, and renting school buildings, including acquisition of school buildings and sites by leasing through annual payments with an ultimate option to purchase [see CHG]; and for other purposes necessary in the conduct of the public schools to be determined by the Board. *Education Code 45.105(c)*

No public funds of the District may be spent in any manner other than as provided for in the budget adopted by the Board. *Education Code 44.006(a)*

USE OF DISTRICT  
RESOURCES

The Board shall not enter into an agreement authorizing the use of District employees, property, or resources for the provision of materials or labor for the design, construction, or renovation of improvements to real property not owned or leased by the District.

The Board may not use state or local funds or other resources of the District to electioneer for or against any candidate, measure, or political party.

*Education Code 11.168*

COMMITMENT OF  
CURRENT REVENUE

A contract for the acquisition, including lease, of real or personal property is a commitment of the District's current revenue only, pro-

vided the contract contains either or both of the following provisions:

1. Retains to the Board the continuing right to terminate the contract at the expiration of each budget period during the term of the contract.
2. Is conditioned on a best efforts attempt by the Board to obtain and appropriate funds for payment of the contract.

*Local Gov't Code 271.903*

FISCAL YEAR	The Board may determine if the District's fiscal year begins on July 1 or September 1 of each year. <i>Education Code 44.0011</i>
BUDGET PREPARATION	The Superintendent shall prepare, or cause to be prepared, a proposed budget covering all estimated revenue and proposed expenditures of the District for the following fiscal year. <i>Education Code 44.002</i>
DEADLINES	<p>The proposed budget shall be prepared on or before a date set by the State Board of Education, currently August 20 (June 19 if the District uses a July 1 fiscal year start date). <i>Education Code 44.002(a); 19 TAC 109.1(a), 109.41</i></p> <p>The adopted budget must be filed with the Texas Education Agency on or before the date established in the <i>Financial Accountability System Resource Guide. Education Code 44.005; 19 TAC 109.1(a)</i></p>
PUBLIC MEETING ON BUDGET AND PROPOSED TAX RATE	<p>After the proposed budget has been prepared, the Board President shall call a Board meeting for the purpose of adopting a budget for the succeeding fiscal year. Any taxpayer of the District may be present and participate in the meeting. <i>Education Code 44.004</i> [See CCG for provisions governing tax rate adoption]</p> <p>The meeting must comply with the notice requirements of the Open Meetings Act. <i>Gov't Code 551.041, 551.043</i></p>
PUBLISHED NOTICE	The Board President shall also provide for publication of notice of the budget and proposed tax rate meeting in a daily, weekly, or bi-weekly newspaper published in the District. If no daily, weekly, or biweekly newspaper is published in the District, the President shall provide for publication of notice in at least one newspaper of general circulation in the county in which the District's central administrative office is located. The notice shall be published not earlier than the 30th day or later than the tenth day before the date of the hearing.
FORM OF NOTICE	The published notice of the public meeting to discuss and adopt the budget and the proposed tax rate must meet the size, format, and content requirements dictated by law.

The notice is not valid if it does not substantially conform to the language and format prescribed by the comptroller.

TAXPAYER  
INJUNCTION

If the District has not complied with the published notice requirements in the FORM OF NOTICE described above, and the requirements for DISTRICTS WITH JULY 1 FISCAL YEAR below, if applicable, and the failure to comply was not in good faith, a person who owns taxable property in the District is entitled to an injunction restraining the collection of taxes by the District. An action to enjoin the collection of taxes must be filed before the date the District delivers substantially all of its tax bills.

*Education Code 44.004*

PUBLICATION  
OF PROPOSED  
BUDGET  
SUMMARY

Concurrently with the publication of notice of the budget under Education Code 44.004, the District shall post a summary of the proposed budget on the District's Internet Web site or, if the District has no Internet Web site, in the District's central administrative office.

The budget summary must include a comparison to the previous year's actual spending and information relating to per student and aggregate spending on:

1. Instruction;
2. Instructional support;
3. Central administration;
4. District operations;
5. Debt service; and
6. Any other category designated by the Commissioner.

*Education Code 44.0041*

BUDGET  
ADOPTION

The Board shall adopt a budget to cover all expenditures for the succeeding fiscal year at the meeting called for that purpose and before the adoption of the tax rate for the tax year in which the fiscal year covered by the budget begins.

DISTRICTS WITH  
JULY 1 FISCAL  
YEAR

A district with a fiscal year beginning July 1 may use the certified estimate of the taxable value of District property in preparing the published notice if the District does not receive the certified appraisal roll on or before June 7. A district that uses a certified estimate may adopt a budget at the public meeting designated in the published notice prepared using the estimate, but the District may not adopt a tax rate before the District receives the certified appraisal roll for the District.

*Education Code 44.004*

ANNUAL OPERATING BUDGET

CE  
(LEGAL)

By June 7, the chief appraiser shall prepare and certify an estimate of the taxable value of District property. *Tax Code 26.01(d)*

AMENDMENT OF  
APPROVED BUDGET

The Board shall have the authority to amend the approved budget or to adopt a supplementary emergency budget to cover necessary unforeseen expenses.

Copies of any amendment or supplementary budget must be prepared and filed in accordance with State Board rules.

*Education Code 44.006*

FAILURE TO COMPLY  
WITH BUDGET  
REQUIREMENTS

A Board member who votes to approve any expenditure of school funds in excess of the item or items appropriated in the adopted budget or a supplementary or amended budget commits a misdemeanor offense. *Education Code 44.052(c)*

CERTAIN DONATIONS

The District may donate funds or other property or service to the adjutant general's department or to the Texas National Guard. *Gov't Code 431.035(b), 431.045(b)*

PURCHASING AND ACQUISITION:  
PAYMENT PROCEDURES

CHF  
(LEGAL)

PAYMENT DUE	<p>A payment owed by the District based on a contract executed on or after September 1, 1987, is overdue on the 31st day after the date on which the District received the goods under the contract or the date on which the performance of services under the contract was completed, or the date on which the District received the invoice for the goods or services, whichever is later. However, if the Board meets only once a month, the payment is not overdue until the 45th day after the date of receipt of goods, performance of services, or receipt of invoice, whichever is later. The renewal, amendment, or extension of a contract executed on or before September 1, 1993, is considered to be the execution of a new contract. <i>Gov't Code 2251.021</i></p>
INTEREST	<p>A payment begins to accrue interest on the date the payment becomes overdue. The rate of interest that accrues on an overdue payment is the rate in effect on September 1 of the fiscal year in which the payment becomes overdue. The rate in effect on September 1 is equal to the sum of one percent and the prime rate as published in the Wall Street Journal on the first day of July of the preceding fiscal year that does not fall on a Saturday or Sunday.</p> <p>Interest on an overdue payment stops accruing on the date the District or vendor mails or electronically transmits the payment.</p> <p>The unpaid balance of a partial payment made within the prescribed period accrues interest, unless the balance is in dispute.</p> <p><i>Gov't Code 2251.025, 2251.029</i></p> <p>The District shall compute and pay interest at the time the payment is made on the principal. Interest payments shall accompany payment of the net amount due for the goods or service. The District may not require a vendor to petition, invoice, bill, or wait additional days to receive the interest due. The District may not require a vendor or subcontractor to agree to waive the vendor's or subcontractor's right to interest as a condition of the contract. <i>Gov't Code 2251.027</i></p>
EARLY PAYMENT DISCOUNT	<p>The District shall attempt to take advantage of an offer for an early payment discount, but may not take an early payment discount unless it makes a full payment within the discount period. If the District takes an early payment discount later, the unpaid balance accrues interest beginning on the date the discount offer expires. <i>Gov't Code 2251.030</i></p>
EXCEPTIONS	<p>These provisions do not apply to payments made by the District or a vendor if:</p> <ol style="list-style-type: none"><li data-bbox="560 1843 1443 1904">1. There is a bona fide dispute between the District and a vendor, contractor, subcontractor, or supplier concerning the</li></ol>

PURCHASING AND ACQUISITION:  
PAYMENT PROCEDURES

CHF  
(LEGAL)

goods delivered or the service performed that causes the payment to be late;

2. There is a bona fide dispute between a vendor and a subcontractor or between a subcontractor and its supplier about the goods delivered or the services performed that causes the payment to be late;
3. The terms of a federal contract, grant, regulation, or statute prevent the District from making a timely payment with federal funds; or
4. The invoice is not mailed to the person to whom it is addressed in strict accordance with any instructions on the purchase order relating to the payment.

*Gov't Code 2251.002*

ALTERNATE VENDOR  
REMEDY FOR  
NONPAYMENT OF  
CONTRACT

A vendor may suspend performance required under a contract with the District if the District does not pay the vendor an undisputed amount within the time limits provided above and the vendor gives the District written notice informing the District that payment has not been received and stating the intent of the vendor to suspend performance for nonpayment.

The vendor may not suspend performance before the tenth day after the date the vendor gives this notice.

A vendor who suspends performance is not required to supply further labor, services, or materials until the vendor is paid the amount provided for under Government Code Section 2251, plus costs for demobilization and remobilization. The vendor is also not responsible for damages resulting from suspending work if the governmental entity with which the vendor has the contract has not notified the vendor in writing before performance is suspended that payment has been made or that a bona fide dispute for payment exists.

A notification under Government Code 2251.051(c)(2) that a bona fide dispute for payment exists must include a list of the specific reasons for nonpayment. If a reason specified is that labor, services, or materials provided by the vendor or the vendor's subcontractor are not provided in compliance with the contract, the vendor is entitled to a reasonable opportunity to cure the noncompliance of the listed items; or offer a reasonable amount to compensate for listed items for which noncompliance cannot be promptly cured.

*Gov't Code Sec. 2251.051*

DISPUTED PAYMENT

The District shall notify a vendor of an error in an invoice submitted for payment by the vendor not later than the 21st day after the date

Thrall ISD  
246912

PURCHASING AND ACQUISITION:  
PAYMENT PROCEDURES

CHF  
(LEGAL)

the District receives the invoice. If a dispute is resolved in favor of the vendor, the vendor shall receive interest on the unpaid balance beginning on the date that the payment for the invoice is overdue. If a dispute is resolved in favor of the District, the vendor shall submit a corrected invoice that shall be paid within 30 days of receipt. The unpaid balance accrues interest if it is not paid by the appropriate date. *Gov't Code 2251.042*

Thrall ISD  
246912

SAFETY PROGRAM/RISK MANAGEMENT:  
EMERGENCY PLANS

CKC  
(LOCAL)

EMERGENCY  
OPERATIONS PLAN

The Superintendent shall ensure updating of the District's Emergency Operations Plan and ongoing staff training.

FOOD SERVICES MANAGEMENT

CO  
(LEGAL)

U.S. DEPARTMENT  
OF AGRICULTURE  
RULES

Foods determined to be of minimal nutritional value, as defined by the U.S. Department of Agriculture, shall not be sold in the food service areas during meal periods. *7 CFR 210.11, 220.12*

TEXAS DEPARTMENT  
OF AGRICULTURE  
POLICY

Effective August 1, 2004, all districts participating in the federal Child Nutrition Programs must comply with the nutrition policies outlined by the Texas Department of Agriculture. *Texas Department of Agriculture, Texas Public School Nutrition Policy (<http://www.agr.state.tx.us>); 7 CFR 210*

EXCEPTIONS

The District may not adopt any rule, policy, or program under Education Code 28.002 that would prohibit a parent or grandparent of a student from providing any food product of the parent's or grandparent's choice to:

1. Children in the classroom of the child on the occasion of the child's birthday; or
2. Children at a school-designated function.

*Education Code 28.002 (1-3)(1)*

INSURANCE AND ANNUITIES MANAGEMENT:  
HEALTH AND LIFE INSURANCE

CRD  
(LEGAL)

COVERAGE  
REQUIREMENTS

UNIFORM  
PROGRAM  
(TRS-ACTIVE  
CARE)

Unless an exemption applies, a district with 500 or fewer employees is required to participate in the uniform group coverage program established under Insurance Code 1579 (TRS-Active Care). A district with more than 500 employees may elect to participate in the program. *Insurance Code 1579.151; Education Code 22.004(a), (c)* [See UNIFORM GROUP COVERAGE PROGRAM, below]

The Teacher Retirement System (TRS) shall implement and administer the uniform group coverage program. TRS shall establish plans of group coverages for employees participating in the program and their dependents. *Insurance Code 1579.051, 1579.101*

EMPLOYEE  
ELIGIBILITY

Participation in the program is limited to employees of participating districts who are full-time employees and to part-time employees who are participating members in TRS.

A part-time employee who is not a participating member in the TRS is eligible to participate in the program only if the employee pays all of the premiums and other costs associated with the health coverage plan selected by the employee.

A participating employee may select coverage in any coverage plan offered by TRS. If the combined state and District contributions [see COST OF COVERAGE, below] exceed the cost of a coverage plan selected by the employee, the employee may use the excess contributions to obtain coverage under a higher tier coverage plan, or to pay all or part of the cost of coverage for the employee's dependents. A married couple, both of whom are eligible for coverage under the program, may pool the amount of contributions to which the couple are entitled under the program to obtain coverage for themselves and dependent coverage.

*Insurance Code 1579, Subch. E*

OPTIONAL  
COVERAGES

Districts participating in the uniform group coverage program may enter contracts to provide optional insurance coverages for District employees. *Education Code 22.004(j)*

OTHER  
PROGRAMS

Districts that do not participate in the uniform group coverage program shall make available to their employees group health coverage provided by a risk pool established by one or more districts under Local Government Code Chapter 172, or under a policy of group insurance or group contract issued by an insurer, a company subject to Insurance Code Chapter 842, or a health maintenance organization under Insurance Code Chapter 843.

COMPARABILITY

The coverage must be comparable to the basic health coverage provided under Insurance Code Chapter 1551 (Texas Employees

Group Benefits Act) and must meet the substantive coverage requirements set forth in Education Code 22.004(b). TRS shall adopt rules to determine whether the District's group health coverage is comparable to that provided to state employees.

FINANCIAL  
STATEMENT

The District may not contract with an insurer, company, or health maintenance organization to issue a policy or contract for group health insurance, or with any person to assist the District in obtaining or managing the policy or contract unless the insurer, company, organization, or person provides the District with an audited financial statement.

*Education Code 22.004(b), (c)*

SMALL  
EMPLOYER  
MARKET  
ELECTION

A district that does not participate in the uniform group coverage program may elect to participate in the small employer market without regard to the number of eligible employees in the District. If the District makes this election, it will be treated as a small employer for the purposes of Article 1501 of the Texas Insurance Code.

A district that is participating in the uniform group coverage program may not renew a health insurance contract obtained in accordance with Article 1501 after the date on which the program of coverages provided under the uniform group coverage program is implemented. This provision does not affect a contract for the provision of optional coverages. *Insurance Code 1501.009*

EMPLOYEE  
ELECTION —  
SPOUSES

A District employee who is eligible for coverage under a large or small employer health benefit plan providing coverage to the District's employees and who is the spouse of another District employee covered under the plan may elect whether to be treated under the plan as an employee or as the dependent of the other employee. *Insurance Code 1501.0095*

SELF-FUNDED  
HEALTH CARE  
PLAN

Except as otherwise provided above, the Board may establish a self-funded health care plan for District employees and their dependents. In implementing the plan, the Board shall establish a fund to pay all or part of plan-authorized costs for health care incurred by program participants. The fund consists of money contributed by the District and money deducted from the employee's salary for coverage, upon the employee's written authorization. *Education Code 22.005*

COMPARABILITY  
COMPLIANCE  
REPORT

TRS shall, for each district that does not participate in the uniform group coverage program, certify whether the District's coverage is comparable to the basic health coverage provided to state employees.

The District shall report its compliance to TRS not later than March 1 of each even-numbered year. The report must be based

on the District group health coverage plan in effect during the current plan year and must include:

1. Appropriate documentation of:
  - a. The District's contract for group health coverage, or
  - b. A Board resolution authorizing a self-insurance plan.
2. The schedule of benefits.
3. The premium rate sheet, including the amount paid by the District and the employee.
4. The number of employees covered by each health coverage plan offered by the District.
5. Any other information considered appropriate by the executive director of TRS.

*Education Code 22.004(d); 34 TAC 41.91(d)*

COST OF COVERAGE

The cost of coverage under the uniform group coverage program shall be shared by the state, the District, and the employees, as set forth below.

UNIFORM GROUP  
COVERAGE  
PROGRAM

STATE  
CONTRIBUTION

The state shall provide for each covered employee the amount of \$900 each state fiscal year or a greater amount as provided by the General Appropriations Act. The state contribution shall be distributed through the school finance formulas under Education Code Chapters 41 and 42 and used by districts as provided by Education Code 42.2514 and 42.260. *Insurance Code 1579, Subch. F*

EMPLOYEE  
CONTRIBUTION

An employee covered by the program shall pay that portion of the cost of coverage selected by the employee that exceeds the amount of the state contribution and the District's contribution. The employee may pay the employee's contribution from the employee supplement.

The District may pay any portion of what otherwise would be the employee share of premiums and other costs associated with the coverage selected by the employee.

*Insurance Code 1579.253*

OTHER  
PROGRAMS

If the District does not participate in the uniform group coverage program, the cost of coverage shall be shared by the employees and the District, using the contributions by the state described at Insurance Code Chapter 1579, Subchapter F. [See STATE CONTRIBUTION, above] *Education Code 22.004(c)*

INSURANCE AND ANNUITIES MANAGEMENT:  
HEALTH AND LIFE INSURANCE

CRD  
(LEGAL)

DISTRICT  
CONTRIBUTION  
MINIMUM  
EFFORT

The District shall, for each fiscal year, pay an amount equal to the number of participating employees multiplied by \$1,800.

MAXIMUM  
EFFORT

Subject to the minimum effort requirement, a district that paid amounts for the 2000–01 school year for employees' health coverage shall, for each fiscal year, continue to pay at least the same amounts for each participating employee, computed as follows: the District shall divide the amount the District paid during the 2000–01 school year for the prior group health coverage plan by the total number of full-time employees in the 2000–01 school year and multiply the result by the number of full-time employees in the fiscal year for which the computation is made.

If, for the 2000–01 school year, the District provided group health coverage to its employees through a self-funded insurance plan, the amount the District paid during that school year for the plan includes only the amount of regular contributions made by the District.

*Insurance Code 1581.052*

EXCESS FUNDS

If the amount the District is required to pay for maintenance of effort exceeds \$1,800 per participating employee, the District may use the excess only to provide employee compensation at a rate greater than the rate of compensation that the District paid an employee in the 2000–01 school year, benefits, or both.

*Insurance Code 1581, Subch. B*

HEALTH  
INSURANCE  
CONTRIBUTIONS  
FOR REHIRED  
RETIREEES

Each payroll period and for each rehired retiree who is enrolled in TRS Care (retiree group health insurance), the District shall contribute to the TRS Care trust fund any difference between the amount the retiree is required to pay for the retiree and any enrolled dependents to participate in the group program and the full cost of the retiree's and enrolled dependents' participation in the group program, as determined by TRS. [See DEA]

EXCEPTION

The District is not required to contribute these amounts for a retiree who was reported under retirement system rules in effect for the report month of January 2005 by:

1. The reporting employer; or
2. Another employer, if both employers are school districts that formed a consolidated school district on or before September 1, 2005.

*Gov't Code 825.4092; Insurance Code 1575.204*

INSURANCE AND ANNUITIES MANAGEMENT:  
HEALTH AND LIFE INSURANCE

CRD  
(LEGAL)

DESIGNATION OF  
COMPENSATION FOR  
BENEFITS

An employee who is covered by a cafeteria plan or who is eligible to pay health care premiums through a premium conversion plan may elect to designate a portion of the employee's compensation to be used as health care supplementation. [See DEA]

USE

An employee may use the compensation designated for health care supplementation for any employee benefit, including depositing the designated amount into a cafeteria plan in which the employee is enrolled or using the designated amount for health care premiums through a premium conversion plan.

*Education Code 21.103, 21.106*

CONTINUATION  
COVERAGE

An employee who is absent from a position of employment by reason of service in the uniformed services may elect to continue coverage under a health plan. The maximum period of coverage of such a person and the person's dependents shall be the lesser of:

DURING MILITARY  
LEAVE

1. The 18-month period beginning on the date on which the person's absence begins; or
2. The day after the date on which the person fails to apply for or return to a position of employment. [See DEC]

*38 U.S.C. 4317*

DURING FMLA  
LEAVE

During any period of leave under the Family and Medical Leave Act (FMLA), the District shall allow the employee to maintain coverage under any group health plan for the duration of the leave at the level and under the conditions coverage would have been provided if the employee had continued in employment continuously for the duration of the leave. The District may recover any premiums it paid for maintaining coverage during a period of unpaid FMLA leave if the employee fails to return from leave after the FMLA leave has expired and the failure to return is for a reason other than the continuation, recurrence, or onset of a serious health condition that entitles the employee to FMLA leave or other circumstances beyond the employee's control. *29 U.S.C. 2614(c); 29 CFR 825.209, 825.210, 825.213* [See also DEC]

UPON  
TERMINATION OR  
OTHER  
QUALIFYING  
EVENT (COBRA)

In accordance with the Consolidated Omnibus Budget Reconciliation Act (COBRA), the District shall offer continuation coverage under any group health insurance plan established after July 1, 1986, to the following qualified beneficiaries for the stated period of time:

1. To the employee for 18 months after a termination (other than for gross misconduct) or reduction in hours. An employee providing notice of being disabled under Title II or XVI of the Social Security Act before the end of the initial 18 months of

coverage shall be offered up to 29 months of continuation coverage.

2. To dependents of the covered employee for 36 months after the employee becomes eligible for Medicare benefits.
3. To dependents of the covered employee for 36 months after the employee's death or the divorce or legal separation of the employee from a spouse.
4. To a dependent child for 36 months after the child ceases to be a dependent under the terms of the plan.

*42 U.S.C. 300bb-1, 300bb-2, 300bb-3*

PREMIUM

The District may require premium payments not to exceed 102 percent of the usual cost of the plan for continuation coverage. Individuals entitled to 29 months of continuation coverage may be required to pay premiums not to exceed 150 percent of the usual cost for any month after the 18th month. The qualified beneficiary may choose to pay the premiums in monthly installments. In no event may payment be required before the day that is 45 days after the day on which the qualified beneficiary made the initial election for continuation coverage. *42 U.S.C. 300bb-2(3)*

NOTICE

The District shall notify its group health plan administrator within 30 days of an employee's death, termination or reduction of hours, or becoming eligible for Medicare payments.

The qualified beneficiary is responsible for notifying the plan administrator of a divorce or legal separation from a spouse or of a dependent child's ceasing to be a dependent. A qualified beneficiary who is determined to have been disabled at the time of termination is responsible for notifying the plan administrator of that determination within 60 days of the determination and within 30 days after a subsequent determination that he is no longer disabled.

*42 U.S.C. 300bb-6*

TERMINATION  
OF COVERAGE

Coverage of qualified beneficiaries shall end on the earliest of the following dates:

1. The required period of coverage expires.
2. The District ceases to provide any group health plan to any employee.
3. Coverage ceases for failure to pay the premium.
4. The qualified beneficiary becomes covered under any other group plan.

5. The qualified beneficiary becomes entitled to Medicare benefits.

*42 U.S.C. 300bb-2(2)*

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**Note:** See also DEB for continuation benefits that are available to survivors of District peace officers under certain conditions.

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COVERAGE OF  
PRE-EXISTING  
CONDITIONS

Notwithstanding any other law, group health benefit coverage provided by or offered through the District to District employees under any law other than the uniform group coverage program is subject to the requirements of Sections 1501.102–1501.105, Insurance Code, which limit exclusion for preexisting conditions. This requirement applies to all group health benefit coverage provided by or offered through the District to District employees, including a standard health benefit plan issued under the Insurance Code and health and accident coverage provided through a risk pool established under Chapter 172, Local Government Code. *Education Code 22.004(m)*

UNIFORM GROUP  
COVERAGE  
PROGRAM

Coverage provided under the uniform group coverage program may not be made subject to a pre-existing condition limitation during the initial period of eligibility. *Insurance Code 1579.105*

FEDERAL LAW

In addition, a group health plan may not impose a preexisting condition exclusion unless:

1. The exclusion relates to a condition (whether physical or mental), regardless of the cause of the condition, for which medical advice, diagnosis, care, or treatment was recommended or received within the six-month period ending on the enrollment date;
2. The exclusion extends for a period of not more than 12 months (or 18 months in the case of a late enrollee) after the enrollment date; and
3. The period of any such preexisting condition exclusion is reduced by the aggregate of the periods of creditable coverage (if any) applicable to the participant or beneficiary as of the enrollment date.

*42 U.S.C. 300gg(a)(1); 45 CFR 146.111(a)*

INSURANCE AND ANNUITIES MANAGEMENT:  
HEALTH AND LIFE INSURANCE

CRD  
(LEGAL)

HEALTH INSURANCE  
PORTABILITY AND  
ACCOUNTABILITY  
ACT (HIPAA)

CERTIFICATE OF  
CREDITABLE  
COVERAGE

A group health plan shall provide certification:

1. At the time an individual ceases to be covered under the plan or otherwise becomes covered under a COBRA continuation provision. This certification may be provided, to the extent practicable, at a time consistent with notices required under any applicable COBRA continuation provision;
2. In the case of an individual covered under COBRA, at the time the individual's COBRA coverage ceases; and
3. On the request on behalf of an individual made not later than 24 months after the date of cessation of coverage.

The certification is a written certification of:

1. The period of creditable coverage of the individual under such plan and the coverage (if any) under such COBRA continuation provision, and
2. The waiting period (if any) (and affiliation period, if applicable) imposed with respect to the individual for any coverage under such plan.

To the extent that medical care under a plan consists of group health insurance coverage, the plan is deemed to have satisfied the certification requirements if any issuer offering the coverage provides for certification.

*42 U.S.C. 300gg(e); 45 CFR 146.115*

OTHER HIPAA  
REQUIREMENTS

HIPAA requires plan sponsors to observe certain coverage requirements and restrictions, including:

1. Limitations on preexisting condition exclusion periods;
2. Special enrollment periods for individuals;
3. Prohibitions against discriminating against individual participants and beneficiaries based on health status;
4. Standards relating to benefits for mothers and newborns;
5. Parity in the application of certain limits to mental health benefits.

ELECTION TO  
BE EXCLUDED

The plan sponsor of a nonfederal governmental group health plan may elect to be exempted from the following provisions of the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

FORM OF  
ELECTION

The election must be in writing and state the name of the plan and the name and address of the plan administrator. The election doc-

	<p>ument must either state that the plan does not include health insurance coverage, or identify which portion of the plan is not funded through insurance. The election must be made in conformity with all the plan sponsor's rules, including any public hearing, if required. The election document must be signed, and must certify that the person signing the election document, including if applicable a third party plan administrator, is legally authorized to do so by the plan sponsor.</p>
TIMING OF ELECTION	<p>The election must be received by the Health Care Financing Administration by the day preceding the beginning date of the plan year. The election applies for a single specified plan year.</p> <p>An election may be extended through subsequent elections.</p>
CONTENTS OF NOTICE	<p>If this election is made, the plan shall provide for notice to enrollees, on an annual basis and at the time of enrollment under the plan. The notice shall be provided to each participant individually.</p> <p><i>42 U.S.C. 300gg-21; 45 CFR 146.180</i></p>
PRIVACY OF HEALTH INFORMATION	<p>To the extent the District is a covered entity under the Administrative Simplification provisions of HIPAA, the District must maintain the privacy of protected health information in accordance with the Privacy Rule, 45 CFR Part 164. <i>42 U.S.C. 1320d et seq.</i></p>
'COVERED ENTITY' DEFINED	<p>The District is a "covered entity" under the Privacy Rule to the extent it is:</p> <ol style="list-style-type: none"><li>1. A health plan;</li><li>2. A health-care clearinghouse; or</li><li>3. A health-care provider who transmits any health information in electronic form in connection with a transaction covered by the Privacy Rule.</li></ol> <p><i>45 CFR 160.103</i></p>
'PROTECTED HEALTH INFORMATION' DEFINED	<p>"Protected health information" means individually identifiable health information that is transmitted or maintained in any form or medium, including electronic media and oral communications. "Protected health information" excludes individually identifiable health information in:</p> <ol style="list-style-type: none"><li>1. Education records covered by the Family Educational Rights and Privacy Act (FERPA), as amended.</li><li>2. Medical treatment records, as described at 20 U.S.C. 1232g(a)(4)(B)(iv), on a student who is at least 18 years of age.</li></ol>

3. Employment records held by a covered entity in its role as employer.

*20 U.S.C. 1232g, 45 CFR 160.102, 164.501 [See FL]*

SPONSORS OF  
GROUP HEALTH  
PLANS

Before a group health plan may disclose protected health information to the District that is a plan sponsor, the group health plan must ensure that the plan documents restrict uses and disclosures of such information by the District consistent with the requirements of the Privacy Rule. *45 CFR 164.504(f)*

The group health plan may disclose the following information to a district that is a plan sponsor without amending the plan documents:

1. Summary health information, consistent with the requirements of the Privacy Rule; and
2. Enrollment and disenrollment information relating to an individual participating in the plan.

*45 CFR 164.504(f)*

'PLAN  
SPONSOR'  
DEFINED

The term "plan sponsor" includes employers who establish or maintain employee benefit plans, alone or jointly with one or more employers. *29 U.S.C. 1002(16)(B)*

SELF-FUNDED  
PLANS

A district that is a sponsor of a self-funded group health plan is a covered entity under the Privacy Rule. *45 CFR 160.103*

INSURANCE AND ANNUITIES MANAGEMENT:  
HEALTH AND LIFE INSURANCE

CRD  
(LOCAL)

DISTRICT  
CONTRIBUTION

The Board annually shall determine the District's contribution to employee health insurance premiums as part of the budget development and adoption process. For purposes of the District contribution to employees' health insurance premiums, the Board may distinguish between full-time and part-time employees, as those terms are defined for other benefits.

CONTINUATION  
COVERAGE

The District shall continue its contribution toward the cost of the employee's group health insurance coverage while the employee is on paid leave or, if applicable, while the employee is on family and medical leave. [See DEC]

The District shall not otherwise expend public funds for group health insurance coverage of an employee who is not on paid leave status. However, an employee who is not on paid leave status or FMLA leave shall be allowed to continue group health insurance coverage, at his or her own expense, for the period specified in the District's group health insurance plan.

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS:  
CONFLICT OF INTEREST

DBD  
(LOCAL)

DISCLOSURE — GENERAL STANDARD	An employee shall disclose to his or her immediate supervisor a personal financial interest, a business interest, or any other obligation or relationship that in any way creates a potential conflict of interest with the proper discharge of assigned duties and responsibilities or that creates a potential conflict of interest with the best interest of the District.
SPECIFIC DISCLOSURES	The Superintendent shall file an affidavit with the Board President disclosing a substantial interest, as defined by Local Government Code 171.002, in any business or real property that the Superintendent or any of his or her relatives in the first degree may have.
SUBSTANTIAL INTEREST	Any other employee who is in a position to affect a financial decision involving any business entity or real property in which the employee has a substantial interest as defined by Local Government Code 171.002 shall file an affidavit with the Superintendent; however, the employee shall not be required to file an affidavit for the substantial interest of a relative.
INTEREST IN PROPERTY	The Superintendent shall be required to file an affidavit disclosing interest in property in accordance with Government Code 553.002.
CONFLICTS DISCLOSURE STATEMENT	No employee other than the Superintendent shall be required to file the conflicts disclosure statement, as promulgated by the Texas Ethics Commission and as specified by Local Government Code 176.003–.004.  [See BBFA]
GIFTS	An employee shall not accept or solicit any gift, favor, service, or other benefit that could reasonably be construed to influence the employee’s discharge of assigned duties and responsibilities. [See CAA]
ENDORSEMENTS	An employee shall not recommend, endorse, or require students to purchase any product, material, or service in which the employee has a financial interest or that is sold by a company that employs or retains the District employee during nonschool hours. No employee shall require students to purchase a specific brand of school supplies if other brands are equal and suitable for the intended instructional purpose.
SALES	An employee shall not use his or her position with the District to attempt to sell products or services.

EMPLOYMENT PRACTICES

DC  
(LEGAL)

EMPLOYMENT POLICIES	The Board shall adopt a policy providing for the employment and duties of District personnel. The policy shall provide that:
SELECTION OF PERSONNEL	1. The Superintendent has sole authority to make recommendations to the Board regarding the selection of all personnel, except that the Board may delegate final authority for those decisions to the Superintendent [see SUPERINTENDENT RECOMMENDATIONS, below];
CAMPUS ASSIGNMENTS	2. Each principal must approve each teacher or staff appointment to the principal's campus as provided by Education Code 11.202 [see DK and DP]; and
JOB POSTINGS	3. Notice will be provided of vacant positions [see POSTING OF VACANCIES, below].  <i>Education Code 11.163</i>
CONTRACT POSITIONS	The Board shall establish a policy designating specific positions of employment, or categories of positions based on considerations such as length of service, to which continuing contracts or term contracts apply. <i>Education Code 21.002(c)</i>
DELEGATION OF AUTHORITY	The District's employment policy may specify the terms of District employment or delegate to the Superintendent the authority to determine the terms of employment with the District. <i>Education Code 11.163(c)</i>
NEPOTISM	A superintendent to whom the Board has delegated final hiring authority to select personnel is a "public official" with appointment authority for purposes of the nepotism laws. <i>Atty. Gen. Op. GA-123 (2003)</i> [See DBE]
INTERNAL AUDITOR	If the District employs an internal auditor, the Board shall select the internal auditor and the internal auditor shall report directly to the Board. <i>Education Code 11.163</i>
SUPERINTENDENT RECOMMENDATIONS	The Board may accept or reject the Superintendent's recommendation regarding the selection of District personnel. If the Board rejects the Superintendent's recommendation, the Superintendent shall make alternative recommendations until the Board accepts a recommendation. <i>Education Code 11.163</i>
POSTING OF VACANCIES	The District's employment policy must provide that not later than the tenth school day before the date on which the District fills a vacant position for which a certificate or license is required as provided by Education Code 21.003 [see DBA], other than a position that affects the safety and security of students as determined by the Board, the District must provide to each current District employee:

1. Notice of the position by posting the position on:
  - a. A bulletin board at:
    - (1) A place convenient to the public in the District's central administrative office, and
    - (2) The central administrative office of each campus during any time the office is open; and
  - b. The District's Internet Web site, if the District has a Web site; and
2. A reasonable opportunity to apply for the position.

*Education Code 11.163(d)*

EXCEPTION

If, during the school year, the District must fill a vacant position held by a teacher, as defined by Education Code 21.201 [see DCB], in less than ten school days, the District must provide notice of the position in the manner described above as soon as possible after the vacancy occurs. However, the District is not required to provide the notice for ten school days before filling the position or to provide a reasonable opportunity to apply for the position.  
*Education Code 11.163(e)*

CONTRACT  
EMPLOYEES

The District shall employ each classroom teacher, principal, librarian, nurse, or counselor under a probationary contract, a continuing contract, or a term contract. The District is not required to employ a person other than these listed employees under a probationary, continuing, or term contract. *Education Code 21.002*

"Classroom teacher" means an educator who is employed by the District and who, not less than an average of four hours each day, teaches in an academic instructional setting or a career and technology instructional setting. The term does not include a teacher's aide or a full-time administrator. *Education Code 5.001(2)*

LENGTH OF  
CONTRACT

A contract between the District and an educator must be for a minimum of ten months of service. An educator employed under a ten-month contract must provide a minimum of 187 days of service. The Commissioner may reduce the number of days of service, but such a reduction by the Commissioner does not reduce an educator's salary. *Education Code 21.401*

EDUCATIONAL AIDES

The Board shall establish a plan to encourage the hiring of educational aides who show a willingness to become certified teachers. *Education Code 54.214(f); 19 TAC Chapter 21*

EMPLOYMENT PRACTICES

DC  
(LEGAL)

EMPLOYMENT OF  
RETIREES  
  
REPORT TO TRS

The District shall file a monthly certified statement of employment of a retiree in the form and manner required by TRS. The District shall inform TRS of changes in status of the District that affect the District's reporting responsibilities.

The certified statement must include information regarding employees of third party entities if the employees are service or disability retirees who were first employed by the third party entity on or after May 24, 2003, and are performing duties or providing services on behalf of or for the benefit of the District.

An administrator of the District who is responsible for filing the statement, and who knowingly fails to file the statement, commits an offense.

*Gov't Code 824.6022, 825.403(k); 34 TAC 31.2*

ACUTE SHORTAGE  
AREAS

For purposes of Government Code 824.602(a)(5) (permitting certain retirees to return to work in acute shortage areas) the Board shall determine by rule whether there are acute shortage areas in a District based on TEA's acute shortage area guidelines. The guidelines must include:

1. A list of acute shortage areas;
2. Suggested criteria for identifying local acute shortage areas; and
3. A requirement that a certified applicant for a position as a classroom teacher who is not a retiree be given preference in hiring.

*Gov't Code 824.602(m)*

NEW HIRES  
  
I-9 FORMS

The District shall ensure that an employee properly completes section 1—"Employee Information and Verification"—on Form I-9 at the time of hire.

The District must verify employment eligibility, pursuant to the Immigration Reform and Control Act, and complete Form I-9 by the following dates:

1. Within three business days of initial hiring. If the District hires an individual for employment for a duration of less than three business days, the District must verify employment at the time of hire.

The District shall not be deemed to have hired an individual if the individual is continuing in his or her employment and has a reasonable expectation of employment at all times.

EMPLOYMENT PRACTICES

DC  
(LEGAL)

When the District rehires an individual, the District may, in lieu of completing a new I-9, inspect a previously completed I-9 executed within three years of the date of rehire, to determine whether the individual is still eligible to work.

2. For an individual whose employment authorization expires, not later than the date of expiration.

*8 CFR 274a.2(b)(1)(ii), (iii), (vii), (viii)*

NEW HIRE  
REPORTING

The District shall furnish to the Directory of New Hires (Texas Attorney General's Office) a report that contains the name, address, and Social Security number of each newly hired employee. The report shall also contain the District's name, address, and employer identification number.

The District may also provide, at its option, the employee's date of hire, date of birth, expected salary or wages, and the District's payroll address for mailing of notice to withhold child support.

The District shall report new hire information on a Form W-4 or an equivalent form, by first class mail, telephonically, electronically, or by magnetic media, as determined by the District and in a format acceptable to the attorney general.

DEADLINE

New hire reports are due:

1. Not later than 20 calendar days after the date the District hires the employee; or
2. In the case of the District transmitting reports magnetically or electronically, by two monthly transmissions (if necessary) not less than 12 days nor more than 16 days apart.

New hire reports shall be considered timely if postmarked by the due date or, if filed electronically, upon receipt by the agency.

*42 U.S.C. 653a(b), (c); Family Code 234.101-234.104; 1 TAC 55, Subch. I*

SOCIAL SECURITY  
NUMBERS

It shall be unlawful for the District to deny to any individual any right, benefit, or privilege provided by law because of the individual's refusal to disclose his or her Social Security number.

EXCEPTIONS

The above provision does not apply to:

1. Any disclosure that is required by federal statute. The United States Internal Revenue Code provides that the Social Security number issued to an individual for purposes of federal income tax laws shall be used as the identifying number for taxpayers;

EMPLOYMENT PRACTICES

DC  
(LEGAL)

2. Any disclosure to a district maintaining a system of records in existence and operating before January 1, 1975, if such disclosure was required under statute or regulation adopted before such date to verify the identity of an individual; or
3. Any use for the purposes of establishing the identity of individuals affected by any tax, general public assistance, driver's license, or motor vehicle registration law within the District's jurisdiction.

STATEMENT OF  
USES

A district that requests disclosure of a Social Security number shall inform that individual whether the disclosure is mandatory or voluntary, by what statutory authority such number is solicited, and what uses will be made of it.

*5 U.S.C. 552(a); Pub. L. 94-455, Stat. 1520 (1976)*

CRIMINAL HISTORY  
RECORD

The District may obtain from any law enforcement or criminal justice agency all criminal history information that relates to:

1. A person the District intends to employ in any capacity;
2. A person who has indicated, in writing, an intention to serve as a volunteer with the District; or
3. A volunteer or employee of the District.

Criminal history record information regarding a person who is a volunteer or employee of the District may be obtained no more than twice each year.

*Education Code 22.083(a), (c); Gov't Code 411.097(b)*

CONFIDENTIALITY  
OF RECORD

Criminal history record information obtained by the District may not be released or disclosed to any person, other than the individual who is the subject of the information, TEA, or SBEC (State Board for Educator Certification). *Gov't Code 411.097(d)* [See CNA]

SBEC  
NOTIFICATION

The Superintendent shall promptly notify SBEC in writing by filing a report with the executive director of SBEC within seven calendar days of the date the Superintendent obtains or has knowledge of information indicating that an applicant for or holder of a certificate issued under Chapter 21, Subchapter B, of the Education Code has a reported criminal history. *Education Code 22.083(d); 19 TAC 249.14(d)(1)* [See also DF]

DISCHARGE OF  
CONVICTED  
EMPLOYEES

The District may discharge an employee if the District obtains information of the employee's conviction of a felony or misdemeanor involving moral turpitude that the employee did not disclose to SBEC or to the District. An employee so discharged is

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EMPLOYMENT PRACTICES

DC  
(LEGAL)

considered to have been discharged for misconduct for the purposes of Labor Code Section 207.044 (unemployment compensation). *Education Code 22.085*

COMPENSATION AND BENEFITS:  
SALARIES, WAGES, AND STIPENDS

DEA  
(LEGAL)

STATE FUNDING

Subject to Education Code 42.2516(g) and (h) (regarding reduction in state aid for certain districts), the District is entitled to state revenue necessary to provide the District with an amount equal to \$2,500 for each classroom teacher, full-time librarian, full-time counselor, and full-time school nurse employed by the District and entitled to the state minimum salary. *Education Code 42.2516(b)(2)*

The District is entitled to state aid in an amount equal to the sum of:

1. \$500 for each full-time District employee, other than administrators or employees subject to the minimum salary schedule; and
2. \$250 for each part-time District employee, other than administrators

A determination by the Commissioner under this provision is final and may not be appealed.

*Education Code 42.2513*

MINIMUM SALARY  
SCHEDULE —  
EDUCATORS

The District shall pay each classroom teacher, full-time librarian, full-time counselor, or full-time nurse not less than the minimum monthly salary, based on the employee's level of experience, specified in Education Code 21.402 and 19 TAC 153.1021.

DEFINITIONS

"Classroom teacher" means an educator who teaches an average of at least four hours per day in an academic or career and technology instructional setting, focusing on the delivery of the Texas Essential Knowledge and Skills, and who holds the relevant certificate from SBEC. Although noninstructional duties do not qualify as teaching, necessary functions related to the educator's instructional assignment, such as instructional planning and transition between instructional periods, should be applied to creditable classroom time.

"Librarian" means an educator who provides full-time library services and holds the relevant certificate from SBEC.

"Counselor" means an educator who provides full-time counseling and guidance services and holds the relevant certificate from SBEC.

"Nurse" means an educator employed to provide full-time nursing and health care services and who meets all the requirements to practice as a registered nurse (RN) pursuant to the Nursing Practice Act and the rules and regulations relating to professional nurse education, licensure, and practice and has been issued a license to practice professional nursing in Texas.

COMPENSATION AND BENEFITS:  
SALARIES, WAGES, AND STIPENDS

DEA  
(LEGAL)

“Full-time” means contracted employment for at least ten months (187 days) for 100 percent of the school day, in accordance with the definitions of school day in Education Code 25.082, employment contract in Education Code 21.002, and school year in Education Code 25.081.

*19 TAC 153.1022(a)*

PLACEMENT ON  
SALARY  
SCHEDULE

The Commissioner's rules determine the experience for which a teacher, librarian, counselor, or nurse is to be given credit in placing the teacher, librarian, counselor, or nurse on the minimum salary schedule. The District shall credit the teacher, librarian, counselor, or nurse for each year of experience, whether or not the years are consecutive. *Education Code 21.402(a), 21.403(c); 19 TAC 153.1022*

EDUCATOR  
COMPENSATION  
FOR 2006–07

For the 2006–07 school year, a classroom teacher, full-time librarian, full-time counselor, or full-time school nurse is entitled to a monthly salary that is at least equal to the sum of:

1. The monthly salary the employee would have received for the 2006–07 school year under the District's salary schedule for the 2005–06 school year, if that schedule had been in effect for the 2006–07 school year, including any local supplement and any money representing a career ladder supplement the employee would have received in the 2006–07 school year; and
2. \$250.

*Education Code 21.402(c–1)*

A classroom teacher, full-time librarian, full-time counselor, and full-time school nurse employed by a school district in the 2006–07 school year is, as long as the employee is employed by the same district, entitled to a salary that is at least equal to the salary the employee received for the 2006–07 school year. *Education Code 21.402(c–2)*

Education Code 21.402(c–1) and (c–2) expire September 1, 2007.

EMPLOYEES  
FORMERLY ON  
CAREER LADDER

A teacher or librarian who received a career ladder supplement on August 31, 1993, is entitled to at least the same gross monthly salary the teacher or librarian received for the 1994–95 school year as long as the teacher or librarian is employed by the same district.

“Gross monthly salary” includes the amount the teacher or librarian received as a career ladder supplement under Section 16.057, as that section existed January 1, 1993.

*Education Code 21.402(f), 21.403(d)*

COMPENSATION AND BENEFITS:  
SALARIES, WAGES, AND STIPENDS

DEA  
(LEGAL)

In addition, a teacher or librarian who was on level two or three of the career ladder is entitled, as long as he or she is employed by the same district, to:

LEVEL TWO  
EDUCATORS

1. Placement on the minimum salary schedule at the step above the step on which the teacher would otherwise be placed, if the teacher or librarian received a career ladder supplement for level two of the career ladder on August 31, 1993; or

LEVEL THREE  
EDUCATORS

2. Placement on the minimum salary schedule at the step two steps above the step on which the teacher would otherwise be placed, if the teacher or librarian received a career ladder supplement for level three of the career ladder on August 31, 1993.

*Education Code 21.403(d)*

SUPPORT STAFF  
COMPENSATION

The District shall pay each District employee, other than an administrator or an employee subject to the minimum salary schedule, an amount at least equal to:

1. \$500, for full-time employees.
2. \$250, for part-time employees.

Such payment is in addition to wages the District would otherwise pay the employee during the school year.

*Education Code 22.107*

PAY INCREASES

The District shall not grant any extra compensation, fee, or allowance to a public officer, agent, servant, or contractor after service has been rendered or a contract entered into and performed in whole or in part. *Tex. Const. Art. III, Sec. 53* [See CE(LEGAL)]

SALARY  
ADVANCES AND  
LOANS

The District shall not lend its credit or gratuitously grant public money or things of value in aid of any individual, association, or corporation. *Tex. Const. Art. III, Sec. 52; Brazoria County v. Perry, 537 S.W.2d 89 (Tex. Civ. App.—Houston [1st Dist.] 1976, no writ)*

DESIGNATION OF  
COMPENSATION FOR  
BENEFITS

An employee who is covered by a cafeteria plan or who is eligible to pay health care premiums through a premium conversion plan may elect to designate a portion of the employee's compensation to be used as health care supplementation. The amount designated may not exceed the amount permitted under federal law. *Education Code 21.103*

USE

An employee may use the compensation designated for health care supplementation for any employee benefit, including depositing the designated amount into a cafeteria plan in which the

COMPENSATION AND BENEFITS:  
SALARIES, WAGES, AND STIPENDS

DEA  
(LEGAL)

employee is enrolled or using the designated amount for health care premiums through a premium conversion plan. *Education Code 21.106*

ANNUAL ELECTION Each school year, an active employee must elect in writing whether to designate a portion of the employee's compensation to be used as health care supplementation. The election must be made at the same time that the employee elects to participate in a cafeteria plan, if applicable. *Education Code 21.105*

DEFINITION For purposes of the designation of compensation as health care supplementation, "employee" means an active, contributing member of TRS who:

1. Is employed by the District;
2. Is not a retiree eligible for coverage under Insurance Code Chapter 1575 (retiree group health benefits);
3. Is not eligible for coverage by a group insurance plan under Insurance Code Chapter 1551 (state employee health insurance) or Chapter 1601 (state university employee health insurance); and
4. Is not an individual performing personal services for the District as an independent contractor.

*Education Code 22.101(2)*

FAIR LABOR STANDARDS ACT Unless an exemption applies, the District shall pay each of its employees not less than minimum wage. *29 U.S.C. 206(a)(1)*

MINIMUM WAGE Unless an exemption applies, the District shall pay an employee not less than one and one-half times the employee's regular rate of pay for all hours in excess of forty in any workweek. *29 U.S.C. 207(a)(1); 29 CFR part 778*

COMPENSATORY TIME 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.

ACCRUAL

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

COMPENSATION AND BENEFITS:  
SALARIES, WAGES, AND STIPENDS

DEA  
(LEGAL)

	<p>time. After the employee has reached these limits, the employee shall be paid overtime compensation for additional overtime work.</p>
PAYMENT FOR ACCRUED TIME	<p>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).</p>
USE	<p>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.</p> <p>The Fair Labor Standards Act does not prohibit the District from compelling the use of accrued compensatory time.</p> <p><i>29 U.S.C. 207(o); Christensen v. Harris County, 529 U.S. 576 (2000); Houston Police Officers' Union v. City of Houston, 330 F.3d 298 (5th Cir. 2003)</i></p>
EXEMPT EMPLOYEES	<p>The minimum wage and overtime provisions do not apply to any employee employed in a bona fide executive, administrative, or professional capacity, including academic administrative personnel or teachers in elementary or secondary schools. <i>29 U.S.C. 213(a)(1)</i></p>
SALARY BASIS	<p>To qualify as an exempt executive, administrative, or professional employee, the employee must be compensated on a salary basis. 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 employees on a salary basis.</p>
SAFE HARBOR POLICY	<p>If the 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 deduction unless the District willfully violates the policy by continuing to make improper deductions after receiving employee complaints.</p> <p>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 the District's intranet.</p> <p><i>29 CFR 541.600, .602(a), .603</i></p>

COMPENSATION AND BENEFITS:  
SALARIES, WAGES, AND STIPENDS

DEA  
(LEGAL)

WAGE AND HOUR  
RECORDS

The District shall maintain and preserve payroll or other records for nonexempt employees containing the information required by the regulations under the Fair Labor Standards Act. *29 CFR 516.2*

TRS CONTRIBUTIONS  
FOR NEW HIRES

During each fiscal year, the District shall pay an amount equal to the state contribution rate, as established by the General Appropriations Act for the fiscal year, applied to the aggregate compensation of new members of the retirement system, during their first 90 days of employment.

“New member” means a person first employed on or after September 1, 2005, including a former member who withdrew retirement contributions under Government Code 822.003 and is reemployed on or after September 1, 2005.

On a monthly basis, the District shall:

1. Certify to TRS the total amount of salary paid during the first 90 days of employment of a new member and the total amount of employer payments under this section for the payroll periods; and
2. Retain information, as determined by TRS, sufficient to allow administration of this section, including information for each employee showing the applicable salary as well as aggregate compensation for the first 90 days of employment for new employees.

A person who was hired before September 1, 2005, and was subject to a 90-day waiting period for membership in the retirement system becomes eligible to participate in the retirement system as a member starting September 1, 2005. For the purpose of this section, the member shall be treated as a new member for the remainder of the waiting period.

The District must remit the amount required under this section to TRS at the same time the District remits the member’s contribution. In computing the amount required to be remitted, the District shall include compensation paid to an employee for the entire pay period that contains the 90th calendar day of new employment.

*Gov’t Code 825.4041*

TRS SURCHARGE  
FOR REHIRED  
RETIREEES

During each payroll period for which a retiree is reported, the District shall contribute to the retirement system for each retiree reported an amount based on the retiree’s salary equal to the sum of:

TRS FUND  
CONTRIBUTIONS

1. The current contribution amount that would be contributed by the retiree if the retiree were an active, contributing member; and

COMPENSATION AND BENEFITS:  
SALARIES, WAGES, AND STIPENDS

DEA  
(LEGAL)

2. The current contribution amount authorized by the General Appropriations Act that the state would contribute for that retiree if the retiree were an active, contributing member.

HEALTH  
INSURANCE  
CONTRIBUTIONS

In addition, each payroll period and for each rehired retiree who is enrolled in TRS Care (retiree group health insurance), the District shall contribute to the TRS Care trust fund any difference between the amount the retiree is required to pay for the retiree and any enrolled dependents to participate in the group program and the full cost of the retiree's and enrolled dependents' participation in the group program, as determined by TRS. If more than one employer reports the retiree to TRS during a month, the amount of the required payment shall be prorated among employers.

EXCEPTION

The District is not required to contribute these amounts for a retiree who was reported under retirement system rules in effect for the report month of January 2005 by:

1. The reporting employer; or
2. Another employer, if both employers are school districts that formed a consolidated school district on or before September 1, 2005.

*Gov't Code 825.4092; Insurance Code 1575.204*

RETIREMENT  
INCENTIVES

The District may not offer or provide a financial or other incentive to an employee to encourage the employee to retire from the Teacher Retirement System of Texas. *Education Code 22.007*

ATTENDANCE  
SUPPLEMENT

The District shall not deny an educator a salary bonus or similar compensation given in whole or in part on the basis of educator attendance because of the educator's absence from school for observance of a religious holy day observed by a religion whose places of worship are exempt from property taxation under Tax Code 11.20. *Education Code 21.406*

COMPENSATION AND BENEFITS:  
SALARIES, WAGES, AND STIPENDS

DEA  
(LOCAL)

	<p>The Superintendent shall recommend to the Board for approval compensation plans for all District employees. Compensation plans may include wage and salary structures, stipends, benefits, and incentives.</p>
PAY ADMINISTRATION	<p>The Superintendent shall administer the compensation plans consistent with the budget approved by the Board. The Superintendent or designee shall classify each job title within the compensation plans based on the qualifications and duties of the position. Within these classifications, the Superintendent or designee shall determine appropriate pay for new employees and employees reassigned to different positions.</p>
ANNUAL PAY INCREASES	<p>The Superintendent shall recommend to the Board an amount for employee pay increases as part of the annual budget. The Superintendent or designee shall determine annual increases for individual employees, within budgeted amounts.</p>
MID-YEAR PAY INCREASES	<p>A contract employee's pay shall not be increased after performance on the contract has begun unless there is a change in the employee's job assignment or duties that warrants additional compensation. Any such changes in pay during the term of the contract shall require Board approval.</p>
CONTRACT EMPLOYEES	
NONCONTRACT EMPLOYEES	<p>The Superintendent may grant a pay increase to a noncontract employee after duties have begun only when there is a change in the employee's job assignment or duties, or when an adjustment in the market value of the job warrants additional compensation. The Superintendent shall report any such pay increases to the Board at the next regular meeting.</p>
CLASSIFICATION OF POSITIONS	<p>The Superintendent or designee shall determine the classification of positions or employees as "exempt" or "nonexempt" for purposes of payment of overtime in compliance with the Fair Labor Standards Act (FLSA).</p>
EXEMPT	<p>The District shall pay employees who are exempt from the overtime pay requirements of the FLSA on a salary basis. The salaries of these employees are intended to cover all hours worked, and the District shall not make deductions that are prohibited under the FLSA.</p> <p>An employee who believes deductions have been made from his or her salary in violation of this policy should bring the matter to the District's attention, through the District's complaint policy. [See DGBA] If improper deductions are confirmed, the District will reimburse the employee and take steps to ensure future compliance with the FLSA.</p> <p>The Superintendent or designee may assign noncontractual supplemental duties to personnel exempt under the FLSA, as</p>

COMPENSATION AND BENEFITS:  
SALARIES, WAGES, AND STIPENDS

DEA  
(LOCAL)

needed. [See DK(LOCAL)] The employee shall be compensated for these assignments according to the District's compensation plans.

NONEXEMPT

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

A nonexempt employee shall have the approval of his or her supervisor before working overtime. An employee who works overtime without prior approval is subject to discipline but shall be compensated in accordance with the FLSA.

WORKWEEK  
DEFINED

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

COMPENSATORY  
TIME

At the District's option, nonexempt employees may receive compensatory time off, rather than overtime pay, for overtime work. The employee shall be informed in advance if overtime hours will accrue compensatory time rather than pay.

ACCRUAL

Compensatory time earned by nonexempt employees may not accrue beyond a maximum of 60 hours. If an employee has a balance of more than 60 hours of overtime, the employee will be required to use compensatory time or, at the District's option, will receive overtime pay.

USE

An employee shall use compensatory time within the duty year in which it is earned. If an employee has any unused compensatory time remaining at the end of a fiscal year, the employee shall receive overtime pay.

Compensatory time may be used at either the employee's or the District's option. An employee may use compensatory time in accordance with the District's leave policies and if such use does not unduly disrupt the operations of the District. [See DEC (LOCAL)] The District may require an employee to use compensatory time when in the best interest of the District.

EMPLOYEE STANDARDS OF CONDUCT:  
SEARCHES AND ALCOHOL/DRUG TESTING

DHE  
(LOCAL)

REASONABLE  
SUSPICION  
SEARCHES

The District reserves the right to conduct searches when the District has reasonable cause to believe that a search will uncover evidence of work-related misconduct. The District may search the employee, the employee's personal items, work areas, lockers, and private vehicles parked on District premises or worksites or used in District business.

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**Note:** The following provisions apply to employees who are covered by the federal Department of Transportation (DOT) rules.

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DEPARTMENT OF  
TRANSPORTATION  
TESTING PROGRAM

The District shall establish an alcohol and controlled substances testing program to help prevent accidents and injuries resulting from the misuse of alcohol and controlled substances by the drivers of commercial motor vehicles, including school buses. The primary purpose of the testing program is to prevent impaired employees from performing safety-sensitive functions.

DRUG-RELATED  
VIOLATIONS

The following constitute drug-related violations:

1. Refusing to submit to a required test for alcohol or controlled substances.
2. Providing an adulterated, diluted, or a substituted specimen on an alcohol or drug test.
3. Testing positive for alcohol, at a concentration of 0.04 or above, in a postaccident test.
4. Testing positive for controlled substances in a postaccident test.
5. Testing positive for alcohol, at a concentration of 0.04 or above, in a random test.
6. Testing positive for controlled substances in a random test.
7. Testing positive for alcohol, at a concentration of 0.04 or above, in a reasonable suspicion test.
8. Testing positive for controlled substances in a reasonable suspicion test.

The Superintendent shall designate a District official who shall be responsible for ensuring that information is disseminated to employees regarding prohibited driver conduct, alcohol and controlled substances tests, and the consequences that follow positive test results.

EMPLOYEE STANDARDS OF CONDUCT:  
SEARCHES AND ALCOHOL/DRUG TESTING

DHE  
(LOCAL)

CONSORTIUM

With specific Board approval, the Superintendent may contract on behalf of the District with outside consultants and contractors and work with a consortium of other local governments to secure the testing services, educational materials, and other component elements needed for this program.

Under such contract, the consortium shall be responsible for implementing, directing, administering, and managing the alcohol and controlled substances program within the U.S. Department of Transportation guidelines. The consortium shall serve as the principal contact with the laboratory and for collection activities in assuring the effective operation of the testing portion of the program.

REASONABLE  
SUSPICION  
TESTING

Only supervisors specifically trained in accordance with federal regulations may, based upon reasonable suspicion, remove a driver from a safety-sensitive position and require testing for alcohol and/or controlled substances. The determination of reasonable suspicion shall be based on specific observations of the appearance, behavior, speech, or body odors of the driver whose motor ability, emotional equilibrium, or mental acuity seems to be impaired. Such observations must take place just preceding, during, or just after the period of the workday that the driver is on duty.

The observations may include indication of the chronic and withdrawal effects of controlled substances. Within 24 hours of the observed behavior, the supervisor shall provide a signed, written record documenting the observations leading to a controlled substance reasonable suspicion test.

CONSEQUENCES  
OF POSITIVE TEST  
RESULTS

In addition to the consequences established by federal law, a District employee confirmed to have violated the District's policy pertaining to alcohol or controlled substances shall be subject to District-imposed discipline, as determined by his or her supervisor(s) and the Superintendent. Such discipline may include any appropriate action from suspension without pay during the period of removal from safety-sensitive functions, up to and including termination of employment. [See DF series]

In cases where a driver is also employed in a nondriving capacity by the District, disciplinary action imposed for violation of alcohol and controlled substances policies shall apply to the employee's functions and duties that involve driving. Additionally, upon recommendation of the employee's supervisor, disciplinary measures up to and including termination of employment with the District may be considered.

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EMPLOYEE STANDARDS OF CONDUCT:  
SEARCHES AND ALCOHOL/DRUG TESTING

DHE  
(LOCAL)

ALCOHOL  
RESULTS  
BETWEEN 0.02  
AND 0.04

A driver tested under this policy and found to have an alcohol concentration of 0.02 or greater, but less than 0.04, shall be suspended without pay from driving duties for 24 hours. Subsequent violation may subject the driver to termination in accordance with Board policy.

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**Note:** For provisions regarding inventory and requisition of textbooks, see CMD.

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STATE TEXTBOOK LISTS	For each subject and grade level, the State Board of Education (SBOE) shall adopt two lists of textbooks: conforming and nonconforming:
CONFORMING LIST	1. The conforming list includes each textbook that meets applicable physical specifications and contains material covering each element of the essential knowledge and skills of the subject and grade level.
NONCONFORMING LIST	2. The nonconforming list includes each textbook that meets the applicable physical specifications and contains material covering at least half, but not all, of the elements of the essential knowledge and skills.
	<i>Education Code 31.023</i>
REVIEW AND ADOPTION CYCLES	The SBOE shall adopt a review and adoption cycle for textbooks for each subject in the required curriculum under Education Code 28.002. <i>Education Code 31.022(a)</i>
INFORMATION FROM PUBLISHERS	A publisher shall provide each district with information that fully describes each of the publisher's adopted textbooks. On request of the District, a publisher shall provide a sample copy of an adopted textbook. <i>Education Code 31.027</i>
	Samples shall be provided and distributed at the expense of the publisher. No state or local funds shall be expended to purchase, distribute, or ship sample materials. <i>19 TAC 66.101(c)</i>
LOCAL SELECTION	Each year, during a period established by the SBOE, the Board shall select textbooks for subjects in the foundation and enrichment curricula. <i>Education Code 31.101(a)</i>
POLICY	The Board shall adopt a policy for selecting instructional materials. Final selections must be recorded in Board minutes. <i>19 TAC 66.104(a)</i>
FOUNDATION TEXTBOOKS	The Board shall select textbooks for a subject in the foundation curriculum from either the conforming list or the nonconforming list. <i>Education Code 31.101(a)(1)</i>
ENRICHMENT TEXTBOOKS	The Board may select textbooks for courses in the enrichment curriculum from the conforming list or the nonconforming list, or it may select books that do not appear on either list (nonadopted materials). <i>Education Code 21.101(a)(2)</i>

INSTRUCTIONAL MATERIALS SELECTION AND ADOPTION:  
TEXTBOOK SELECTION AND ADOPTION

EFAA  
(LEGAL)

DURATION OF SELECTION	Once instructional materials have been requisitioned and delivered, including nonadopted materials, the District shall continue to use those materials during the period of the review and adoption cycle the SBOE has established for the subject and grade level for which the materials are used. <i>Education Code 31.101(d); 19 TAC 66.104(f), (j)</i>
REPORT	By April 1 of each year, the District shall transmit a report to TEA listing the instructional materials selected for use in the District. Selections certified to TEA are final and, therefore, not subject to reconsideration during the original contract period or readoption contract periods covering the instructional materials selected. <i>19 TAC 66.104(g), (h)</i>
CRIMINAL OFFENSE	<p>A trustee, administrator, or teacher commits an offense if the person receives any commission or rebate on any textbooks used in the schools with which the person is associated.</p> <p>A trustee, administrator, or teacher commits an offense if the person accepts a gift, favor, or service that:</p> <ol style="list-style-type: none"><li>1. Is given to the person or the person's school;</li><li>2. Might reasonably tend to influence the person in the selection of a textbook; and</li><li>3. Could not be lawfully purchased with funds from the state textbook fund.</li></ol> <p>"Gift, favor, or service" does not include:</p> <ol style="list-style-type: none"><li>1. Staff development, in-service, or teacher training; or</li><li>2. Instructional materials, such as maps or worksheets, that convey information to the student or otherwise contribute to the learning process.</li></ol> <p><i>Education Code 31.152</i></p>
TEXTBOOK FUNDING	Annually, the SBOE shall set aside out of the available school fund an amount sufficient for districts to purchase and distribute the necessary textbooks for the use of the students of this state for the following school year. <i>Education Code 31.021(b)</i>
MAXIMUM COST	<p>The SBOE shall set a limit on the cost that may be paid from the state textbook fund for a textbook on the conforming or nonconforming list. <i>Education Code 31.025</i></p> <p>If the District selects instructional materials priced above the limit set by SBOE, the District is responsible for paying the publisher the portion of the cost above the state maximum. <i>19 TAC 66.104(b)</i></p>

INSTRUCTIONAL MATERIALS SELECTION AND ADOPTION:  
TEXTBOOK SELECTION AND ADOPTION

EFAA  
(LEGAL)

NONADOPTED MATERIALS	<p>If the District selects a book for a course in the enrichment curriculum and grade level that is not on either of the SBOE lists, the state shall pay the District the lesser of:</p> <ol style="list-style-type: none"><li data-bbox="561 411 1443 472">1. Seventy percent of the total actual cost to the District of the books; or</li><li data-bbox="561 506 1443 537">2. Seventy percent of the limit set by SBOE for that book.</li></ol> <p><i>Education Code 31.101(b)</i></p>
BRAILLE / LARGE-TYPE	<p>Funds received from the state under this provision may be used only to purchase the nonadopted instructional materials selected and ratified by the Board. The minutes of the Board meeting at which such a selection is ratified shall reflect the District's agreement to bear responsibility for the portion of the costs not eligible for payment by the state. <i>19 TAC 66.104(c), (e)</i></p> <p>The District also bears responsibility for providing Braille and/or large-type versions of nonadopted enrichment materials. <i>19 TAC 66.104(d)</i></p>
LOCAL FUNDS	<p>The District may use local funds to purchase any textbooks in addition to those selected under Education Code Chapter 31. <i>Education Code 31.106</i></p>
ANCILLARY MATERIALS	<p>Selection and use of ancillary materials is at the discretion of the Board. <i>19 TAC 66.104(p)</i></p>
HUMAN SEXUALITY MATERIALS	<p>Course materials relating to human sexuality, sexually transmitted diseases, or human immunodeficiency virus (HIV) or acquired immune deficiency syndrome (AIDS) shall be selected by the Board with the advice of the local school health advisory council. <i>Education Code 28.004(e)</i> [See EHAA]</p>

SPECIAL PROGRAMS:  
COMPENSATORY/ACCELERATED SERVICES

EHBC  
(LEGAL)

COMPENSATORY  
EDUCATION  
ALLOTMENT

The District is entitled to an annual compensatory education allotment for each student:

1. Who is educationally disadvantaged; or
2. Who does not have a disability and resides in a residential placement facility in the district in which the student's parent or legal guardian does not reside.

The number of educationally disadvantaged students is determined by the formula set forth at Education Code 42.152(b).

*Education Code 42.152(a)–(b)*

USE

The District shall use its compensatory education allotment to fund supplemental programs and services designed to eliminate any disparity in performance on state assessment instruments or disparity in the rates of high school completion between students at-risk of dropping out of school, as defined below, and all other students.

Specifically, the District may use the funds, other than an indirect cost allotment established by State Board rule, to meet the costs of providing a compensatory, intensive, or accelerated instruction program under Education Code 29.081, a disciplinary alternative education program under Education Code 37.008, or to support a Title I program [see EHBD], at a campus at which at least 40 percent of the students are educationally disadvantaged.

The District may also use allocated funds for:

1. A mentoring services program under Education Code 29.089;
2. An accelerated reading instruction program under Education Code 28.006(g);
3. A program for treatment of students who have dyslexia or a related disorder, as required by Education Code 38.003; and
4. A program under Education Code 29.081 specifically designed to serve students at risk of dropping out of school.

*Education Code 42.152(c), (c-1), (c-2)*

LIMIT ON DAEP  
EXPENDITURES

The District may not use more than 18 percent of its compensatory education allotment for disciplinary alternative education programs.

The Commissioner may waive this limitation upon an annual petition, by the District's Board and site-based decision making committee, presenting the reason for the need to spend supplemental compensatory education funds on disciplinary alternative education programs.

*Education Code 42.152(c)(1)–(2)*

DEFINITION OF  
AT-RISK STUDENT

“Student at risk of dropping out of school” includes each student who is under 21 years of age and who:

1. If the student is in prekindergarten, kindergarten, or grades 1–3, did not perform satisfactorily on a readiness test or assessment instrument administered during the current school year;
2. If the student is in grades 7–12 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. Was not advanced from one grade level to the next for one or more school years;
4. Did not perform satisfactorily on a state assessment instrument 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;
5. Is pregnant or is a parent;
6. Has been placed in a disciplinary alternative education program during the preceding or current school year;
7. Has been expelled 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. 11302 and its subsequent amendments [see FD]; or
13. Resided in the preceding school year or resides in the current school year in a residential placement facility in the District,

SPECIAL PROGRAMS:  
COMPENSATORY/ACCELERATED SERVICES

EHBC  
(LEGAL)

including a detention facility, substance abuse treatment facility, emergency shelter, psychiatric hospital, halfway house, or foster group home.

*Education Code 29.081(d)*

LOCAL ELIGIBILITY  
CRITERIA

In addition to students described above, a student who satisfies local eligibility criteria adopted by a Board may receive compensatory education services. The number of students receiving services under local eligibility criteria during a school year may not exceed ten percent of the number of students described above who received services from the District during the preceding school year. *Education Code 29.081(g)*

COMPENSATORY,  
INTENSIVE, AND  
ACCELERATED  
INSTRUCTION

The District shall use student performance data from state basic skills assessment instruments and achievement tests to design and implement appropriate compensatory, intensive, or accelerated instructional services for students in the District's schools that enable the students to perform at grade level at the conclusion of the next regular school term. *Education Code 29.081(a)*

ACCELERATED  
INSTRUCTION

The District shall provide accelerated instruction to enrolled students who have not performed satisfactorily on each section of the secondary exit-level assessment instrument or who are at risk of dropping out of school. *Education Code 29.081(b)*

EFFECTIVENESS

The District shall evaluate and document the effectiveness of the accelerated instruction in reducing any disparity in performance on state assessment instruments or disparity in the rates of high school completion between students at risk of dropping out of school and all other District students. *Education Code 29.081(c)*

DROPOUT  
RECOVERY  
EDUCATION  
PROGRAMS

The District may use a private or public community-based dropout recovery education program to provide alternative education programs for students at risk of dropping out of school. The programs must meet the criteria set forth at Education Code 29.081(e)(1)–(5).

Students in attendance at a dropout recovery education program shall be included in the District's average daily attendance for funding purposes.

*Education Code 29.081(f)*

OPTIONAL  
EXTENDED-YEAR  
PROGRAM

The District may set aside an amount from its compensatory education allotment or may apply to TEA for funding of an extended-year program (OEYP), for a period not to exceed 30 instructional days for students:

1. In kindergarten through grade 11, who are identified as not likely to be promoted to the next grade level for the succeeding school year; or

SPECIAL PROGRAMS:  
COMPENSATORY/ACCELERATED SERVICES

EHBC  
(LEGAL)

2. In grade 12, who are identified as not likely to graduate from high school before the beginning of the succeeding school year.

POLICY	If the District provides an OEYP, it shall adopt a policy designed to lead to immediate reduction and ultimate elimination of student retention.
PROGRAM CRITERIA	An OEYP must meet the requirements set forth at Education Code 29.082 and 19 TAC 105.1001.
PROMOTION OF STUDENT	A student who attends at least 90 percent of the program days and who satisfies the requirements for promotion at Education Code 28.021 shall be promoted or retained in accordance with Education Code 29.082(e).
TRANSPORTATION	The District shall provide transportation to each student who is required to attend a program under this section and who is eligible for regular transportation services. [See EIE and FDC]  <i>Education Code 29.082; 19 TAC 105.1001</i>
OPTIONAL FLEXIBLE YEAR PROGRAM	The District may provide an optional flexible year program (OFYP) for students who did not or are not likely to perform successfully on state assessment instruments or who would not otherwise be promoted to the next grade level.
PROGRAM CRITERIA	An OFYP must meet the requirements set forth at Education Code 29.0821 and 19 TAC 61.1017.  <i>Education Code 29.0821; 19 TAC 61.1017</i>
OPTIONAL FLEXIBLE SCHOOL DAY PROGRAM	Notwithstanding Education Code 25.081 (school year) or 25.082 (school day) [see EB and EC], the District may apply to the Commissioner to provide a flexible school day program (OFSDP) for students in grades 9 through 12.
PROGRAM CRITERIA	A district that meets application requirements may: <ol style="list-style-type: none"><li>1. Provide flexibility in the number of hours each day a student attends;</li><li>2. Provide flexibility in the number of days each week a student attends; or</li><li>3. Allow a student to enroll in less than or more than a full course load.</li></ol> A course offered in a program under this section must provide for at least the same number of instructional hours as required for a course offered in a program that meets the required minimum num-

ber of instructional days under Education Code section 25.081 and the required length of school day under Education Code section 25.082.

STUDENT  
ELIGIBILITY

The District may provide an OFSDP for students who:

1. Have dropped out of school or are at risk of dropping out of school, as defined above at DEFINITION OF AT-RISK STUDENT; or
2. Attend a campus that is implementing an innovative redesign of the campus or an early college high school under a plan approved by the Commissioner.

FUNDING

Funding for an optional flexible school day program shall be based on the number of instructional days in the District calendar and a seven-hour school day, but attendance may be cumulated over a school year, including any summer or vacation session. The attendance of students who accumulate less than the number of attendance hours required shall be proportionately reduced for funding purposes.

*Education Code 28.025*

TUTORIAL SERVICES

The District may provide tutorial services at District schools. If the District provides tutorial services, it shall require a student whose grade in a subject for a reporting period is lower than the equivalent of 70 on a scale of 100 to attend tutorials.

The District may provide transportation services to accommodate students who are required to attend tutorials and who are eligible for regular transportation.

*Education Code 29.084*

BASIC SKILLS  
PROGRAMS

The District may apply to the Commissioner for funding of basic skills programs for students in grade 9 who are at risk of not earning sufficient credit or who have not earned sufficient credit to advance to grade 10 and who fail to meet minimum skills levels established by the Commissioner.

With the consent of a student's parent or guardian, the District may assign a student to the basic skills program.

A basic skills program may not exceed 210 instructional days and must meet the requirements set forth at Education Code 29.086.

*Education Code 29.086*

AFTER-SCHOOL AND  
SUMMER INTENSIVE  
MATHEMATICS AND  
SCIENCE

The District may provide an intensive after-school program or an intensive program during the period that school is recessed for the summer to provide mathematics and science instruction to:

SPECIAL PROGRAMS:  
COMPENSATORY/ACCELERATED SERVICES

EHBC  
(LEGAL)

1. Students who are not performing at grade level in mathematics or science to assist those students in performing at grade level;
2. Students who are not performing successfully in a mathematics course or science course to assist those students in successfully completing the course; or
3. Other students as determined by the District.

Before providing a program, the Board must adopt a policy for:

1. Determining student eligibility for participating in the program that:
  - a. Prescribes the grade level or course a student must be enrolled in to be eligible; and
  - b. Provides for considering teacher recommendations in determining eligibility;
2. Ensuring that parents of or persons standing in parental relation to eligible students are provided notice of the program;
3. Ensuring that eligible students are encouraged to attend the program;
4. Ensuring that the program is offered at one or more locations in the District that are easily accessible to eligible students; and
5. Measuring student progress on completion of the program.

*Education Code 29.088, 29.090; 19 TAC 102.1041*

MENTORING  
SERVICES PROGRAM

The District may provide a mentoring services program to students at risk of dropping out of school. The Board may arrange for any public or nonprofit community-based organization to come to the District's schools and implement the program.

The Board shall obtain the consent of a student's parent or guardian before allowing the student to participate in the program.

*Education Code 29.089*

ACCELERATED  
READING  
INSTRUCTION  
PROGRAM

The District shall implement an accelerated reading instruction program that provides reading instruction that addresses reading deficiencies to each student in kindergarten, first grade, or second grade who is determined, on the basis of reading instrument results [see EKC], to be at risk for dyslexia or other reading difficulties. The District shall determine the form, content, and timing of the program.

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COMPENSATORY/ACCELERATED SERVICES

EHBC  
(LEGAL)

LIMITATION	<p>The District may implement an accelerated reading instruction program only if the Commissioner certifies that funds have been appropriated during a school year for administering the program.</p> <p><i>Education Code 28.006(f), (g)</i></p>
INTENSIVE PROGRAM OF INSTRUCTION	<p>The District shall offer an intensive program of instruction to a student who does not perform satisfactorily on a state assessment instrument.</p>
STATE ASSESSMENTS	<p>The program shall be designed to:</p> <ol style="list-style-type: none"><li>1. Enable the student to:<ol style="list-style-type: none"><li>a. To the extent practicable, perform at the student's grade level at the conclusion of the next regular school term; or</li><li>b. Attain a standard of annual growth specified by the District and reported by the District to TEA; and</li></ol></li><li>2. If applicable, carry out the purposes of Education Code 28.0211.</li></ol>
GRADUATION REQUIREMENTS	<p>The District shall use funds appropriated by the legislature for an intensive program of instruction to plan and implement intensive instruction and other activities aimed at helping a student satisfy state and local high school graduation requirements.</p>
NO CAUSE OF ACTION	<p>The District's determination of the appropriateness of an intensive program of instruction for a student is final and does not create a cause of action.</p> <p><i>Education Code 28.0213</i></p>

TITLE III REQUIREMENTS	A district that receives funds under Title III of the No Child Left Behind Act shall comply with the statutory requirements regarding limited English proficient (LEP) and immigrant students. <i>20 U.S.C. 6801–7014</i>
STATE POLICY	It is the policy of the State that every student who has a home language other than English and who is identified as LEP shall be provided a full opportunity to participate in a bilingual education or English as a second language (ESL) program.
DISTRICT RESPONSIBILITY	Each district shall: <ol style="list-style-type: none"><li>1. Identify LEP students based on criteria established by the State;</li><li>2. Provide bilingual education and ESL programs, as integral parts of the regular program;</li><li>3. Seek certified teaching personnel to ensure that LEP students are afforded full opportunity to master the essential knowledge and skills; and</li><li>4. Assess achievement for essential knowledge and skills in accordance with Education Code chapter 39 to ensure accountability for LEP students and the schools that serve them.</li></ol> <p><i>Education Code 29.051; 19 TAC 89.1201(a)</i></p>
IDENTIFICATION OF LEP STUDENTS	Within the first four weeks of the first day of school, the language proficiency assessment committee (LPAC) shall determine and report to the Board the number of LEP students on each campus and shall classify each student according to the language in which the student possesses primary proficiency. The Board shall report that information to TEA before November 1 each year. <i>Education Code 29.053(b)</i>
LANGUAGE PROFICIENCY ASSESSMENT COMMITTEES (LPAC)	Each district that is required to offer bilingual and special language programs shall, by local Board policy, establish a language proficiency assessment committee (LPAC). The District shall establish and operate a sufficient number of LPACs to enable them to discharge their duties within four weeks of the enrollment of LEP students. The District shall have on file policy and procedures for the selection, appointment, and training of members of the LPAC.
MEMBERSHIP OF LPAC	The LPAC shall include: <ol style="list-style-type: none"><li>1. A professional bilingual educator;</li><li>2. A professional transitional language educator;</li></ol>

3. A parent of a LEP student; and
4. A campus administrator.

The District may add other members to the committee in any of the required categories. If the District does not have an individual in one or more of the job classifications required, it shall designate another professional staff member to serve on the LPAC.

In districts and grade levels at which the District is not required to provide a bilingual education program, the LPAC shall be composed of one or more professional personnel and a District-designated parent of an LEP student.

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. The District shall be responsible for the orientation and training of all members, including the parents, of the LPAC.

*Education Code 29.063(a), (b); 19 TAC 89.1220(a)–(f)*

DUTIES

The LPAC shall have the duties set forth at Education Code 29.063(c) and 19 TAC 89.1220(g)–(j), (l).

HOME LANGUAGE  
SURVEY

Within four weeks of each student's enrollment, the District shall conduct a home language survey to determine the language normally used in the home and the language normally used by the student. The home language survey shall be conducted in English and in the home language, and signed by the student's parents if the student is in kindergarten through grade 8, or by the student if the student is in grades 9 through 12. The original copy of the survey shall be retained in the student's permanent record.

If a student is identified through the home language survey as normally speaking a language other than English, the student shall be tested in accordance with 19 TAC 89.1225 or, for students with disabilities, 19 TAC 89.1230.

*Education Code 29.056(a); 19 TAC 89.1215*

LEP  
CLASSIFICATION

The LPAC may classify a student as LEP 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

Within ten days of the LPAC's classification of a student as LEP, the LPAC shall give written notice to the student's parent. The notice must be in English and in the parent's primary language. The notice shall inform the parents of the benefits of the program for which the student is recommended and that it is an integral part of the school program.

Pending parent approval, the District shall place the student in the recommended program, but may count only those students with parent approval for bilingual education allotment.

*Education Code 29.056(a), (d); 19 TAC 89.1220(k)*

PARTICIPATION OF  
NON-LEP  
STUDENTS

With the approval of the District and a student's parents, a student who is not LEP may also participate in a bilingual education program. The number of participating students who are not LEP may not exceed 40 percent of the number of students enrolled in the program. *Education Code 29.058*

BILINGUAL AND ESL  
PROGRAMS

Each district with an enrollment of 20 or more LEP students in any language classification in the same grade shall offer a bilingual education or special language program, as follows:

1. Kindergarten through elementary grades: the District shall offer bilingual education.
2. Post-elementary through grade 8: the District shall offer bilingual education, ESL, or other transitional language instruction approved by TEA.
3. Grades 9 through 12: the District shall offer instruction in ESL.

If a program other than bilingual education must be used in kindergarten through the elementary grades, documentation for the exception must be filed with and approved by TEA.

*Education Code 29.053(c), (d), 29.054*

PROGRAM  
CONTENT

The District's bilingual education program shall be a full-time program of dual-language instruction that provides for learning

basic skills in the primary language of the students enrolled in the program and for carefully structured and sequenced mastery of English language skills.

An ESL program shall be an intensive program of instruction in English from teachers trained in recognizing and dealing with language differences. The bilingual or ESL program shall be designed to consider the students' learning experiences and shall incorporate the cultural aspects of the students' backgrounds.

Students enrolled in the bilingual or ESL programs shall be placed in classes with other students of approximately the same age and level of educational attainment. The District shall ensure that each student's instruction is appropriate to the student's level of educational attainment, and the District shall keep adequate records of the educational level and progress of each student enrolled in the program.

LEP students shall participate fully with English-speaking students in regular classes provided in subjects such as art, music, and physical education. The District shall provide students enrolled in the bilingual or ESL program a meaningful opportunity to participate fully with other students in all extracurricular activities. Elective courses may be taught in a language other than English.

*Education Code 29.055, 29.057(b); 19 TAC 89.1010(g)*

FACILITIES

Bilingual education and special language programs shall be located in the District's regular schools rather than in separate facilities. The District may concentrate the programs at a limited number of schools, provided that the enrollment in those schools shall not exceed 60 percent LEP students. *Education Code 29.057; 19 TAC 89.1235*

COOPERATION  
AMONG DISTRICTS

The District may join with one or more other districts to provide the required bilingual and special education programs. The availability of the programs shall be publicized throughout the districts involved.

The District may allow a nonresident LEP student to enroll in or attend its bilingual education or special language program if the student's district of residence does not provide an appropriate program. The tuition for the student shall be paid by the district of residence.

*Education Code 29.059*

SUMMER  
PROGRAM

If the District is required to offer a bilingual education or special language program, it shall offer a voluntary summer school program for LEP 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 established 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. The District shall comply with the requirements of 19 TAC 89.1250 in providing such a program.

OTHER PROGRAM

The District may establish on a full- or part-time basis other summer school, extended day, or extended week bilingual or special language programs for LEP students and may join with other districts in establishing such programs.

Neither the summer program nor the other programs may substitute for the program to be provided during the regular school year.

*Education Code 29.060*

PERSONNEL

Teachers assigned to bilingual education and ESL programs must be appropriately certified in bilingual education or ESL, respectively. *Education Code 29.061(b), (c)*

If the District is unable to hire a sufficient number of teachers with bilingual teaching or ESL certificates, the District may file an application for exception with TEA, in accordance with 19 TAC 89.1205(h).

*Education Code 29.054; 19 TAC 89.1205(g)*

LEP STUDENTS AND  
STATE  
ASSESSMENTS

In grades 3–12, an LEP student shall participate in the assessment of academic skills in accordance with Commissioner's rules at 19 TAC Chapter 101, subchapter AA. *19 TAC 101.5(d)* [See EKB]

PROGRAM EXIT

The District may transfer an LEP 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)*

NOTICE TO  
PARENTS

The District shall notify parents of a student's reclassification as English proficient and his or her exit from the bilingual or ESL program. *19 TAC 89.1240(b)*

POST-EXIT  
MONITORING

The LPAC committee 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*

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**Note:** Only districts that identify 15 or more eligible students are required to provide prekindergarten programs.

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TUITION-FREE

The District shall offer prekindergarten classes if it identifies 15 or more eligible students who are at least four years of age. The District may offer prekindergarten if it identifies 15 or more eligible children who are at least three years of age.

The District may not charge tuition for a prekindergarten program offered under these provisions.

EXEMPTION

The District may apply to the Commissioner for an exemption from the requirement that it provide a free prekindergarten program if the District would be required to construct classroom facilities in order to provide the program.

ELIGIBILITY

A child is eligible for enrollment in free prekindergarten if the child is at least three years of age and is:

1. Unable to speak and comprehend the English language;
2. Educationally disadvantaged;
3. Homeless, as defined by federal law [see FD(LEGAL)], regardless of the residence of the child, of either parent of the child, or of the child's guardian or other person having lawful control;
4. The child of an active duty member of the armed forces of the United States, including the state military forces or a reserve component of the armed forces, who is ordered to active duty by proper authority; or
5. The child of a member of the armed forces of the United States, including the state military forces or a reserve component of the armed forces, who was injured or killed while serving on active duty.

A child who is eligible for enrollment under item 4 or 5 above remains eligible if the child's parent leaves the armed forces, or is no longer on active duty, after the child begins the prekindergarten class.

NOTICE

The District shall develop a system to notify the population in the District with children who are eligible for enrollment in a free prekindergarten program of the availability of the program. The system must include public notices issued in English and Spanish.

SPECIAL PROGRAMS:  
PREKINDERGARTEN

EHBG  
(LEGAL)

HALF-DAY BASIS	A free prekindergarten class shall be operated on a half-day basis.
TRANSPORTATION	<p>The District is not required to provide transportation for a prekindergarten class. If transportation is provided, it is included for funding purposes as part of the regular transportation system.</p> <p><i>Education Code 29.153</i></p>
TUITION-SUPPORTED OR DISTRICT-FINANCED	<p>The District may offer on a tuition basis or use District funds to provide:</p> <ol style="list-style-type: none"><li>1. An additional half-day of prekindergarten classes to children eligible for free prekindergarten; and</li><li>2. Half-day and full-day prekindergarten classes to children not eligible for free prekindergarten.</li></ol> <p>The District may not adopt a tuition rate that is higher than necessary to cover the added costs of the program, including any costs associated with collecting, reporting, and analyzing data under Education Code 29.1532(c) (regarding PEIMS data for prekindergarten programs). The District must submit its proposed tuition rate to the Commissioner for approval.</p> <p><i>Education Code 29.1531</i></p>
PROGRAM DESIGN	<p>The District's prekindergarten program shall be designed to develop skills necessary for success in the regular public school curriculum, including language, mathematics, and social skills.</p> <p><i>Education Code 29.1532(a)</i></p>
PREKINDERGARTEN EXPANSION GRANT	<p>The District may use funds from grants administered by the Commissioner of Education to expand an existing half-day prekindergarten program to a full-day basis or to implement a prekindergarten program on a campus that does not have a prekindergarten program.</p> <p>The District may use funds received under this program to employ teachers and other personnel for a prekindergarten program or to acquire curriculum materials or equipment, including computers, for use in prekindergarten programs.</p> <p>The District may use funds granted under this program in contracting with another entity, including a private entity.</p> <p><i>Education Code 29.155</i></p>
READY TO READ GRANT	<p>A district that operates a prekindergarten program is eligible to apply for a Ready to Read grant if at least 75 percent of the children enrolled in the program are low-income students, as determined by Commissioner rule.</p>

Grants shall be used to provide scientific, research-based prereading instruction for the purpose of directly improving prereading skills and for identifying cost-effective models for prereading intervention. Grants funds shall be used for:

1. Professional staff development in prereading instruction;
2. Prereading curriculum and materials;
3. Prereading skills assessment materials; and
4. Employment of prereading instructors.

*Education Code 29.157*

STATEWIDE  
INFORMATION  
REFERRAL  
NETWORK

The District shall provide the Texas Information and Referral Network with information regarding eligibility for and availability of child-care and education services for inclusion in the statewide information referral network. The District shall provide the information in a form determined by the executive commissioner of the Texas Health and Human Services Commission. *Gov't Code 531.0312*

“Child care and education services” includes child-care and education services provided by the District through a prekindergarten or after-school program. *Gov't Code 531.03131(a)*

Staff of the Texas Information and Referral Network shall send an electronic mail message to each appropriate entity containing the name of and contact information for each applicant and a description of the services for which the applicant is applying.

On receipt of such an electronic mail message, the District shall contact the applicant to verify information regarding the applicant's eligibility for available child-care and education services. On certifying eligibility, the District shall match the applicant with entities providing those services in the applicant's community, including local workforce development boards, local child-care providers, or a Head Start or Early Head Start program provider.

The District shall cooperate with the Texas Information and Referral Network as necessary in the administration of this project.

*Gov't Code 531.0312(c)–(e)*

SHARED SITE

Before establishing a new prekindergarten program, the District shall consider the possibility of sharing use of an existing Head Start or other child-care program site as a prekindergarten site. *Education Code 29.1533*

PRE-K LICENSING  
STANDARDS

If the District contracts with a private entity to operate a prekindergarten program, the program shall comply at a minimum with the

Thrall ISD  
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SPECIAL PROGRAMS:  
PREKINDERGARTEN

EHBG  
(LEGAL)

applicable child-care licensing standards adopted by the Texas Department of Family and Protective Services under Human Resources Code 42.042. *Education Code 29.1532(b)*

TESTING PROGRAMS:  
STATE ASSESSMENT

EKB  
(LEGAL)

STATE ASSESSMENT  
OF ACADEMIC SKILLS

The statewide assessment program shall be primarily knowledge and skills based to ensure accountability for student achievement that achieves the state goals for public education. The state-adopted criterion-referenced assessment program shall be designed to assess essential knowledge and skills in reading, writing, mathematics, social studies, and science. Assessment instruments shall include assessment of a student's problem-solving ability and complex-thinking skills using a method of assessing those abilities and skills that is demonstrated to be highly reliable.

The state-adopted exit-level assessment instrument shall be designed to be administered to students in grade 11 to assess essential knowledge and skills in mathematics, English language arts, social studies, and science.

Every student receiving instruction in the essential knowledge and skills shall take the appropriate criterion-referenced tests, as required by Education Code 39.023(a), (b), (c), (l), and 39.027(e).

*Education Code 39.022, 39.023(a), (c), (f); 19 TAC 101.1, 101.5(a)*

To be eligible to receive a high school diploma, a nonexempt student must demonstrate satisfactory performance on the exit-level test. *Education Code 39.025(b); 19 TAC 101.7(a)* [See EIF]

ADMINISTRATION

The District shall follow the test administration procedures established by TEA in the applicable test administration materials. The Superintendent shall be responsible for:

1. Maintaining the integrity of the test administration process; and
2. Ensuring that every test administrator receives at least annual training in these procedures as provided by TEA through the education service centers.

*19 TAC 101.27*

SCHEDULE

The Commissioner shall specify the schedule for testing. The Superintendent shall be responsible for administering tests. The Commissioner may provide alternate dates for the administration of tests required for a high school diploma to students who are migratory children and who are out of the state. *19 TAC 101.25*

ALTERNATE  
TEST DATES

The Commissioner shall consider requests from districts or campuses for alternate test dates on a case-by-case basis. Alternate test dates shall only be allowed if the campus or District is closed on the day on which testing is scheduled or if there is an exceptional circumstance, defined below, that may affect the District's or campus's ability to administer an assessment or the students' performance on the assessment.

“Exceptional circumstances” include:

1. Inclement weather or natural disasters that would cause the District or campus to be closed or that would cause a small percentage of students to be in attendance on the day testing is scheduled;
2. Health epidemics that result in a large number of students being absent on the day of testing;
3. Death of a student or school official that may impact student performance; and
4. Sudden emergencies that occur on the day of testing or shortly before testing that may inhibit students from completing the assessments, such as a fire on campus, a bomb threat, an extended power outage, or a water main break.

If an alternate test date for primary test administration is approved, the Commissioner may prohibit the District or campus from participating in UIL competition on the new test date if that is determined to be in the best interest of the District, campus, and students.

*19 TAC 101.5003*

NOTICE TO PARENTS  
AND STUDENTS

In order to provide timely and full notification of graduation requirements and of testing requirements for advancement at certain grades, the Superintendent shall be responsible for:

1. Notifying each student and the student's parent or guardian in writing no later than the beginning of the student's seventh-grade year of the testing requirements for graduation;
2. Notifying each student in grades 7–12 new to the District and the student's parent or guardian in writing of the testing requirements for graduation;
3. Notifying each student who shall take the tests required for graduation and his or her parent or guardian, as well as out-of-school individuals, of the dates, times, and locations of testing;
4. Notifying each student and the student's parent or guardian in writing no later than the beginning of the student's first-grade year or no later than the beginning of the student's kindergarten year, for students attending kindergarten in the District, of the testing requirements for grade advancement as specified in Education Code 28.0211 [see EIE];
5. Notifying each student in grades 1–8 who is new to the District and his or her parent or guardian in writing of the testing requirements for grade advancement; and

6. Notifying each student required to take the grade advancement tests of the dates, times, and locations of testing.

*19 TAC 101.13*

RETAKES

According to procedures specified in the applicable test administration materials, an eligible student or out-of-school individual who has not met graduation requirements may retest on a schedule determined by the Commissioner. A student who has been denied a diploma because the student failed to meet standards of performance on any sections of the instrument may retake the sections each time the instrument is administered. A student shall not be required to demonstrate performance at a standard higher than the one in effect when the student was first eligible to take the test.

*Education Code 39.025(b); 19 TAC 101.7(a)(2), (d)*

ALL STUDENTS

All students, except students who are exempted, who are in special education programs, and whose ARD committees determine the assessment instrument would not provide an appropriate measure of achievement [see ALTERNATIVE ASSESSMENT, below], shall be assessed in:

1. Mathematics, annually in grades 3 through 7 without the aid of technology and in grades 8 through 11 with the aid of technology on any assessment instruments that include algebra;
2. Reading, annually in grades 3–9;
3. Writing, including spelling and grammar, in grades 4 and 7;
4. English language arts in grade 10;
5. Social studies in grades 8 and 10; and
6. Science in grades 5, 8, and 10.

*Education Code 39.023(a)*

SPECIAL EDUCATION  
STUDENTS

A student receiving special education services enrolled in grades 3–10 and who is receiving instruction in the essential knowledge and skills shall take the assessment of academic skills unless the student's ARD committee determines that it is an inappropriate measure of the student's academic progress as outlined in the student's IEP. If the ARD committee determines that the assessment is an inappropriate measure of the student's academic progress in whole or part, the student shall take the alternative assessment of academic skills in whole or part. Each testing accommodation shall be documented in the student's IEP in accordance with federal law. *19 TAC 101.5(b)*

ALTERNATIVE  
ASSESSMENT

The ARD committee shall determine the level of performance considered to be satisfactory on the assessment instruments administered to that student in accordance with TEA rules. *Education Code 39.024(a)*

TEA shall develop or adopt appropriate criterion-referenced assessment instruments to be administered to each student in a special education program who receives modified instruction in the essential knowledge and skills identified under Education Code 28.002 for the assessed subject but for whom an assessment instrument, even with allowable modifications, would not provide an appropriate measure of student achievement, as determined by the student's admission, review, and dismissal committee.

The alternative assessment instrument must assess essential knowledge and skills and growth in the subjects of reading, mathematics, and writing and shall be administered on the same schedule as the assessment instruments administered to all other students.

*Education Code 39.023(b)*

The alternative assessment of academic skills will measure annual growth based on appropriate expectations for each special education student, as determined by the student's ARD committee in accordance with criteria established by the Commissioner. *19 TAC 101.23(b)*

PERMISSIBLE  
ACCOMMODATIONS

Testing accommodations on the assessments administered are permitted for any student unless they would make a particular test invalid. Decisions regarding testing accommodations shall take into consideration the needs of the student and the accommodations the student routinely receives in classroom instruction.

For a student receiving special education services, the ARD committee shall determine the allowable accommodations necessary for the student to take the assessments and shall document them in the student's IEP. Permissible testing accommodations shall be described in the appropriate test administration materials.

*19 TAC 101.29*

EXEMPTIONS –  
SPECIAL  
EDUCATION

A student may be exempted from the administration of:

1. The state assessment instrument or an alternate assessment if the student is eligible for special education and the student's IEP does not include instruction in the essential knowledge and skills at any grade level;
2. Exit-level exams if the student is eligible for special education, and:

- a. The student's IEP does not include instruction in the essential knowledge and skills at any grade level; or
- b. The assessment instrument, even with allowable modifications, would not provide an appropriate measure of the student's achievement as determined by the student's ARD committee.

*Education Code 39.027(a)(1), (2)*

A student receiving special education services enrolled in grades 3–10, according to the grade implementation schedule stated at SPECIAL EDUCATION STUDENTS, and who is not receiving any instruction in the essential knowledge and skills, shall be considered exempt. Each exemption shall be documented in the student's IEP in accordance with federal law. Each exempted student shall take an appropriate locally selected assessment, as determined by the student's ARD committee, in accordance with procedures developed by TEA. Student performance results on these alternate assessments must be reported to TEA. *19 TAC 101.5(c)*

LEP STUDENTS  
IN SPECIAL  
EDUCATION

Decisions regarding the selection of assessments for LEP students who receive special education services shall be made by the ARD committee, which includes a member of the language proficiency assessment committee (LPAC) to ensure that issues related to the student's language proficiency are duly considered. *19 TAC 1001.1009(a)*

An LEP student who receives special education services may be exempted from the English language proficiency assessments only if the ARD committee determines that these assessments cannot provide a meaningful measure of the student's annual growth in English language proficiency for reasons associated with the student's disability. *19 TAC 101.1009(c)*

The provisions at LEP STUDENTS AT OTHER GRADES apply to the assessment of academic skills and the state-developed alternative assessment of academic skills. *19 TAC 101.1009(d)*

An LEP student who receives special education services and whose parent or guardian has declined the services required by Education Code Chapter 29, Subchapter B [see EHBE], is not eligible for an exemption on the basis of limited English proficiency. *19 TAC 101.1009(e)*

STUDENTS WITH  
DYSLEXIA

TEA shall adopt or develop appropriate criterion-referenced assessment instruments designed to assess the ability of and to be administered to each student who is determined to have dyslexia or a related disorder and who is an individual with a disability under 29 U.S.C. 705(20), for whom the assessment instruments, even

with allowable modifications, would not provide an appropriate measure of student achievement, as determined by the committee established by the Board to determine the placement of students with dyslexia or related disorders. The committee shall determine whether any allowable modification is necessary in administering to a student an assessment instrument required under this provision. *Education Code 39.023(n)*

LIMITED ENGLISH  
PROFICIENCY (LEP)  
STUDENTS

In grades 3–12, an LEP student, as defined by Education Code Chapter 29, Subchapter B, shall participate in the assessment of academic skills in accordance with Commissioner's rules at 19 TAC Chapter 101, subchapter AA. In grades 3–6, the LPAC [see EHBE] shall determine whether a nonexempt LEP student whose primary language is Spanish will take the assessment of academic skills in English or in Spanish. The decision as to the language of the assessment shall be based on the assessment that will provide the most appropriate measure of the student's academic progress. *19 TAC 101.5(d)*

ACADEMIC  
PROGRESS  
EVALUATION

An LEP student who is exempt from the administration of an assessment instrument who achieves reading proficiency in English as determined by the assessment system shall be administered the appropriate assessment instrument. *Education Code 39.027(e)*

TESTING IN  
SPANISH

Each LEP student whose primary language is Spanish, other than a student eligible for special education services, may be assessed using assessment instruments in Spanish for up to three years or assessment instruments in English. The LPAC shall determine which students are to be administered assessment instruments in Spanish. *Education Code 39.023(l), (m)*

ENGLISH  
LANGUAGE  
PROFICIENCY  
TESTS

In kindergarten through grade 12, LEP students shall be administered state-identified English language proficiency assessments annually in listening, speaking, reading, and writing to fulfill the state requirements for the assessment of academic skills and federal requirements under the No Child Left Behind Act. *19 TAC 101.1001*

LANGUAGE  
PROFICIENCY  
ASSESSMENT  
COMMITTEE

The LPAC shall select the appropriate assessment option for each LEP student in accordance with this policy at LEP STUDENTS AT THE EXIT LEVEL and LEP STUDENTS AT OTHER GRADES. Assessment decisions must be made on an individual student basis in accordance with administrative procedures established by TEA. The LPAC must document the reason for the postponement or exemption in the student's permanent record file. The District shall make a reasonable effort to determine a student's previous testing history. *19 TAC 101.1003*

EXEMPTIONS

A student may be exempted from the administration of the state assessment of academic skills:

1. For up to one year if the student is of limited English proficiency and has not demonstrated proficiency in English as determined by the assessment system developed to evaluate academic progress of an LEP student; or
2. For an additional two years if the student received the one year exemption and is a recent unschooled immigrant or is in a grade for which no assessment instrument in the primary language of the student is available.

“Recent unschooled immigrant” means an immigrant who initially enrolled in a school in the United States not more than 12 months before the date of the administration of an assessment of academic skills and who, as a result of inadequate schooling outside of the United States, lacks the necessary foundation in the essential knowledge and skills of the curriculum determined by the LPAC. [See EHBE] To the extent authorized by federal law, a child’s prior enrollment in a school in the United States shall be determined on the basis of documents and records required for enrollment. [See FD]

*Education Code 39.027(a)(3), (4), (g)*

LEP STUDENTS AT  
THE EXIT LEVEL

LEP students are not eligible for an exemption from the exit-level assessment of academic skills on the basis of limited English proficiency. However, LEP students who are recent immigrants may postpone one time the initial administration of the exit-level test. “Recent immigrant” means an immigrant who first enrolls in U.S. schools no more than 12 months before the administration of the test from which the postponement is sought. *19 TAC 101.1005*

LEP STUDENTS AT  
OTHER GRADES

In grades 3–6, the LPAC shall determine whether an LEP student is administered the assessment of academic skills in English or in Spanish. An LEP student may be administered a Spanish version of the assessment of academic skills for a maximum of three years. If the LEP student is an immigrant, the number of LEP exemptions and administrations of the assessment in Spanish must not exceed three.

IMMIGRANT  
STUDENTS

Certain immigrant LEP students who have had inadequate schooling outside the U.S. may be eligible for an exemption from the assessment of academic skills during a period not to exceed their first three school years of enrollment in U.S. schools. “Immigrant” is defined as a student who has resided outside the 50 United States for at least two consecutive years.

1. An immigrant LEP student who achieves a rating of advanced high on the state-administered reading proficiency tests in

English during the student's first school year of enrollment in U.S. schools is not eligible for an exemption in the second or third school year of enrollment in U.S. schools. An immigrant LEP student who achieves a rating of advanced or advanced high on this assessment during the student's second school year of enrollment in U.S. schools is not eligible for an exemption in the third school year of enrollment in U.S. schools.

2. During the first school year of enrollment in U.S. schools, the immigrant student may be granted an LEP exemption if the LPAC determines that the student has not had the schooling outside the U.S. necessary to provide the foundation of learning that Texas schools require and measure on the assessment, whether the foundation be in knowledge of the English language or specific academic skills and concepts in the subjects assessed.
3. During the second and third school year of enrollment in U.S. schools, the immigrant student whose schooling outside the U.S. was inadequate and for whom a primary language assessment is not available may be granted an LEP exemption if the LPAC determines that the student lacks the academic language proficiency in English necessary for an assessment of academic skills in English to measure the student's academic progress in a valid, reliable manner.
4. During the second and third school year of enrollment in U.S. schools, the immigrant student whose schooling outside the U.S. was inadequate and for whom a Spanish-version assessment is available is not eligible for an LEP exemption and must take the assessment in either English or Spanish unless:
  - a. The student is in an English as a second language program that does not call for instruction in Spanish and the LPAC determines that the student lacks the language proficiency in English and the academic instruction and/or literacy in Spanish for the assessment in either English or Spanish to measure the student's academic progress in a valid, reliable manner; or
  - b. The student is in a bilingual education program and the LPAC has documentation, including signed verification by the parent or guardian whenever possible, that there was an extensive period of time outside the U.S. in which the student did not attend school and that this absence of schooling resulted in such limited academic achievement and/or literacy that assessment in either English or Spanish is inappropriate as a measure for

school accountability. The term “extensive period of time outside the U.S.,” as used in this paragraph, shall be defined in the test administration materials.

Students exempted under the above provisions shall be administered assessments in subjects and grades required by federal law and regulations as delineated in the test administration materials. Exempt students assessed only for federal accountability purposes shall not be subject to the grade advancement requirements under the Student Success Initiative.

An LEP student whose parent or guardian has declined the services required by Education Code Chapter 29, Subchapter B [see EHBE], is not eligible for an exemption under the above provisions. The student shall take the assessments of academic skills in English and the English Language Proficiency Assessments.

The District may administer the assessment of academic skills in Spanish to a student who is not identified as LEP but who participates in a two-way bilingual program if the LPAC determines the assessment in Spanish to be the most appropriate measure of the student’s academic progress. However, the student may not be administered the Spanish-version assessment for longer than three years.

*19 TAC 101.1007*

EXIT-LEVEL TEST —  
STUDENTS FROM  
OTHER STATES

The Commissioner by rule shall adopt one or more alternative, nationally recognized, norm-referenced assessment instruments to administer to a student to qualify for a high school diploma if the student enrolls after January 1 of the school year in which the student is otherwise eligible to graduate:

1. For the first time in a public school in Texas; or
2. After an absence of at least four years from any public school in Texas.

*Education Code 39.025(d)*

FOREIGN EXCHANGE  
STUDENTS

A foreign exchange student who has waived in writing his or her intention to receive a Texas high school diploma may be excused from the exit-level assessment requirement. *19 TAC 101.7(a)(3)*

REPORTING  
RESULTS  
  
TO THE PUBLIC

Overall student performance data, aggregated by ethnicity, sex, grade level, subject area, campus, and District, shall be made available to the public, with appropriate interpretations, at regularly scheduled meetings of the Board, after receipt from TEA. The information shall not contain the names of individual students or teachers. *Education Code 39.030(b)*

TESTING PROGRAMS:  
STATE ASSESSMENT

EKB  
(LEGAL)

TO THE BOARD	The Superintendent shall accurately report all test results with appropriate interpretations to the Board according to the schedule in the applicable test administration materials.
TO PARENTS AND STUDENTS	The District shall notify each of its students and his or her parent or guardian of test results, observing confidentiality requirements stated at CONFIDENTIALITY. All test results shall be included in each student's academic achievement record and shall be furnished for each student transferring to another district or school. [See BQ series, FD, and FL]  <i>19 TAC 101.81; No Child Left Behind Act, 20 U.S.C. 6311(h)(6)</i>
PARENTAL ACCESS	A parent is entitled to access to a copy of each state assessment instrument administered to the parent's child. This right of access does not apply, however, to those instruments or particular questions that are being field-tested by TEA. <i>Education Code 26.005, 26.006(a)(2)</i>
SECURITY	The statewide assessment program is a secure testing program. Procedures for maintaining security shall be specified in the appropriate test administration materials. Secure test materials must be accounted for before, during, and after each test administration. Only authorized personnel may have access to secure test materials. <i>19 TAC 101.61</i>
CONFIDENTIALITY	The contents of each test booklet and answer document are confidential in accordance with state and federal law. Individual student performance results are confidential and may be released only in accordance with the Family Education Rights and Privacy Act of 1974. <i>Education Code 39.030(b); 19 TAC 101.63</i> [See FL and GBA]
PENALTIES	Violation of security or confidential integrity of any test shall be prohibited. A person who engages in prohibited conduct may be subject to sanction of credentials.  Procedures for maintaining the security and confidential integrity of a test shall be specified in the appropriate test administration materials. Conduct that violates the security and confidential integrity of a test is defined as any departure from the test administration procedures established by the Commissioner. Conduct of this nature may include the following acts and omissions:  <ol style="list-style-type: none"><li>1. Duplicating secure examination materials;</li><li>2. Disclosing the contents of any portion of a secure test;</li><li>3. Providing, suggesting, or indicating to an examinee a response or answer to a secure test item or prompt;</li></ol>

4. Changing or altering a response or answer of an examinee to a secure test item or prompt;
5. Aiding or assisting an examinee with a response or answer to a secure test item or prompt;
6. Encouraging or assisting an individual to engage in the conduct described in 1–5 above; or
7. Failing to report to an appropriate authority that an individual has engaged in conduct outlined in 1–6 above.

Any person who violates, assists in the violation of, or solicits another to violate or assist in the violation of test security or confidential integrity, and any person who fails to report such a violation are subject to the following penalties:

1. Placement of restrictions on the issuance, renewal, or holding of a Texas teacher certificate, either indefinitely or for a set term;
2. Issuance of an inscribed or non-inscribed reprimand;
3. Suspension of a Texas teacher certificate for a set term; or
4. Revocation or cancellation of a Texas teacher certificate without opportunity for reapplication for a set term or permanently.

Any irregularities in test security or confidential integrity may also result in the invalidation of student results.

The Superintendent and campus principal shall develop procedures to ensure the security and confidential integrity of the tests and shall be responsible for notifying TEA in writing of conduct that violates the security or confidential integrity of a test. Failure to report can subject the person responsible to the applicable penalties specified above.

*19 TAC 101.65*

ADMISSIONS:  
INTERDISTRICT TRANSFERS

FDA  
(LOCAL)

AUTHORITY	<p>The Superintendent is authorized to accept or reject any transfer requests, provided that such action is without regard to race, religion, color, sex, disability, national origin, or ancestral language.</p> <p>A resident student who becomes a nonresident during the course of a semester shall be permitted to continue in attendance for the remainder of the semester.</p>
TRANSFER REQUESTS	<p>A nonresident student wishing to transfer into the District shall file an application for transfer each school year with the Superintendent or designee. Transfers shall be granted for one regular school year at a time.</p>
FACTORS	<p>In approving transfers, the Superintendent or designee shall consider availability of space and instructional staff, the student's disciplinary history, and attendance records.</p>
REVOCAION OF TRANSFER	<p>A transfer student shall be notified in the written transfer agreement that he or she must follow all rules and regulations of the District, including those for student conduct and attendance, and that violation of the District's rules and regulations may result in revocation of the transfer agreement. The effective date of the revocation will be set in accordance with the written transfer agreement.</p> <p>Written notification of any transfer revocation shall be sent to the school district of residence.</p>
TUITION	<p>If the District charges tuition, the amount shall be set by the Board, within statutory limits.</p>
WAIVERS	<p>The Board may waive tuition for a student based on financial hardship upon written application by the student, parent, or guardian. [See FP]</p>
NONPAYMENT	<p>The District may initiate withdrawal of students whose tuition payments are delinquent.</p>
APPEALS	<p>Any appeals shall be made in accordance with FNG(LOCAL) and GF(LOCAL), as appropriate.</p>

An eligible student may attend a public school in the district in which the student resides or may use a public education grant to attend any other district chosen by the student's parent. *Education Code 29.201*

ELIGIBLE STUDENTS

An eligible student may use a public education grant to attend a school in another district chosen by the parent. "Eligible students" are those assigned to attend a public school campus:

1. At which 50 percent or more of the students did not perform satisfactorily on the state-mandated assessments in any two of the three preceding years; or
2. That was considered academically unacceptable at any time in the preceding three years.

After a student has used a public education grant to attend a school in a district other than the district in which the student resides:

1. The student does not become ineligible for the grant if the school on which the student's initial eligibility is based no longer meets the criteria described above; and
2. The student becomes ineligible for the grant if the student is assigned to attend a school that does not meet the criteria described above.

*Education Code 29.201, 29.202*

FUNDING

The District is entitled to a public education grant allotment for each eligible student using a public education grant.

The District is entitled to additional facilities assistance under Education Code 42.4101 if the District agrees to:

1. Accept a number of students using public education grants that is at least one percent of the District's average daily attendance for the preceding school year; and
2. Provide services to each student until the student either voluntarily decides to attend a school in a different district or graduates from high school.

AVERAGE DAILY  
ATTENDANCE

A student who uses a public education grant to attend a public school in a district other than the district in which the student resides is included in the average daily attendance of the district in which the student attends school.

*Education Code 29.203(a)-(c); 19 TAC 61.1011*

INTERDISTRICT TRANSFERS:  
PUBLIC EDUCATION GRANTS

FDA  
(LEGAL)

ADMISSION	A district chosen by a student's parent under Education Code section 29.201 is entitled to accept or reject the application for the student to attend school in that district, but may not use criteria that discriminate on the basis of the student's race, ethnicity, academic achievement, athletic abilities, language proficiency, sex, or socioeconomic status.
PRIORITIES	If the District has more acceptable applicants for attendance under public education grants than available positions, it must give priority to students at risk of dropping out of school, as defined by Education Code section 29.081 [see EHBC] and must fill the available positions by lottery.
EXCEPTION	To achieve continuity in, however, the District may give preference over at-risk students to: <ol style="list-style-type: none"><li>1. Enrolled students; or</li><li>2. Siblings or other children residing in the same household as enrolled students, for the convenience of parents, guardians, or custodians of those children.</li></ol>
TUITION	A district chosen by a student's parent under a public education grant may not charge the student tuition.  <i>Education Code 29.203 (b), (c)</i>
CONTRACT FOR SERVICES	The Board may contract for the provision of educational services to a student eligible to receive a public education grant. <i>Education Code 29.205</i>
COMMISSIONER'S NOTICE	Not later than February 1 of each year, the District shall notify the parent of each student in the District assigned to attend a campus described by Education Code 29.202 that the student is eligible for a public education grant. The notice must contain a clear, concise explanation of the public education grant program and of the manner in which the parent may obtain further information about the program. <i>Education Code 29.204</i>
TRANSPORTATION	The district in which a student resides shall provide each student attending a school in another district under a public education grant transportation free of charge to and from the school the student would otherwise attend. <i>Education Code 29.203(f)</i>

ATTENDANCE:  
COMPULSORY ATTENDANCE

FEA  
(LEGAL)

GENERAL RULE

Students who are at least six years of age, or who have been previously enrolled in first grade, and who have not yet reached their eighteenth birthday shall attend school for the entire period the program is offered, unless exempted as indicated below. Students enrolled in prekindergarten or kindergarten shall attend school.

STUDENTS 18 AND OVER

A person who voluntarily enrolls in school or voluntarily attends school after the person's eighteenth birthday shall attend school each school day for the entire period the program of instruction is offered. The District may revoke for the remainder of the school year the enrollment of a person who has more than five unexcused absences in a semester. A person whose enrollment is revoked for exceeding this limit may be considered an unauthorized person on school grounds for the purposes of Education Code 37.107 regarding trespassing.

ACCELERATED /  
COMPENSATORY  
PROGRAMS

A student must also attend:

1. An extended-year program for which the student is eligible that is provided by the District for students identified as likely not to be promoted to the next grade level or tutorial classes required by the District under Education Code 29.084 [see EHBC];
2. An accelerated reading instruction program to which the student has been assigned under Education Code 28.006(g) [see EKC];
3. An accelerated instruction program to which the student is assigned under Education Code 28.0211 [see EIE];
4. A basic skills program to which the student is assigned under Education Code 29.086 [see EHBC]; or
5. A summer program provided:
  - a. To a student placed in in-school suspension or other alternative setting, other than a disciplinary alternative education program (DAEP), who has been offered the opportunity to complete each course in which the student was enrolled at the time of removal. [See FO]
  - b. To a student removed to a DAEP who has been offered an opportunity to complete coursework, before the beginning of the next school year. [See FOCA]

*Education Code 25.085*

EXEMPTIONS

Students who meet one or more of the following conditions shall be exempt from compulsory attendance requirements:

ATTENDANCE:  
COMPULSORY ATTENDANCE

FEA  
(LEGAL)

- |                                                    |    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----------------------------------------------------|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| EQUIVALENCY<br>DIPLOMA                             | 1. | The student is at least 17 years of age and has been issued a high school equivalency certificate or diploma.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| PRIVATE OR HOME<br>SCHOOL                          | 2. | <p>The student attends a private or parochial school that includes in its course a study of good citizenship.</p> <p>A student in a home school shall be exempt from compulsory attendance if he or she is pursuing in good faith a curriculum consisting of books, workbooks, other written materials (including those that appear on an electronic screen of either a computer or video tape monitor), or any combination of these. The curriculum shall be designed to meet basic education goals of reading, spelling, grammar, mathematics, and a study of good citizenship. <i>TEA v. Leeper, 893 S.W.2d 432 (Tex. 1994)</i></p> |
| SPECIAL<br>EDUCATION —<br>NONDISTRICT<br>PLACEMENT | 3. | The student is eligible to participate in the District's special education program under Education Code 29.003 and cannot be appropriately served by the resident district.                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| MEDICAL<br>CONDITION                               | 4. | The student has a temporary and remediable physical or mental condition that renders attendance infeasible and the student has a certificate from a qualified physician that specifies the condition, indicates the prescribed treatment, and covers the anticipated time of absence needed for receiving and recuperating from remedial treatment.                                                                                                                                                                                                                                                                                    |
| EXPULSION — NO<br>JJAEP                            | 5. | The student has been expelled in accordance with legal requirements in a district that does not participate in a mandatory juvenile justice alternative education program. [See FOD]                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 17-YEAR-OLD IN<br>GED COURSE                       | 6. | <p>The student is at least 17 years old, is attending a course of instruction to prepare for the high school equivalency examinations, and:</p> <ul style="list-style-type: none"><li>a. Has the permission of the student's parent or guardian to attend the course;</li><li>b. Is required by court order to attend the course;</li><li>c. Has established a residence separate and apart from the student's parent, guardian, or other person having lawful control of the student; or</li><li>d. Is homeless as defined by 42 U.S.C. 11302.</li></ul>                                                                              |
| HIGH SCHOOL<br>REPLACEMENT<br>PROGRAMS             | 7. | The student is enrolled in the Texas Academy of Leadership in the Humanities or Texas Academy of Mathematics and Science.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

ATTENDANCE:  
COMPULSORY ATTENDANCE

FEA  
(LEGAL)

16-YEAR-OLD IN GED PROGRAM OR JOB CORPS	8. The student is at least 16 years old and is attending a course of instruction to prepare for the high school equivalency examinations, if:  a. The student is recommended to take the course by a public agency that has supervision or custody of the student under a court order; or  b. The student is enrolled in a Job Corps training program under the Workforce Investment Act of 1998, 29 U.S.C. 2801.
OTHER EXEMPTION	9. The student is specifically exempted under another law.  <i>Education Code 25.086</i>
EXCUSED ABSENCES	A person required to attend school may be excused for temporary absence resulting from any cause acceptable to the teacher, principal, or superintendent of the school in which the person is enrolled. <i>Education Code 25.087</i>
TEMPORARY ABSENCES	
SPECIAL EDUCATION MATTERS	Students may be excused for special education assessment procedures and for special education-related services. <i>19 TAC 129.21(l)</i>
COURT PROCEEDINGS	A student who has been referred to a juvenile court for delinquent conduct or conduct indicating a need for supervision shall receive an excused absence for any missed class when:  1. The assigned juvenile judge or probation officer has detained the student or required the student to participate in activities related to the student's referral;  2. Detention or participation in such activities resulted in absence from class;  3. The probation officer communicates the cause of the absence in writing to District personnel; and  4. The student successfully completes all missed assignments.  <i>19 TAC 129.22(a)</i>
HUMAN SERVICES ACTIVITIES	A student who has been referred to the Texas Department of Human Services or a county or local welfare unit on the basis that he or she has been abused or is neglected shall be excused when:  1. The assigned caseworker has required the student to participate in activities related to the student's referral;  2. Participation in such activities resulted in an absence from class;

ATTENDANCE:  
COMPULSORY ATTENDANCE

FEA  
(LEGAL)

3. The caseworker communicates the cause of the absence in writing to District personnel; and
4. The student successfully completes all missed assignments.

*19 TAC 129.22(b)*

HOLY DAYS

The District shall excuse a student from attending school for the purpose of observing religious holy days, including traveling for that purpose. Excused days for travel shall be limited to not more than one day for travel to and one day for travel from the site where the student will observe the religious holy days.

HEALTH CARE  
APPOINTMENTS

The District shall excuse a student for temporary absence resulting from an appointment with a health-care professional if that student commences classes or returns to school on the same day of the appointment.

*Education Code 25.087; 19 TAC 129.21(k) [See FEB]*

MAKE-UP WORK

A student who is excused for the observance of a religious holy day or for a temporary medical absence shall be allowed a reasonable time to make up school work missed on those days. If the student satisfactorily completes the work, the days of absence shall be counted as days of compulsory attendance. The student shall not be penalized for the absence. *Education Code 25.087*

In the case of a student who has missed class due to court proceedings or human services activities, it is the responsibility of the liaison for court-related children [see FFC(LEGAL)] to assist students and teachers to ensure that students are provided the opportunity to complete all missed assignments. *19 TAC 129.22(c)*

NOTICES TO  
PARENTS

WARNING NOTICE

The District shall notify a student's parent in writing at the beginning of the school year that, if the student is absent from school on ten or more days or parts of days within a six-month period in the same school year or on three or more days or parts of days within a four-week period, the student's parent is subject to prosecution under Education Code 25.093, and the student is subject to prosecution under Education Code 25.094 or to referral to a juvenile court in a county with a population less than 100,000.

NOTICE OF  
ABSENCES

The District shall notify a student's parent if the student has been absent from school, without excuse under Education Code 25.087, on three days or parts of days within a four-week period. The notice must:

1. Inform the parent that:
  - a. It is the parent's duty to monitor the student's school attendance and require the student to attend school, and

ATTENDANCE:  
COMPULSORY ATTENDANCE

FEA  
(LEGAL)

- b. The parent is subject to prosecution under Education Code 25.093; and
2. Request a conference between school officials and the parent to discuss the absences.

The fact that a parent did not receive the notices described above is not a defense to prosecution for the parent's failure to require a child to attend school nor for the student's failure to attend school.

*Education Code 25.095*

NON-ATTENDANCE  
PARENT LIABILITY

If a warning notice is issued, a parent or person standing in parental relation with criminal negligence fails to require the child to attend school as required by law, and the child has absences for the amount of time specified under Education Code 25.094, the attendance officer [see FED] or other appropriate school official shall file a complaint against him or her in an appropriate court, as permitted under Education Code 25.093.

AFFIRMATIVE  
DEFENSE —  
PARENT

It is an affirmative defense to prosecution that one or more of the absences required to be proven was excused by a school official or should be excused by the court. A decision by the court to excuse an absence for this purpose does not affect the ability of the District to determine whether to excuse the absence for another purpose.

*Education Code 25.093*

STUDENT  
LIABILITY

A student who is required to attend school under the compulsory attendance laws and fails to attend school on ten or more days or parts of days within a six-month period in the same school year or on three or more days or parts of days within a four-week period may be prosecuted for nonattendance in:

1. The constitutional county court of the county in which the individual resides or in which the school is located, if the county has a population of two million or more;
2. The justice court of any precinct in the county in which the student resides;
3. The justice court of any precinct in the county in which the school is located;
4. The municipal court in the municipality in which the child resides; or
5. The municipal court in the municipality in which the school is located.

*Education Code 25.094(a), (b)*

ATTENDANCE:  
COMPULSORY ATTENDANCE

FEA  
(LEGAL)

CONDUCT IN NEED OF SUPERVISION	Conduct indicating a need for supervision includes the absence of a child on ten or more days or parts of days within a six-month period in the same school year or on three or more days or parts of days within a four-week period from school. <i>Family Code 51.03(b)(2)</i>
AFFIRMATIVE DEFENSE — STUDENT	<p>It is an affirmative defense to prosecution for nonattendance or to an allegation of conduct in need of supervision that one or more of the absences required to be proven were excused by a school official or by the court or that one or more of the absences were involuntary, but only if there is an insufficient number of unexcused or voluntary absences remaining to constitute an offense.</p> <p>A decision by the court to excuse an absence for this purpose does not affect the ability of the District to determine whether to excuse the absence for another purpose.</p> <p><i>Education Code 25.094(f), (g); Family Code 51.03(d)</i></p>
DISTRICT COMPLAINT OR REFERRAL	<p>If a student fails to attend school without excuse on ten or more days or parts of days within a six-month period in the same school year, the District shall within seven school days of the student's last absence:</p> <ol style="list-style-type: none"><li data-bbox="561 1066 1443 1234">1. File a complaint against the student or the student's parent or both in a county, justice, or municipal court for an offense under Education Code 25.093 or 25.094, as appropriate, or refer the student to a juvenile court in a county with a population of less than 100,000; or</li><li data-bbox="561 1266 1443 1339">2. Refer the student to a juvenile court for conduct indicating a need for supervision under Family Code 51.03(b)(2).</li></ol> <p>A court shall dismiss a complaint or referral by the District that does not comply with these requirements.</p> <p>The District may take the actions listed above if a student fails to attend school without excuse on three or more days or parts of days within a four-week period, but does not fail to attend school for the time specified above.</p> <p><i>Education Code 25.0951</i></p>

RECORDS

The District shall maintain records to reflect the average daily attendance (ADA), as required by the Commissioner. The Superintendent, principals, and teachers shall be responsible to the Board and the state to maintain accurate, current attendance records.  
*19 TAC 129.21(a)*

Districts shall use the student attendance accounting standards established by the Commissioner to maintain records and make reports on student attendance and student participation in special programs. The official standards are described in TEA's *Student Attendance Accounting Handbook*. *19 TAC 129.1023–1025*

The Superintendent is responsible for the safekeeping of attendance records and reports. The Superintendent may determine whether the properly certified attendance records or reports for the school year are to be filed in the central office or properly stored on the respective school campuses of the District. Regardless of where such records are filed or stored, they must be readily available for audit by TEA. *19 TAC 129.21(m)*

MINIMUM  
ENROLLMENT

A student must be enrolled for at least two hours to be considered in membership for a half-day, and for at least four hours to be considered in membership for one full day.

HALF-DAY  
STUDENTS

Students enrolled on a half-day basis may earn only half-day attendance each school day. Attendance is determined for these pupils by recording absences in a period during the half-day they are scheduled to be present.

ATTENDANCE FOR  
STATE FUNDING  
PURPOSES

Attendance for all grades shall be determined by the absences recorded in the second or fifth period of the day, unless the District has obtained permission from TEA for an alternate period to record absences.

The established period in which absences are recorded may not be changed during the school year.

Students absent during the daily period selected by the District for taking attendance shall be counted absent for the entire day. Students present at the time attendance is taken shall be counted present for the entire day.

*19 TAC 129.21*

A student in a disciplinary alternative education program shall be counted in computing the average daily attendance of students in the District for the student's time in actual attendance in the program. *Education Code 37.008(f)*

EXCEPTIONS

A student not actually on campus when attendance is taken may be considered in attendance for Foundation School Program purposes if:

ATTENDANCE:  
ATTENDANCE ACCOUNTING

FEB  
(LEGAL)

BOARD-  
APPROVED  
ACTIVITIES

1. The student is participating in a Board-approved activity under the direction of a member of the District's professional staff, or an adjunct staff member who has a bachelor's degree and is eligible for participation in TRS. [See FM]

MENTORSHIPS

2. The student is participating in a mentorship approved by District personnel to serve as one or more of the advanced measures needed to complete the Distinguished Achievement Program outlined in 19 TAC 74.13(a)(3). [See Exhibit C at EIF(EXHIBIT)]

MEDICAID  
STUDENTS

3. The student is Medicaid-eligible and participating in the Early and Periodic Screening, Diagnosis, and Treatment Program. Such students may be excused for up to one day at any time without loss of ADA.

RELIGIOUS  
HOLY DAYS

4. The student is observing religious holy days, including days of travel to or from a site where the student will observe holy days. Excused days for travel shall be limited to not more than one day for travel to and one day for travel from the site where the student will observe the religious holy days. [See FEA]

HEALTH CARE  
APPOINTMENTS

5. The student has a documented appointment with a health care professional during regular school hours, if that student commences classes or returns to school on the same day of the appointment. The appointment should be supported by a document such as a note from the health care professional.

6. The student is in attendance at a dropout recovery education program.

*Education Code 25.087, 29.081(e); 19 TAC 129.21*

PARENTAL CONSENT  
TO LEAVE CAMPUS

Before the District or a charter school may count a student in attendance under this section or in attendance when the student was allowed to leave campus during any part of the school day, the District or charter school shall adopt a policy addressing parental consent for a student to leave campus and distribute the policy to staff and to all parents of students in the District or charter school.

*19 TAC 129.21(d)*

WELLNESS AND HEALTH SERVICES:  
IMMUNIZATIONS

FFAB  
(LEGAL)

IMMUNIZATION  
REQUIREMENT

Each student shall be fully immunized against diphtheria, rubeola (measles), rubella, mumps, tetanus, and poliomyelitis. The Texas Board of Health may modify or delete any of these immunizations or may require immunizations against additional diseases as a requirement for admission to any elementary or secondary school. *Education Code 38.001(a), (b)*

The Texas Department of State Health Services (TDSHS) requires students in kindergarten through twelfth grade to have the following additional vaccines, according to the immunization schedules set forth in department regulations: pertussis, hepatitis B, hepatitis A (for students attending schools in high incidence geographic areas as designated by the department), and varicella (chickenpox). *25 TAC 97.63(2)(B)* [See TDSHS's Web site at [http://www.dshs.state.tx.us/immunize/imm\\_sched.shtml](http://www.dshs.state.tx.us/immunize/imm_sched.shtml) ]

In the event of an outbreak of vaccine-preventable disease, the local health authority may require or recommend additional doses or boosters to provide further protection. *25 TAC 97.72*

APPLICABILITY

The vaccine requirements apply to all students entering, attending, enrolling in, and/or transferring to the District. *25 TAC 97.61(a)*

EXCEPTIONS

Immunization is not required for admission to the District:

1. If the student submits to the admitting official:

MEDICAL  
REASONS

- a. An affidavit or a certificate signed by the student's physician (M.D. or D.O.) who is duly registered and licensed to practice medicine in the United States and who has examined the student.

The affidavit or certificate must state that, in the physician's opinion, the immunization required is medically contraindicated or poses a significant risk to the health and well-being of the student or any member of the student's household. Unless it is written in the statement that a lifelong condition exists, the exemption statement is valid for only one year from the date signed by the physician.

OR

REASONS OF  
CONSCIENCE

- b. An affidavit signed by the student or, if a minor, the student's parent or guardian stating that the student declines immunization for reasons of conscience, including a religious belief. The affidavit will be valid for a two-year period.

The affidavit must be on a form obtained from the TDSHS and must be submitted to the admitting official

WELLNESS AND HEALTH SERVICES:  
IMMUNIZATIONS

FFAB  
(LEGAL)

not later than the 90th day after the date the affidavit is notarized.

A student who has not received the required immunizations for reasons of conscience may be excluded from school in times of emergency or epidemic declared by the commissioner of public health.

or

MILITARY DUTY	<p>2. If the student can prove that he or she is a member of the armed forces of the United States and is on active duty.</p> <p><i>Education Code 38.001(c), (c-1), (f); Health and Safety Code 161.004(a), (d)(2), 161.0041; 25 TAC 97.62</i></p>
PROVISIONAL ADMISSION	<p>A student may be provisionally admitted or enrolled if the student has begun the required immunizations. The student must have an immunization record that indicates the student has received at least one dose of each age-appropriate vaccine specified in the regulations.</p>
COMPLETION OF VACCINATIONS	<p>To remain enrolled, the student must continue to receive the necessary immunizations as rapidly as medically feasible. The student must complete the required subsequent doses in each vaccination series on schedule and provide acceptable evidence of vaccination to the District.</p>
REVIEW OF STATUS	<p>A school nurse or school administrator shall review the immunization status of a provisionally enrolled student every 30 days to ensure continued compliance in completing the required doses of vaccination. If, at the end of the 30-day period, a student has not received a subsequent dose of vaccine, the student is not in compliance and the District will exclude the student from school attendance until the required dose is administered.</p>
HOMELESS STUDENT	<p>A student who is homeless, as defined in the McKinney-Vento Homeless Education Act, shall be admitted temporarily for 30 days if acceptable evidence of vaccination is not available. The school shall promptly refer the student to appropriate public health programs to obtain the required vaccinations. [See FD and FDC]</p>
TRANSFER STUDENTS	<p>A student can be enrolled provisionally for no more than 30 days if he or she transfers from one Texas school to another, and is awaiting the transfer of the immunization record.</p>
MILITARY DEPENDENTS	<p>A dependent of a person who is on active duty with the armed forces of the United States can be enrolled provisionally for no more than 30 days if the student transfers from one school to another and is awaiting the transfer of the immunization record.</p> <p><i>Education Code 38.001(e); 25 TAC 97.66, 97.69; Atty. Gen. Op. GA-178 (2004)</i></p>

WELLNESS AND HEALTH SERVICES:  
IMMUNIZATIONS

FFAB  
(LEGAL)

EVIDENCE OF  
IMMUNIZATION

A student shall show acceptable evidence of vaccination before entry, attendance, or transfer to the District. *25 TAC 97.63(2)*

Vaccines administered after September 1, 1991, shall include the month, day, and year each vaccine was administered. The following documentation is acceptable:

1. Documentation of vaccines administered that includes the signature or stamp of the physician or his or her designee, or public health personnel;
2. An official immunization record generated from a state or local health authority, such as a registry; or
3. A record received from school officials including a record from another state.

*25 TAC 97.68*

Serologic confirmations of immunity to measles, rubella, mumps, hepatitis A, hepatitis B, or varicella are acceptable. Evidence of measles, rubella, mumps, hepatitis A, or hepatitis B, or varicella illnesses must consist of a laboratory report that indicates either confirmation of immunity or infection.

A parent- or physician-validated history of varicella disease (chickenpox) or varicella immunity is acceptable in lieu of vaccine. A written statement from a physician, or the student's parent or guardian, or school nurse, must support histories of varicella disease.

*25 TAC 97.65*

IMMUNIZATION  
RECORDS

Not later than the 30th day after a parent or other person with legal control of a student under a court order enrolls the student in the District, the parent or other person, or the district in which the student most recently attended school, shall furnish to the District a record showing that the student has the required immunizations. *Education Code 25.002(a)(3)*

Each district shall keep an individual immunization record during the period of attendance for each student admitted. The records shall be sufficient for a valid audit to be completed. The records shall be open for inspection at all reasonable times by TEA, local health departments, or the TDSHS. *Education Code 38.002(a); 25 TAC 97.67*

TRANSFER OF  
RECORDS

Each district shall cooperate in transferring students' immunization records to other schools. Specific approval from students, parents, or guardians is not required before transferring those records. *Education Code 38.002(b)*

WELLNESS AND HEALTH SERVICES:  
IMMUNIZATIONS

FFAB  
(LEGAL)

ANNUAL REPORT	Districts shall submit annual reports of the immunization status of students, in a format prescribed by TDSHS, to monitor compliance with immunization requirements. All districts shall submit the report at the time and in the manner indicated in the instructions printed on the form. <i>Education Code 38.002(c); 25 TAC 97.71</i>
CONSENT TO IMMUNIZATION	<p>In addition to persons authorized to consent to immunization under Family Code Chapters 151 (parents) and 153 (conservators), the following persons may consent to the immunization of a child:</p> <ol style="list-style-type: none"><li>1. A guardian of the child; and</li><li>2. A person authorized under the law of another state or a court order to consent for the child.</li></ol> <p><i>Family Code 32.101(a)</i></p> <p>The district in which the child is enrolled may give consent to the immunization if:</p> <ol style="list-style-type: none"><li>1. The persons listed above are not available; and</li><li>2. The District has written authorization to consent from a person listed above.</li></ol> <p><i>Family Code 32.101(b)(5)</i></p> <p>The District may not consent for the child if it has actual knowledge that a person listed above has:</p> <ol style="list-style-type: none"><li>1. Expressly refused to give consent to the immunization;</li><li>2. Been told not to consent for the child; or</li><li>3. Withdrawn a prior written authorization for the District to consent.</li></ol> <p><i>Family Code 32.101(c)</i></p>
DUTY TO PROVIDE INFORMATION	A district that consents to immunization of a child shall provide the health-care provider with sufficient and accurate health history and other information as set forth in Family Code 32.101(e).
FORM OF CONSENT	Consent to immunization must meet the requirements of Family Code 32.002(a). [See FFAC] The District has the responsibility to ensure that the consent, if given, is an informed consent. The District is not required to be present when the immunization is requested if a consent form has been given to the health-care provider. <i>Family Code 32.101(f), 32.102</i>
LIABILITY	A district consenting to immunization of a child is not liable for damages arising from an immunization administered to a child authorized under Family Code Subchapter B except for injuries resulting from the District's own acts of negligence. <i>Family Code 32.103</i>

WELLNESS AND HEALTH SERVICES:  
MEDICAL TREATMENT

FFAC  
(LEGAL)

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 Health, including all reportable diseases under Health and Safety Code 81.041;

WELLNESS AND HEALTH SERVICES:  
MEDICAL TREATMENT

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(LEGAL)

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)*

ADMINISTERING  
MEDICATION

Upon adoption of policies concerning the administration of medication to students by District employees, the District, the Board, and the District's 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 the District provides liability insurance for a licensed physician or registered nurse who provides volunteer services to the District, the 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

The District, the 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)*

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

WELLNESS AND HEALTH SERVICES:  
MEDICAL TREATMENT

FFAC  
(LEGAL)

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.

NO WAIVER OF  
IMMUNITY

The provisions above neither waive any liability or immunity nor create any liability for or a cause of action against the District, the Board, or its employees.

*Education Code 38.015*

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 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 second-

dary education student with whom the employee has contact as part of the employee's District duties.

*Education Code 38.011(a), (c)*

PRESCRIPTION  
MEDICATION AND  
SPECIAL EDUCATION  
STUDENTS

An employee of the 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)*

PSYCHOTROPICS  
AND PSYCHIATRIC  
EVALUATIONS

A District employee may not:

1. Recommend that a student use a psychotropic drug; or
2. Suggest any particular diagnosis; or
3. Use the refusal by a parent to consent to administration of a psychotropic drug to a student or to a psychiatric evaluation or examination of a student as grounds, by itself, for prohibiting the child from attending a class or participating in a school-related activity.

Psychotropic drug means a substance that is used in the diagnosis, treatment, or prevention of a disease or as a component of a medication and intended to have an altering effect on perception, emotion, or behavior.

Education Code 38.016(b) does not:

1. Prevent an appropriate referral under the Child Find system required under 20 U.S.C. Section 1412, as amended; or
2. Prohibit a District employee who is a registered nurse, advanced nurse practitioner, physician, or certified or appropriately credentialed mental health professional from recommending that a child be evaluated by an appropriate medical practitioner; or
3. Prohibit a school employee from discussing any aspect of a child's behavior or academic progress with the child's parent or another District employee.

WELLNESS AND HEALTH SERVICES:  
MEDICAL TREATMENT

FFAC  
(LEGAL)

The Board shall adopt a policy to ensure implementation and enforcement of Education Code 38.016.

A violation of Education Code 38.016(b) does not override the immunity from personal liability granted in Education Code 22.051 or other law or the District's sovereign or governmental immunity.

*Education Code 38.016*

STUDENT RECORDS

FL  
(LOCAL)

COMPREHENSIVE  
SYSTEM

The Superintendent or designee shall develop and maintain a comprehensive system of student records and reports dealing with all facets of the school program operation. These data and records shall be stored in a safe and secure manner and shall be conveniently retrievable for use by authorized school personnel.

CUMULATIVE  
RECORD

A cumulative record shall be maintained for each student from entrance into District schools until withdrawal or graduation from the District.

This record shall move with the student from school to school and be maintained at the school where currently enrolled until graduation or withdrawal. Records for nonenrolled students shall be retained for the period of time required by law. No permanent records may be destroyed without explicit permission from the Superintendent. [See GBA]

CUSTODIAN OF  
RECORDS

The principal is custodian of all records for currently enrolled students at the assigned school. The Superintendent is the custodian of records for students who have withdrawn or graduated. The student handbook distributed annually to all students and parents shall contain a listing of the addresses of District schools, as well as the Superintendent's business address.

TYPES AND  
LOCATIONS OF  
EDUCATION  
RECORDS

Each record custodian, at the location listed in the student handbook, shall be responsible for the education records of the District. These records may include:

1. Admissions data, personal and family data, including certification of date of birth.
2. Standardized test data, including intelligence, aptitude, interest, personality, and social adjustment ratings.
3. All achievement records, as determined by tests, recorded grades, and teacher evaluations.
4. All documentation regarding a student's testing history and any accelerated instruction he or she has received, including any documentation of discussion or action by a grade placement committee convened for the student.
5. Health services record, including:
  - a. The results of any tuberculin tests required by the District.
  - b. The findings of screening or health appraisal programs the District conducts or provides. [See FFAA]
  - c. Immunization records. [See FFAB]

STUDENT RECORDS

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6. Attendance records.
7. Student questionnaires.
8. Records of teacher, counselor, or administrative conferences with the student or pertaining to the student.
9. Verified reports of serious or recurrent behavior patterns.
10. Copies of correspondence with parents and others concerned with the student.
11. Records transferred from other districts in which the student was enrolled.
12. Records pertaining to participation in extracurricular activities.
13. Information relating to student participation in special programs.
14. Records of fees assessed and paid.
15. Other records that may contribute to an understanding of the student.

REQUEST  
PROCEDURES

The cumulative record shall be made available to the parent. Records may be reviewed during regular school hours upon written request to the record custodian. The record custodian or designee shall be present to explain the record and to answer questions. The confidential nature of the student's records shall be maintained at all times, and the records shall be restricted to use only in the Superintendent's, principal's, or counselor's office, or other restricted area designated by the record custodian. The original copy of the record or any document contained in the cumulative record shall not be removed from the school.

STUDENT RIGHTS

Whenever a student has attained 18 years of age or is attending an institution of postsecondary education, the rights accorded to, and consent required of, parents transfer from the parents to the student.

ACCESS BY SCHOOL  
OFFICIALS

For the purposes of this policy, "school officials" shall mean any employees, trustees, or agents of the District, of cooperatives of which the District is a member, or of facilities with which the District contracts for placement of students with disabilities. The term also includes attorneys, consultants, and independent contractors who are retained by the District, by cooperatives of which the District is a member, or by facilities with which the District contracts for placement of students with disabilities.

School officials have a "legitimate educational interest" in a student's records when they are working with the student; considering

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disciplinary or academic actions, the student's case, or an individualized education program for a student with disabilities; compiling statistical data; or investigating or evaluating programs.

ACCESS BY PARENTS

Parents may be denied copies of records after the student reaches age 18 and is no longer a dependent for tax purposes, when the student is attending an institution of postsecondary education, or if they fail to follow proper procedures and pay the copying charge. If the student qualifies for free or reduced-price lunches and the parents are unable to view the records during regular school hours, upon written request of the parent, one copy of the record shall be provided at no charge.

FEES FOR COPIES

Copies of records are available at a per copy cost, payable in advance, as specified in the annual notice to parents of their privacy rights.

TRANSCRIPTS AND  
TRANSFERS OF  
RECORDS

The District may request transcripts from previously attended schools for students transferring into District schools; however, the ultimate responsibility for obtaining transcripts from sending schools rests with the parent or student, if 18 or older.

The District shall promptly forward education records upon request to officials of other schools or school systems in which the student intends to enroll.

RECORDS  
RESPONSIBILITY FOR  
STUDENTS IN  
SPECIAL EDUCATION

The official responsible for ensuring the confidentiality of any personally identifiable information in records of students in special education shall be the campus principal and the East Williamson County Special Education Cooperative Director.

A current listing of names and positions of persons who have access to records of students in special education is maintained at the East Williamson County Special Education Cooperative.

PROCEDURE TO  
AMEND RECORDS

Within 15 school days of the record custodian's receipt of a request to amend records, the District shall notify the parents in writing of its decision on the request and, if the request is denied, of their right to a hearing. If a hearing is requested, it shall be held within ten school days after the request is received.

Parents shall be notified in advance of the date, time, and place of the hearing. An administrator who is not responsible for the contested records and who does not have a direct interest in the outcome of the hearing shall conduct the hearing. The parents shall be given a full and fair opportunity to present evidence, and at their own expense, may be assisted or represented at the hearing.

The parents shall be notified of the decision in writing within ten school days of the hearing. The decision shall be based solely on

the evidence presented at the hearing and shall include a summary of the evidence and reasons for the decision. If the decision is to deny the request, the parents shall be informed that they have 30 school days within which to exercise their right to place in the record a statement commenting on the contested information and/or stating any reason for disagreeing with the District's decision.

DIRECTORY  
INFORMATION

The District has designated the following categories of information as directory information: student name, address, telephone listing, electronic mail address, photograph, and date and place of birth, as well as major field of study; degrees, honors, and awards received; dates of attendance; grade level; most recent educational institution attended; participation in officially recognized activities and sports; and weight and height of members of athletic teams.

STUDENT DISCIPLINE:  
PLACEMENT IN A DISCIPLINARY ALTERNATIVE EDUCATION SETTING

FOC  
(LEGAL)

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. *Education Code 37.006*

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. Marijuana or 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.;
  - b. A dangerous drug, as defined by the Texas Dangerous Drug Act, Health and Safety Code Chapter 483.
4. 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.
5. 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.
6. Engages in conduct that contains the elements of the offense of public lewdness under Penal Code 21.07.
7. Engages in conduct that contains the elements of the offense of indecent exposure under Penal Code 21.08.

*Education Code 37.006(a)*

STUDENT DISCIPLINE:  
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EXCEPTION	Removal to a DAEP for school-related misconduct is not required if the student is expelled for the same conduct. <i>Education Code 37.006(m)</i>
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, as defined in Penal Code 36.06, against any school employee. <i>Education Code 37.006(b)</i>
CONDUCT UNRELATED TO SCHOOL	<p>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:</p> <ol style="list-style-type: none"><li>1. The student receives deferred prosecution under Family Code 53.03, for conduct defined as a felony offense in Title 5, Penal Code;</li><li>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 Title 5, Penal Code; or</li><li>3. The Superintendent or designee has a reasonable belief that the student has engaged in conduct defined as a felony offense in Title 5, Penal Code.</li></ol> <p>[See FOC(EXHIBIT) for list of Title 5 felonies]</p> <p><i>Education Code 37.006(c)</i></p>
REASONABLE BELIEF	<p>In determining whether there is a reasonable belief that a student has engaged in conduct defined as a felony offense, the Superintendent or the Superintendent's designee may consider all available information, including the information furnished under Code of Criminal Procedure Article 15.27.</p> <p><i>Education Code 37.006(e)</i> [See GRA]</p>
SEXUAL ASSAULT OF ANOTHER STUDENT	<p>A student shall be removed from class and placed in a DAEP or juvenile justice alternative education program (JJAEP) if:</p> <ol style="list-style-type: none"><li>1. The student was convicted of, received adjudication for, or was placed on probation for sexual assault of another student while the students were assigned to the same campus, regardless of whether the assault occurred on or off school property;</li><li>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</li></ol>

STUDENT DISCIPLINE:  
PLACEMENT IN A DISCIPLINARY ALTERNATIVE EDUCATION SETTING

FOC  
(LEGAL)

3. There is only one campus in the District serving the grade level in which the student is enrolled.

*Education Code 25.0341, 37.0051(a)* [See FDD]

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 (as determined above) that the student has engaged in conduct defined as a felony offense other than those listed in Title 5, Penal Code [see FOC(EXHIBIT)]; 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)*

TITLE 5 FELONY

Notwithstanding any other provision of Education Code Chapter 37, Subchapter A, the Board, or its designee, after an opportunity for hearing, may elect to place a student in a DAEP if:

1. The student has received deferred prosecution (under Family Code 53.03) for conduct defined as a felony offense under Title 5, Penal Code; or the student has been found by a court or jury to have engaged in delinquent conduct (under Family Code 54.03) for conduct defined as a felony offense under Title 5, Penal Code; and
2. The Board or its designee determines that the student's presence in the regular classroom threatens the safety of other students or teachers, will be detrimental to the educational process, or is not in the best interests of the District's students.

The Board or its designee may order placement regardless of:

1. The date or location of the conduct;
2. Whether the conduct occurred while the student was enrolled in the District; or
3. Whether the student has successfully completed any court disposition requirements imposed in connection with the conduct.

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LENGTH OF PLACEMENT	Notwithstanding Education Code 37.009(c) (placements beyond one year) or any other provision of Education Code Chapter 37, Subchapter A, the Board or designee may order placement for any period considered necessary in connection with the above determinations. The student is entitled to the periodic review prescribed by Education Code 37.009(e).
FINAL DECISION	The decision of the Board or designee is final and may not be appealed.  <i>Education Code 37.0081</i>
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. <i>Education Code 37.006(n)</i>
PLACEMENT OF YOUNGER STUDENTS	A student who is younger than ten 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. <i>Education Code 37.006(f); 37.007(e)</i> [See FOD]
ELEMENTARY SCHOOL STUDENTS	An elementary school student may not be placed in a DAEP with any other student who is not an elementary school student. <i>Education Code 37.006(f)</i>
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] may be provided educational services in a DAEP. <i>Education Code 37.006(l)</i>
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 principal or other appropriate administrator shall schedule a conference among the principal 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.  Following the conference, and whether or not each requested person is in attendance after valid attempts to require the person's

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attendance, the principal shall order the placement of the student for a period consistent with the Student Code of Conduct.

*Education Code 37.009(a)*

TERM OF REMOVAL The 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 the placement may not exceed one year unless, after a review, the 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 the Board or designee.

NO APPEAL Any decision of the 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, the 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 The 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, the 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)*

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In addition to any notice required under Code of Criminal Procedure 15.27 [see GRA], 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)*

COMPLETION OF  
PROCEEDINGS UPON  
WITHDRAWAL

If a student withdraws from the 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 student 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, the 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. [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:

STUDENT DISCIPLINE:  
PLACEMENT IN A DISCIPLINARY ALTERNATIVE EDUCATION SETTING

FOC  
(LEGAL)

- 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 the Board and the juvenile board for the county in which the 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:

EXPELLED  
STUDENT

1. A court may not order a student expelled under Section 37.007 to attend a school district DAEP as a condition of probation;

MULTIPLE  
REFERRALS

2. A court may not order a student to attend a DAEP without the 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(d)*

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, the District may not refuse to admit the student if the student meets the requirements for admission into the public schools. The District may place the student in the DAEP.

STUDENT DISCIPLINE:  
PLACEMENT IN A DISCIPLINARY ALTERNATIVE EDUCATION SETTING

FOC  
(LEGAL)

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

If a student was removed to DAEP for a reason other than false alarm or report, terroristic threat, or conduct on or within 300 feet of school property, the Superintendent or designee shall review the student's placement in the DAEP upon receipt of notice under Article 15.27(g), Code of Criminal Procedure, stating that:

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.

A student may not be returned to the regular classroom pending the review. The Superintendent 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)*

APPEAL AFTER  
PLACEMENT  
UPHELD

The student or the student's parent or guardian may appeal the Superintendent's decision to the Board. The student may not be returned to the regular classroom pending the appeal. The Board shall, at the next scheduled meeting, review the notice provided under Article 15.27(g), Code of Criminal Procedure, and 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 the Board confirms the decision, the Board shall inform the student and the student's parent or guardian of the right to appeal to

STUDENT DISCIPLINE:  
PLACEMENT IN A DISCIPLINARY ALTERNATIVE EDUCATION SETTING

FOC  
(LEGAL)

the Commissioner. 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 the 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. This requirement does not, however, obligate the District to provide in the DAEP a course, 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 that removed the student without that teacher's consent. The teacher cannot 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 principal or Board, as appropriate, may enter an additional order. *Education Code 37.009(j)*

REPORTING

The District shall include the number of students removed to a DAEP in its annual performance report. *Education Code 37.053(e)(5)* [See BR]

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**Note:** See FOF for provisions concerning students with disabilities.

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# THRALL INDEPENDENT SCHOOL DISTRICT

Central Administration

[www.thrallisd.com](http://www.thrallisd.com)

(512) 898-0062 ~ Fax (512) 898-5349 ~ 201 S. Bounds ~ Thrall, Texas 76578



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Elementary (512) 898-5293 – Elementary Fax (512) 898-2879 – High School/Middle (512) 898-5193 – HS/MS Fax (512) 898-2132

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## Action Sheet District Investment Policy

1. We will need a motion a second and vote to approve the district investment policy as presented.



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## Action Sheet Custodial Pay Scale Revision

1. Superintendent Brown will recommend that we revise the custodial pay scale to change the working days from 226 to 240 working days. This will allow our custodial staff to work the same number of days as our maintenance staff and increase the flexibility in our assignment of personnel.
2. We will need a Motion, a Second and a Vote to approve the Revised Custodial Pay scale.

**MAINTENANCE STAFF**

## Payscale

<b>STEP</b>	<b>Hourly Rate</b>	<b>Daily Rate</b>	<b>240 Days</b>
0	8.73	69.84	16762
1	8.87	70.96	17030
2	9.00	72.00	17280
3	9.14	73.12	17549
4	9.27	74.16	17798
5	9.40	75.20	18048
6	9.54	76.32	18317
7	9.67	77.36	18566
8	9.81	78.48	18835
9	9.94	79.52	19085
10	10.07	80.56	19334
11	10.21	81.68	19603
12	10.34	82.72	19853
13	10.48	83.84	20122
14	10.61	84.88	20371
15	10.74	85.92	20621
16	10.88	87.04	20890
17	11.01	88.08	21139
18	11.14	89.12	21389
19	11.28	90.24	21658
20	11.41	91.28	21907
21	11.55	92.40	22176
22	11.68	93.44	22426
23	11.81	94.48	22675
24	11.95	95.60	22944
25	12.08	96.64	23194
26	12.22	97.76	23462
27	12.35	98.80	23712
28	12.48	99.84	23962
29	12.62	100.96	24230
30	12.75	102.00	24480



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## Action Sheet

### Approve Financial Statements

1. Ms. Fox will provide an overview of the Financial reports.
  2. We will need a Motion, a Second and a Vote to approve the Financial Reports.
- 
1. Ms Fox will outline Necessary Budget Amendments.
  2. We will need a Motion, a Second and a Vote to approve the Budget Amendments.

**THRALL ISD**  
**MONTHLY ACCOUNT BALANCES**  
**June 1, 2006 - June 30, 2006**

Book Balance 6/1/2006	(+) Cash Receipts	(-) Cash Disb.	(+) Transfers In	(-) Transfers Out	(+) Interest	Book Balance 6/30/2006	(-) O/S Deposits	(+) O/S Checks	Adj	Bank Balance 6/30/2006
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**Citizens National Bank**

General Operating	\$385,760.92	\$19,677.44	\$123,690.41	\$425.00	\$233,007.15	\$1,247.81	<b>\$50,413.61</b>	\$503.20	\$6,053.02		<b>\$55,963.43</b>
Payroll	\$13,210.68	\$1,310.00	\$175,084.30	\$232,923.05	\$58,350.55	\$66.57	<b>\$14,075.45</b>		\$5,404.38		<b>\$19,479.83</b>
Interest & Sinking	\$234,003.52					\$946.68	<b>\$234,950.20</b>				<b>\$234,950.20</b>
Construction	\$56,587.89		\$38,500.00			\$137.63	<b>\$18,225.52</b>		\$6,503.20		<b>\$24,728.72</b>
Worker's Comp	\$8,424.00		\$1,753.62			\$34.11	<b>\$6,704.49</b>		\$1,886.50		<b>\$8,590.99</b>
Thrall Comm Sch Fund	\$128,495.95	\$1,500.00	\$700.00			\$524.91	<b>\$129,820.86</b>				<b>\$129,820.86</b>
Laffere Scholarship	\$2,912.47	\$81.00				\$11.86	<b>\$3,005.33</b>				<b>\$3,005.33</b>
Teacher Scholarship	\$3,311.04	\$53.00				\$13.45	<b>\$3,377.49</b>				<b>\$3,377.49</b>
Flower Fund	\$982.90					\$3.98	<b>\$986.88</b>	\$62.00			<b>\$1,048.88</b>
Elementary Activity	\$9,617.52	\$81.01	\$27.18			\$39.89	<b>\$9,711.24</b>		\$695.47		<b>\$10,406.71</b>
High School Activity	\$42,272.35	\$5,926.00	\$10,341.27			\$176.99	<b>\$38,034.07</b>		\$1,095.25		<b>\$39,129.32</b>
<b>SUBTOTAL CNB</b>											<b>\$530,501.76</b>

**Lone Star Pool**

General Operating	\$1,070,342.24	\$245,916.53				\$4,547.50	<b>\$1,320,806.27</b>				<b>\$1,320,806.27</b>
Debt Service	\$56,876.00	\$1,444.38				\$233.77	<b>\$58,554.15</b>				<b>\$58,554.15</b>
Construction	\$832.03					\$3.36	<b>\$835.39</b>				<b>\$835.39</b>
Thrall Comm Sch Fund	\$310.83					\$1.26	<b>\$312.09</b>				<b>\$312.09</b>
Activity	\$0.00					\$0.00	<b>\$0.00</b>				<b>\$0.00</b>
<b>SUBTOTAL LSIP</b>											<b>\$1,380,507.90</b>

**TOTAL BALANCE**

**\$1,911,009.66**

**Average Monthly Interest Rate**

Citizens National Bank	4.94%
Lone Star Liquidity Plus	4.92%

# Revenue and Expenditure Report

06/30/06

## JUNE, 2006

	2005-2006 ORIGINAL BUDGET Est. Revenues/ Appropriations	2005-2006 AMEND. BUDGET Est. Revenues/ Appropriations	2005-2006 Real. Revenues/ Act. Expenditures	2005-2006 Percent Realized/ Expended
<b>FUND 199 LOCAL MAINTENANCE</b>				
<b>REVENUES</b>				
Local	\$1,726,730	\$1,787,230	1,957,652.52	109.54%
State	\$2,029,539	\$2,048,539	1,652,004.58	80.64%
Federal	\$0	\$0	120.00	0.00%
<b>OTHER RESOURCES</b>	<b>\$0</b>	<b>\$292,497</b>	<b>294,930.13</b>	<b>100.83%</b>
<b>TOTAL REVENUES (199)</b>	<b>\$3,756,269</b>	<b>\$4,128,266</b>	<b>3,904,707.23</b>	<b>94.58%</b>
<b>EXPENDITURES</b>				
<b>10 Instruction &amp; Related Services</b>				
11 Instruction	\$2,093,000	\$2,100,155	1,968,990.64	93.75%
12 Inst. Resources & Media Serv	\$134,875	\$64,540	66,176.60	102.54%
13 Curriculum & Staff Development	\$5,000	\$56,595	45,196.00	79.86%
<b>Total 10 Instruction &amp; Related Services</b>	<b>\$2,232,875</b>	<b>\$2,221,290</b>	<b>2,080,363.24</b>	
<b>20 Instruction &amp; School Leadership</b>				
23 School Leadership	\$159,573	\$159,573	125,439.92	78.61%
<b>Total 20 Instruction &amp; School Leadership</b>	<b>\$159,573</b>	<b>\$159,573</b>	<b>125,439.92</b>	
<b>30 Support Services, Student</b>				
31 Guidance, Counseling, Eval Svc	\$65,089	\$76,724	66,189.08	86.27%
33 Health Services	\$42,859	\$42,859	40,678.99	94.91%
34 Student Transportation	\$188,144	\$343,229	303,567.88	88.44%
36 Co/Extracurricular Activities	\$212,346	\$243,546	197,910.72	81.26%
<b>Total 30 Support Services, Student</b>	<b>\$508,438</b>	<b>\$706,358</b>	<b>608,346.67</b>	
<b>40 Administration</b>				
41 Administration	\$251,971	\$253,521	205,858.03	81.20%
<b>Total 40 Administration</b>	<b>\$251,971</b>	<b>\$253,521</b>	<b>205,858.03</b>	
<b>50 Support Services, Non-Student</b>				
51 Plant Maintenance/Operations	\$406,261	\$532,108	503,500.92	94.62%
52 Security & Monitoring Services	\$6,000	\$6,000	5,827.50	97.13%
53 Data Processing Services	\$47,784	\$47,784	38,296.64	80.15%
<b>Total 50 Support Services, Non-Student</b>	<b>\$460,045</b>	<b>\$585,892</b>	<b>547,625.06</b>	
<b>70 Debt Service</b>				
71 Debt Service	\$0	\$49,265	48,549.49	98.55%
<b>Total 70 Debt Service</b>	<b>\$0</b>	<b>\$49,265</b>	<b>48,549.49</b>	
<b>80 Facilities Acquisition &amp; Construction</b>				
81 Facilities Construction	\$0	\$59,159	30,015.50	50.74%
<b>Total 80 Facilities Acquisition &amp; Const.</b>	<b>\$0</b>	<b>\$59,159</b>	<b>30,015.50</b>	
<b>90 Intergovernmental Charges</b>				
93 Payments-Shared Services	\$90,000	\$80,000	62,306.56	77.88%
95 Payments to JJAEP	\$23,000	\$23,000	0.00	0.00%
<b>Total 90 Intergovernmental Charges</b>	<b>\$113,000</b>	<b>\$103,000</b>	<b>62,306.56</b>	
<b>OTHER USES</b>	<b>\$30,367</b>	<b>\$30,367</b>	<b>4,777.86</b>	<b>15.73%</b>
<b>TOTAL EXPENDITURES (199)</b>	<b>\$3,725,902</b>	<b>\$4,168,425</b>	<b>3,713,282.33</b>	<b>89.08%</b>
	<b>\$0</b>	<b>-\$40,159</b>	<b>191,424.90</b>	
<b>FUND 240 CAFETERIA</b>				
<b>REVENUES</b>				
Local	\$90,000	\$90,000	120,453.88	133.84%
State	\$2,000	\$2,000	1,921.00	96.05%
Federal	\$64,000	\$64,000	76,555.99	119.62%
<b>OTHER RESOURCES</b>	<b>\$30,367</b>	<b>\$30,367</b>	<b>0.00</b>	<b>0.00%</b>
<b>TOTAL REVENUES</b>	<b>\$186,367</b>	<b>\$186,367</b>	<b>198,930.87</b>	<b>106.74%</b>
<b>EXPENDITURES</b>				
35 Food Service	\$186,367	\$186,367	173,440.68	93.06%
<b>TOTAL EXPENDITURES</b>	<b>\$186,367</b>	<b>\$186,367</b>	<b>173,440.68</b>	<b>93.06%</b>
	<b>\$30,367</b>		<b>25,490.19</b>	

**Revenue and Expenditure Report**  
**JUNE, 2006**

06/30/06

**FUND 599 DEBT SERVICE**

**REVENUES**

Local	\$133,403	\$133,403	155,930.55	116.89%
State	\$78,143	\$78,143	100,140.00	128.15%
<b>TOTAL REVENUES</b>	<b>\$211,546</b>	<b>\$211,546</b>	<b>256,070.55</b>	<b>121.05%</b>

**EXPENDITURES**

71 Debt Service	\$273,872	\$273,872	92,400.32	33.74%
<b>TOTAL EXPENDITURES</b>	<b>\$273,872</b>	<b>\$273,872</b>	<b>92,400.32</b>	<b>33.74%</b>
	<b>-\$62,326</b>	<b>-\$62,326</b>	<b>163,670.23</b>	

**FUND 616 CAPITAL PROJECTS**

**REVENUES**

Local	\$2,000	\$4,000	4,383.05	109.58%
<b>OTHER RESOURCES</b>			500.00	0.00%
<b>TOTAL REVENUES</b>	<b>\$2,000</b>	<b>\$4,000</b>	<b>4,883.05</b>	<b>122.08%</b>

**EXPENDITURES**

81 Facilities Acquisition & Construction	\$311,219	\$313,219	297,141.96	94.87%
<b>TOTAL EXPENDITURES</b>	<b>\$311,219</b>	<b>\$313,219</b>	<b>297,141.96</b>	<b>94.87%</b>
	<b>-\$309,219</b>	<b>-\$309,219</b>	<b>-292,258.91</b>	

For the Month of June

Check Nbr	Check Date	Payee	Organization	Fnd-Fnc-Obj-So-Org-Prg	Reason	Amount
001029	06-05-2006	DAVE LONG	DISTRICT	616-81-6629.01-999-699000	FINAL DRAW-GYM FLOOR	15,500.00
001030	06-06-2006	ACTION FLOOR SYSTEMS, LLC.	DISTRICT	616-81-6629.02-999-699000	MAT/HERCULAN SYST-PAVILIO	23,000.00
001031	06-19-2006	GOODCHILD'S SUPERIOR DECOR DISTRICT	DISTRICT	616-81-6629.03-999-699000	STAGE CURTAIN	12,570.00
		GOODCHILD'S SUPERIOR DECOR DISTRICT		616-81-6629.03-999-699000	DO NOT PAY UNTIL INSTALLED	-12,570.00
					<b>Totals for Check 001031</b>	<b>0.00</b>
001038	06-19-2006	SCHOOL COMP	DISTRICT	755-51-6216.00-999-699000	MAY 06 CLAIMS COSTS/LEDOU.	87.35
001039	06-23-2006	SCHOOL COMP	DISTRICT	755-51-6216.00-999-699000	2006 SPRING POOL CALL	1,666.27
001057	06-05-2006	GREAT AMERICAN PLAN ADMINIS ANNUITY #65		863-00-2159.00-065-600000	P/R DEDN-RESUBMIT M CRABB	50.00
001058	06-06-2006	SANDRA GAVIN	CHRISTMAS CLUB	863-00-2159.00-050-600000	CHRISTMAS CLUB WITHDRAWA/	250.00
001103	06-26-2006	MICHELLE MULLAN, '06 GRADUAT THRALL H S		711-11-6227.00-001-611000	1ST INSTALLMT/COMM SCHOLF	200.00
		MICHELLE MULLAN, '06 GRADUAT THRALL H S		711-11-6227.00-001-611000	SAFARIK SCHOLRSHP RECIPIE	500.00
					<b>Totals for Check 001103</b>	<b>700.00</b>
012021	06-23-2006	ADMINISTRATIVE SYSTEMS, INC.	GRT AM RES DISA	863-00-2159.00-021-600000	JUN DED INCOME REPLACEME	472.65
012022	06-23-2006	AETNA LONG TERM CARE	AETNA L-T CARE	863-00-2153.00-017-600000	JUN DED HEALTH INSURANCE	131.22
012023	06-23-2006	AMERICAN FUNDS	ANNUITY #46	863-00-2159.00-046-600000	JUN DED TAX SHEL. ANNUITY	175.00
012024	06-23-2006	ASSURANT/FORTIS	UNITED DENTAL	863-00-2153.00-012-600000	JUN DED LIFE INSURANCE	161.59
		ASSURANT/FORTIS	CENT. SEC. LIFE	863-00-2153.00-014-600000	JUN DED LIFE INSURANCE	196.56
					<b>Totals for Check 012024</b>	<b>358.15</b>
012025	06-23-2006	A+ FEDERAL CREDIT UNION	AATFCU	863-00-2154.00-004-600000	JUN DED CREDIT UNION	180.00
012026	06-23-2006	AVIVA LIFE INSURANCE COMPAN AVIVA LIFE		863-00-2159.00-035-600000	JUN DED TAX SHEL. ANNUITY	25.00
012027	06-23-2006	BAY BRIDGE ADMINISTRATORS, L LIFE INS #19		863-00-2159.00-019-600000	JUN DED MISCELLANEOUS DEI	234.31
012028	06-23-2006	CENTRAL SECURITY LIFE	AMER.HER. LIFE	863-00-2153.00-023-600000	JUN DED LIFE INSURANCE	15.28
012029	06-23-2006	DENTAL SELECT	ANNUITY #55	863-00-2153.00-055-600000	JUN DED HEALTH INSURANCE	427.50
012030	06-23-2006	FIDELITY AND GUARANTY LIFE IN F & G LIFE SERV		863-00-2159.00-040-600000	JUN DED MISCELLANEOUS DEI	60.00
012031	06-23-2006	GREAT AMERICAN PLAN ADMINIS ANNUITY #65		863-00-2159.00-065-600000	JUN DED TAX SHEL. ANNUITY	50.00
012032	06-23-2006	STEPHEN LAFFERE SCHOLARSHI LAFFERE SCH FNI		863-00-2159.00-085-600000	JUN DED MISCELLANEOUS DEI	81.00
012033	06-23-2006	LSW	ANNUITY-LSW	863-00-2159.00-100-600000	JUN DED TAX SHEL. ANNUITY	4,825.00
012034	06-23-2006	PRE-PAID LEGAL SERVICES INC	PREPAID LEGAL	863-00-2159.00-025-600000	JUN DED MISCELLANEOUS DEI	125.60
012035	06-23-2006	RELIANCE STANDARD	LIFE INS #18	863-00-2159.00-018-600000	JUN DED MISCELLANEOUS DEI	74.00
012036	06-23-2006	SPECTERA, INC	HEALTH INS #26	863-00-2159.00-026-600000	JUN DED MISCELLANEOUS DEI	146.15
012037	06-23-2006	T C T A	TCTA	863-00-2159.00-003-600000	JUN DED MISCELLANEOUS DEI	9.58
012038	06-23-2006	TEACHER SCHOLARSHIP FUND	TEACHER SCH FN	863-00-2159.00-080-600000	JUN DED MISCELLANEOUS DEI	53.00
012039	06-23-2006	TEXAS STATE TEACHERS ASSOC TSTA		863-00-2159.00-005-600000	JUN DED MISCELLANEOUS DEI	69.95
012040	06-23-2006	TFT PROFESSIONAL EDUCATORS TFT PEG		863-00-2159.00-079-600000	JUN DED MISCELLANEOUS DEI	7.92
012041	06-23-2006	THRALL ISD GENERAL OPERATIN THRALL CAFETER		863-00-2159.00-087-600000	JUN DED MISCELLANEOUS DEI	582.40

For the Month of June

Check Nbr	Check Date	Payee	Organization	Fnd-Fnc-Obj.	So-Org-Prg	Reason	Amount
012042	06-23-2006	THRALL ISD TUITION	THRALL ISD	863-00-2159.00-081-600000		JUN DED MISCELLANEOUS DEI	200.00
012043	06-23-2006	TASC	ANNUITY #56	863-00-2159.00-056-600000		JUN DED MISCELLANEOUS DEI	330.00
012044	06-23-2006	SHIRLEY WRINKLE IRA ACCOUNT	GRANGER NATL B	863-00-2159.00-045-600000		JUN DED TAX SHEL. ANNUITY	700.00
014915	06-05-2006	SHANNON BIAR	THRALL EL	199-11-6499.01-101-611000		KINDER DIPLOMAS,AWARDS	16.99
014916	06-05-2006	DENISE CARTER	THRALL EL	199-11-6499.01-101-611000		KINDER CAPS/GOWNS RETURN	14.60
		DENISE CARTER	DISTRICT	204-13-6411.00-999-699000		DRUGS,GUNS,GANGS W/S MILI	35.16
		DENISE CARTER	DISTRICT	240-35-6411.00-999-699000		CASHIER WORKSHOP MILEAGE	35.78
						<b>Totals for Check 014916</b>	<b>85.54</b>
014917	06-05-2006	MARLENE DRUMMOND	DISTRICT	240-35-6411.00-999-699000		MILEAGE REIMB-CASHIER W/S	35.78
014918	06-05-2006	HOME DEPOT	DISTRICT	199-51-6249.02-999-699000		PANELING/6TH GRADE RESTRM	119.88
		HOME DEPOT	DISTRICT	199-51-6249.02-999-699000		PANELING/6TH GRADE RESTRM	42.97
		HOME DEPOT	DISTRICT	199-51-6249.02-999-699000		6TH GRADE RESTROOMS	912.00
		HOME DEPOT	DISTRICT	199-51-6249.02-999-699000		6TH GRADE RESTROOMS	128.91
		HOME DEPOT	DISTRICT	199-51-6249.02-999-699000		6TH GRADE RESTROOMS	9.16
						<b>Totals for Check 014918</b>	<b>1,212.92</b>
014919	06-05-2006	SAV-A-HEART	DISTRICT	199-33-6299.00-999-699000		CPR INSTRUCTOR UPDATE	125.00
014920	06-05-2006	TEXAS HIGH SCHOOL COACH AS:	DISTRICT	199-36-6411.00-999-691000		MEMBERSHIP TUITION/CARDS	245.00
		TEXAS HIGH SCHOOL COACH AS:	DISTRICT	199-36-6499.16-999-691000		MEMBERSHIP TUITION/CARDS	270.00
						<b>Totals for Check 014920</b>	<b>515.00</b>
014921	06-06-2006	POSTMASTER	INDIRECT COSTS	199-41-6399.01-750-699000		LETTERS TO VOTERS RE:BONF	144.25
014922	06-08-2006	FISHER PLUMBING, INC.	DISTRICT	199-51-6249.01-999-699000		REPAIR WATER LINE-B/B FIELD	130.00
014923	06-08-2006	CITY OF THRALL	DISTRICT	199-51-6259.00-999-699000		WATER-MAY 06	8,250.36
014924	06-14-2006	CALDWELL COUNTRY	DISTRICT	199-34-6631.01-999-699000		2007 CHEV SUBURBAN	30,676.00
014925	06-19-2006	ATMOS ENERGY	DISTRICT	199-51-6259.03-999-699000		MAY 2006 CONSUMPTION	277.81
014926	06-19-2006	AUDIO ELECTRONICS, INC.	DISTRICT	199-33-6249.00-999-699000		YRLY CLIBRTION/AUDIO METEF	65.00
014927	06-19-2006	BETTER THAN NEW BAND REPAIF	DISTRICT	199-36-6249.02-999-699000		INSTRUMENT REPAIR	2,373.00
014928	06-19-2006	BORDEN	DISTRICT	240-35-6341.00-999-699000		MILK, TEA-MAY 06	1,429.16
014929	06-19-2006	BUG AWAY PEST CONTROL LTD	DISTRICT	199-51-6249.01-999-699000		PEST CONTROL/JUNE 06	204.50
014930	06-19-2006	EAST WILLIAMSON	DISTRICT	199-93-6492.00-999-623000		05-06 COOP EXPENDITURES	15,576.64
014931	06-19-2006	EN POINT TECHNOLOGIES	INDIRECT COSTS	199-41-6399.60-750-699000		ADOBE ACROBT PROF LICNSEI	472.60
014932	06-19-2006	FLOWERS	DISTRICT	240-35-6341.00-999-699000		BAKERY PURCHASE-MAY 06	339.94
014933	06-19-2006	FOLLETT EDUCATIONAL SERVICE	THRALL H S	199-11-6399.00-001-611000		WALK IN THE WOODS (20 BOOF	70.32
		FOLLETT EDUCATIONAL SERVICE	THRALL H S	199-11-6399.00-001-611000		READING/ENGLISH MATERIALS	236.64
		FOLLETT EDUCATIONAL SERVICE	THRALL H S	199-11-6399.00-001-611000		READING/ENGLISH MATERIALS	160.93
						<b>Totals for Check 014933</b>	<b>467.89</b>
014934	06-19-2006	LORINE FOX	INDIRECT COSTS	199-41-6411.00-750-699000		TASBO CERTIFICATION COURS	285.76
014935	06-19-2006	JOHN SOULES FOODS	DISTRICT	240-35-6341.00-999-699000		FOOD PURCHASE-MAY 06	334.64
014936	06-19-2006	JR3 EDUCATION ASSOCIATES,LP	THRALL EL	199-11-6299.00-101-611000		2005-06 SALARIES/KUBALA	3,491.67
		JR3 EDUCATION ASSOCIATES,LP	THRALL EL	211-11-6219.00-101-624000		2005-06 SALARIES/HUBNIK	3,491.67
						<b>Totals for Check 014936</b>	<b>6,983.34</b>

For the Month of June

Check Nbr	Check Date	Payee	Organization	Fnd-Fnc-Obj.	So-Obj	Reason	Amount
014937	06-19-2006	LABATT FOODSERVICE	DISTRICT	199-51-6319.00-999-699000		CUSTODIAL	302.85
		LABATT FOODSERVICE	DISTRICT	240-35-6341.00-999-699000		FOOD	1,948.79
		LABATT FOODSERVICE	DISTRICT	240-35-6342.00-999-699000		NON-FOOD	298.28
<b>Totals for Check 014937</b>							<b>2,549.92</b>
014938	06-19-2006	LAKESHORE LEARNING MATERIA	THRALL EL	199-11-6399.00-101-623000		SPEC ED SUPPLIES	403.08
014939	06-19-2006	LINDELL, INC.	DISTRICT	199-34-6311.00-999-699000		2-50 GAL OIL	883.28
014940	06-19-2006	PITNEY BOWES	INDIRECT COSTS	199-41-6399.01-750-699000		METER REFILLS & FEE	408.00
014941	06-19-2006	PITNEY BOWES	THRALL H S	199-11-6269.01-001-611000		POSTAGE METER JUNE 06	212.00
014942	06-19-2006	SBC SOUTHWESTERN BELL	THRALL H S	270-11-6398.60-001-624000		CISCO CATLYST/TEXAN CONF	220.48
		SBC SOUTHWESTERN BELL	THRALL M S	270-11-6398.60-042-624000		CISCO CATLYST/TEXAN CONF	1,629.66
		SBC SOUTHWESTERN BELL	THRALL EL	270-11-6398.60-101-624000		CISCO CATLYST/TEXAN CONF	1,629.66
<b>Totals for Check 014942</b>							<b>3,479.80</b>
014943	06-19-2006	MARK SEBEK	DISTRICT	199-36-6399.00-999-691000		OFFICE SUPPLIES-ATHLETICS	31.48
014944	06-19-2006	SPORTSDECALS KWIK	DISTRICT	199-36-6399.06-999-691000		HELMET DECALS	162.00
014945	06-19-2006	TASA	SUPT OFFICE	199-41-6499.00-701-699000		2006-07 DUES	300.00
014946	06-19-2006	TEXAS BANDMASTERS ASSN	THRALL H S	199-36-6411.02-001-699000		BAND CONVENTION REGISTRA	45.00
014947	06-19-2006	YOUNG'S	DISTRICT	199-51-6249.02-999-699000		TOILET PARTITIONS/STALLS	1,745.80
014948	06-20-2006	ACCELERATED BUSINESS SOLUT	DISTRICT	199-11-6299.60-999-611000		BUSINESS INTERNET/JULY & A	499.90
014949	06-20-2006	ALERT SERVICES, INC.	DISTRICT	199-36-6399.06-999-691000		HELMET PUMPS W/ SHORT NEI	21.90
014950	06-20-2006	ASG SECURITY	DISTRICT	199-51-6299.00-999-699000		SECURITY MONITORING SERVI	171.80
014951	06-20-2006	CINTAS CORPORATION #86	DISTRICT	199-51-6319.00-999-699000		MATS & MOPHEADS	205.36
		CINTAS CORPORATION #86	DISTRICT	199-51-6319.01-999-699000		UNIFORMS/MAY-ADD LAFLE	208.84
<b>Totals for Check 014951</b>							<b>414.20</b>
014952	06-20-2006	DEPARTMENT OF PUBLIC SAFET	THRALL M S	199-11-6499.00-042-611000		BACKGROUND CHECKS	2.00
014953	06-20-2006	ESC - 20	DISTRICT	199-34-6219.00-999-699000		20 PHYSICALS/5-26-06 @ \$33	660.00
014954	06-20-2006	FOLLETT LIBRARY RESOURCES,	THRALL H S	199-12-6328.00-001-699000		LIBRARY BOOKS	2,765.72
		FOLLETT LIBRARY RESOURCES,	THRALL H S	199-12-6328.00-001-699000		LIBRARY BOOKS	251.05
<b>Totals for Check 014954</b>							<b>3,016.77</b>
014955	06-20-2006	GE MONEY BANK	DISTRICT	199-51-6249.02-999-699000		6TH GRADE RR/FAN&LIGHT CO	69.98
014956	06-20-2006	HENSLEE,FOWLER,HEPWORTH & SCHOOL BOARD		199-41-6211.00-702-699000		THROUGH MAY 20 BID ISSUES	450.13
014957	06-20-2006	NJE ENTERPRISES INC.	DISTRICT	199-51-6319.00-999-699000		FLOOR STRIPPING/SUPPLIES	2,155.28
014958	06-20-2006	JR3 EDUCATION ASSOCIATES,LP	THRALL EL	211-11-6219.00-101-624000		2005-06 SALARIES/HUBNIK	3,491.63
014959	06-20-2006	PROGRESSIVE OFFICE SYSTEMS	THRALL H S	199-11-6269.00-001-611000		MAY COPIER USE	208.36
		PROGRESSIVE OFFICE SYSTEMS	THRALL M S	199-11-6269.00-042-611000		MAY COPIER USE	208.35
		PROGRESSIVE OFFICE SYSTEMS	THRALL EL	199-11-6269.00-101-611000		MAY COPIER USE	444.27
		PROGRESSIVE OFFICE SYSTEMS	INDIRECT COSTS	199-41-6249.00-750-699000		MAY COPIER USE	43.03
<b>Totals for Check 014959</b>							<b>904.01</b>
014960	06-20-2006	REGION XIII ESC	THRALL EL	199-13-6219.00-101-699000		MATH TEKS REFINEMENTS(7)	60.00
		REGION XIII ESC	THRALL EL	404-13-6239.01-101-624000		MATH TEKS REFINEMENTS(7)	360.00
<b>Totals for Check 014960</b>							<b>420.00</b>

For the Month of June

Check Nbr	Check Date	Payee	Organization	Fnd-Fnc-Obj.So-Org-Prg	Reason	Amount
014961	06-20-2006	REGION XIII ESC	DISTRICT	199-11-6239.60-999-611000	TXED 2005-06	3,480.00
014962	06-20-2006	SCOTT & WHITE WORTH THE WAITHRALL H S		199-13-6219.00-001-699000	WORTH TH WAIT/KPATTRSN,C	80.00
014963	06-20-2006	SPORTSDECALS KWIK	DISTRICT	199-36-6399.06-999-691000	HELMET DECALS	35.10
014964	06-20-2006	STRATEGIC ENERGY	DISTRICT	199-51-6259.02-999-699000	DISTRICT USE	7,634.32
014965	06-20-2006	TASB	INDIRECT COSTS	199-41-6499.02-750-699000	LOCAL DISTRICT UPDATES	55.36
014966	06-20-2006	TAYLOR EQUIPMENT	DISTRICT	199-51-6249.03-999-699000	MOHAWK 72"/SEAT FOR MF MC	1,905.00
		TAYLOR EQUIPMENT	DISTRICT	199-51-6631.00-999-699000	NEW KUBOTA & CANOPY	4,000.00
					<b>Totals for Check 014966</b>	<b>5,905.00</b>
014967	06-20-2006	BLACKLAND PUBLICATIONS, INC.	INDIRECT COSTS	199-41-6499.00-750-699000	NOTICE FOR BID/CHEVY SUBUI	105.60
014968	06-20-2006	LONNIE R. JONES	THRALL H S	199-11-6399.71-001-622000	STEEL FOR NEW TOOL ROOM	932.30
		LONNIE R. JONES	DISTRICT	199-51-6319.01-999-699000	SUPPLIES/MATERIALS	1,060.23
					<b>Totals for Check 014968</b>	<b>1,992.53</b>
014969	06-20-2006	UCA/UDA SUMMER CAMPS	DISTRICT	199-36-6411.03-999-691000	CHEER CAMP/HOLMSTRM & SL	291.00
014970	06-20-2006	VERIZON SOUTHWEST	DISTRICT	199-51-6259.01-999-699000	DISTRICT SERVICE	1,389.63
014971	06-23-2006	A-LINE AUTO PARTS	DISTRICT	199-51-6319.01-999-699000	BIT SET	14.47
014972	06-23-2006	O'REILLY AUTO PARTS,INC.	DISTRICT	199-51-6319.01-999-699000	BIT SET (2)	32.44
014973	06-23-2006	STRATEGIC ENERGY	DISTRICT	199-51-6259.02-999-699000	ERROR IN MAY 06 PAYMENT	34.98
014974	06-23-2006	VICS HEAT & AIR	DISTRICT	199-51-6249.01-999-699000	CONCESSION ICE MACHINE	453.75
		VICS HEAT & AIR	DISTRICT	199-51-6249.02-999-699000	BLDG TRDS SERV CHG/AC	69.50
		VICS HEAT & AIR	DISTRICT	199-51-6249.02-999-699000	GAVIN & BOHAC SERV CHG/AC	69.50
					<b>Totals for Check 014974</b>	<b>592.75</b>
014975	06-23-2006	ELIZABETH MORRISON	DISTRICT	199-36-6412.03-999-699000	REIMBURSE MILES TO BAND C.	130.56
014976	06-23-2006	ANN SISEMORE	INDIRECT COSTS	199-41-6411.01-750-699000	REIMBURSE PERSONNEL 101	39.46
014977	06-23-2006	WILLIAMSON CO. APPRSL.DIST.	TAX COLLECTION	199-41-6213.00-703-699000	'05-06 TAX APPRAISAL	3,867.25
014978	06-27-2006	ALARM SECURITY GROUP, LLC	DISTRICT	199-52-6249.00-999-699000	TASB GRANT-AG SECURITY	2,315.00
014979	06-27-2006	DELL MARKETING LP	DISTRICT	199-53-6399.60-999-699000	512 MB MODULE/PEIMS COMPT	267.90
014980	06-27-2006	DIGITAL SCOUT	DISTRICT	199-36-6399.60-999-691000	VOLLEYBALL STATWARE	134.95
014981	06-27-2006	FOLLETT EDUCATIONAL SERVICE	THRALL H S	199-11-6399.00-001-611000	READING/ENGLISH MATERIALS	112.31
014982	06-27-2006	LORINE FOX	INDIRECT COSTS	199-41-6411.00-750-699000	INTRO TO PERSONNEL/TASBO	46.16
014983	06-27-2006	NJE ENTERPRISES INC.	DISTRICT	199-51-6319.00-999-699000	FLOOR WAX/SUPPLIES	480.69
014984	06-27-2006	M & M EXCAVATING	DISTRICT	199-51-6319.02-999-699000	12 YARDS OF GRAVEL/AG BLDG	125.00
014985	06-27-2006	MICROGRAMS INC	THRALL EL	269-11-6399.60-101-624000	DANCING DINOS/NUMBER BALI	757.50
014986	06-27-2006	O'REILLY AUTO PARTS,INC.	DISTRICT	199-51-6319.01-999-699000	BELTS FOR GYM FAN	7.98
014987	06-27-2006	JERRY C. PARK	DISTRICT	199-36-6399.60-999-691000	WIN SHDULES/BRKETS	63.95
014988	06-27-2006	SCHOOL ADMINISTRATORS' PUBI	THRALL H S	199-23-6399.00-001-699000	LEGAL REFERENCE (3)	6.96
		SCHOOL ADMINISTRATORS' PUBI	THRALL M S	199-23-6399.00-042-699000	LEGAL REFERENCE (3)	6.96
		SCHOOL ADMINISTRATORS' PUBI	THRALL EL	199-23-6399.00-101-699000	LEGAL REFERENCE (3)	16.29

For the Month of June

Check Nbr	Check Date	Payee	Organization	Fnd-Fnc-Obj.So-Org-Prg	Reason	Amount
014988	06-27-2006	SCHOOL ADMINISTRATORS' PUBL	SUPT OFFICE	199-41-6399.00-701-699000	LEGAL REFERENCE (3)	16.29
<b>Totals for Check 014988</b>						<b>46.50</b>
014989	06-27-2006	WILLIAMSON CO. GRAIN, INC.	DISTRICT	199-51-6319.02-999-699000	TIPS FOR SPRAYER	49.20
014990	06-27-2006	WILLIAMSON COUNTY SHERIFF'S	DISTRICT	199-51-6299.00-999-699000	EXCESS FALSE ALARM BILLING	300.00
014991	06-28-2006	GARY ALMQUIST	THRALL H S	199-11-6411.71-001-622000	STATE FFA CONVENTION/FT W	517.00
014992	06-28-2006	LONGHORN INTL EQUIPMENT INC	DISTRICT	199-34-6319.00-999-699000	BUS 36/BELT,BOLT,PULLEY,FRI	138.54
014993	06-28-2006	VITAL SIGNS, INC.	DISTRICT	199-34-6319.00-999-699000	BUS NUMBER DECALS	60.80
014994	06-29-2006	HZ SYSTEMS, INC.	THRALL H S	199-11-6399.60-001-611000	PC SKATE/SHIPPING	36.00
		HZ SYSTEMS, INC.	THRALL EL	199-11-6399.60-101-611000	PC SKATE/SHIPPING	24.00
		HZ SYSTEMS, INC.	INDIRECT COSTS	199-41-6399.60-750-699000	PC SKATE/SHIPPING	12.00
<b>Totals for Check 014994</b>						<b>72.00</b>
014995	06-29-2006	POSTMASTER	INDIRECT COSTS	199-41-6399.01-750-699000	OVERNIGHT POSTAGE TO ATT	14.40
<b>Total Checks</b>						<b>174,277.74</b>

End of Report

For the Month of June

Check Nbr	Check Date	Payee	Organization	Fnd-Fnc-Obj.So-Org-Prg	Reason	Amount
					Totals for Fund 199 / 6	107,652.28
					Totals for Fund 204 / 6	35.16
					Totals for Fund 211 / 6	6,983.30
					Totals for Fund 240 / 6	4,422.37
					Totals for Fund 269 / 6	757.50
					Totals for Fund 270 / 6	3,479.80
					Totals for Fund 404 / 6	360.00
					Totals for Fund 616 / 6	38,500.00
					Totals for Fund 711 / 6	700.00
					Totals for Fund 755 / 6	1,753.62
					Totals for Fund 863 / 6	9,633.71
					Totals For Checks	174,277.74

Estimated Number Of Unpaid Checks To Print: 0

End of Report

**BUDGET AMENDMENT 10  
2005-2006**

<b>ACCOUNT CODE</b>	<b>DESCRIPTION</b>	<b>DR</b>	<b>CR</b>
199 11 6119 01 101 624000	Salaries-Class Size Reduction	3200	
199 12 6112 00 001 699000	Substitute-Librarian		1200
199 12 6239 01 999 699000	ESCXIII-Media Services		2000

REASON: To cover expenses in excess of budgeted appropriations.

199 00 5744 02 000 600000	TASB Loss Prevention Grant	2500	
199 52 6249 00 999 699000	TASB Grant-Ag Security System		2500

REASON: To recognize receipt of TASB Loss Prevention Grant received 5/9/06.

Date Approved by Board: \_\_\_\_\_



# THRALL INDEPENDENT SCHOOL DISTRICT

Central Administration

[www.thrallisd.com](http://www.thrallisd.com)

(512) 898-0062 ~ Fax (512) 898-5349 ~ 201 S. Bounds ~ Thrall, Texas 76578



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Elementary (512) 898-5293 – Elementary Fax (512) 898-2879 – High School/Middle (512) 898-5193 – HS/MS Fax (512) 898-2132

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## Action Sheet Adjourn

1. We will need a Motion, a Second and a Vote to Adjourn.