

Comprehensive Policy Review

El Paso Independent School District conducted its first comprehensive policy review since 1994. The Texas Association of School Boards (TASB) Policy Services advises and maintains the policy manual for school districts in Texas. EPISD worked with TASB Policy Services to revise many local policies in the policy manual to align with the District's vision, core beliefs, goals, current practice, and law.

The attached policies are the proposed changes for Board approval. If you have any questions and comments on the proposed revisions, please contact James Steinhauser, Director of Policy Support at (915) 230 – 2578 or email at jbsteinh@episd.org. To help you navigate through the policies it is helpful to know that the policy manual is comprised of seven sections A-G:

- A. Basic District Foundations describes the district and accountability;
- B. Local Governance includes elections, ethics, Board organization, meetings, superintendent, planning, and decision making for the District and campus;
- C. Business and Support Services documents the laws and procedures for fiscal management, ethics, revenue sources, accounting, purchasing, safety, facilities, transportation, food service, and technology;
- D. Personnel informs employees about employment objectives, practices, compensation, contracts, employee rights, employee complaints, employee standards of conduct, employee welfare, assignments, work load, professional development, and performance appraisals;
- E. Instruction describes instructional arrangements, resources, programs, earning credits, grading, class rank, retention, promotion, graduation, and academic guidance;
- F. Students includes policies on admissions, transfers, attendance, student welfare, awards and scholarships, student records, student and parent rights, complaints, student responsibilities, student conduct, discipline, fees, and fines; and
- G. Community and Governmental Relations governs public information, school communication, relations with parent organizations, complaints, and community relations.

In addition, the current policy manual can be accessed online at <http://pol.tasb.org/Home/Index/437>.

El Paso ISD conducted a comprehensive policy review coordinated by the Texas Association of School Boards (TASB) Policy Services beginning on April 21, 22, and 23, and May 6 and 7. The attached proposed policy revisions are a result of over five months of review and analysis.

The participants in the policy review were as follows:

Mr. Dee Margo	Board President
Mr. Ed Archuleta	Board Vice President
Ms. Carmen Arrieta-Candelaria	Board Secretary
Dr. Judy Castleberry	Board Member
Dr. Blanca Enriquez	Board Member
Ms. Cezy Collins	General Counsel
Dr. Tom Miller	Deputy Superintendent
Ms. Ivonne Durant	Deputy Superintendent
Dr. Royce Avery	Area Superintendent
Ms. Taryn Bailey	Area Superintendent
Ms. Pam Howard	Assistant Superintendent
Mr. Steve Stiles	Chief Technology Officer
Ms. Mary Ann Clark	Assistant Superintendent
Dr. Danna Diaz	Assistant Superintendent
Dr. Carla Gonzales	Principal
Mr. Chris James	Principal
Mr. Jesus Medina	Principal
Ms. Teresa Clapsaddle	Principal
Mr. Jesus Teran	Principal
Mr. Joseph Manago	Principal
Dr. Mark Warmack	Principal
Mr. Ray Lozano	Executive Director School Leadership Operations
Ms. Esther Jacobo	Executive Director Budget & External Funding
Mr. Manuel Castruita	Director, Guidance Services
Ms. Mayra Molina	Interim Director Internal Audit
Mr. Mark Mendoza	Director Student Retention & Truancy Prevention
Ms. Patricia Cortez	Director Employee Relations
Mr. James Steinhauser	Director, Policy Support
Mr. Joseph Quillen	Assistant Director Student & Parent Services
Ms. Belinda Sandoval-Ayala	Employee Relations Analyst
Ms. Renee De Santos	Coordinator Family Engagement
Ms. Melodee Grams	Executive Assistant

PROPOSED REVISIONS

VISION

Education will become our community's highest priority and El Paso ISD graduates will be its most productive contributing members.

~~The mission of the El Paso Independent School District, in cooperation with the community, is to graduate through a balanced, dynamic curriculum that embraces our unique cultural diversity - educated, responsible citizens who will be competitive in the world.~~

CORE BELIEFS

The District's core beliefs are:

- 1. Students come first in all actions and decision-making.**
- 2. In an appropriate setting and with the proper instruction, every child can learn.**
- 3. Every child is entitled to a teacher that is the best we can hire for that position and who believes every child can learn.**
- 4. Students will be more productive community members if they value community service and civic mindedness.**
- 5. We must be open and transparent in our dealings with the public and be fiscally responsible with our resources in order to allocate appropriately.**
- 6. The District will have zero tolerance for immoral, unethical, and illegal behavior.**
- 7. We have a competitive advantage as our community is bilingual, bicultural, and biliterate, and should be supported in the classroom.**
- 8. Family engagement is critical to the success of students.**

PROPOSED REVISIONS

ELECTIONS AND
TERMS

Board members shall be elected by majority vote. Elections shall be by single-member district (SMD) for four-year terms with the elections conducted biennially, as follows:

SMD 1, 3, 4, AND 5

The election for SMDs 1, 3, 4, and 5 shall be held in ~~2013~~, 2017, 2021, **2025** and in four-year intervals thereafter.

SMD 2, 6, AND 7

The election for SMDs 2, 6, and 7 shall be held in 2015, 2019, 2023, and in four-year intervals thereafter.

PROPOSED REVISIONS

Update 98 and Policy Review Recommendations

BOARD AUTHORITY	The Board has final authority to determine and interpret the policies that govern the schools and, subject to the mandates and limits imposed by state and federal authorities, has complete and full control of the District. Board action shall be taken only in meetings that comply with the Open Meetings Act. [See BE(LEGAL)]
TRANSACTIONING BUSINESS	When a proposal is presented to the Board, the Board shall hold a discussion shall be held and reach a decision reached . Although there may be dissenting votes, which are a matter of public record, each Board decision shall be an action by the whole Board binding upon each member.
INDIVIDUAL AUTHORITY FOR COMMITTING THE BOARD	Board members as individuals shall not exercise authority over the District, its property, or its employees. Except for appropriate duties and functions of the Board President, an individual member may act on behalf of the Board only with the express authorization of the Board. Without such authorization, no individual member may commit the Board on any issue. [See BDAA]
INDIVIDUAL ACCESS TO INFORMATION	An individual Board member, acting in his or her official capacity, shall have the right to seek information pertaining to District fiscal affairs, business transactions, governance, and personnel matters, including information that properly may be withheld from members of the general public in accordance with the public information chapter Public Information Chapter of the Government Code. [See GBA]
LIMITATIONS	<p>If a Board member is not acting in his or her official capacity, the Board member has no greater right to District records than a member of the public.</p> <p>An individual Board member shall not have access to confidential student records unless the member is acting in his or her official capacity and has a legitimate educational interest in the records in accordance with policies FL(LEGAL) and (LOCAL)-policy FL.</p> <p>A Board member who is denied access to a record under this provision may ask the Board to determine whether the record should be provided or may file a request under the Public Information Act. [See GBAA]</p>
REQUESTS FOR RECORDS	<p>Individual membersAn individual Board member shall seek access to records or request copies of records from the Superintendent.</p> <p>Records provided at the request of any Trustee or TrusteesBoard member shall be made available to all other Board members of</p>

	<p>the Board subject to thespecific limitations stated at(see LIMITATIONS, above-).</p> <p>In accordance with law, the District shall track and report any requests under this provision, including the cost of responding to one or more requests by any individual Board member for 200 or more pages of material in a 90-day period.</p>
REQUESTS FOR REPORTS	<p>Individual membersNo individual Board member shall not direct or require District employees to prepare reports derived from an analysis of information in existing District records or to create a new record compiled from information in existing District records. Directives to the Superintendent or other custodian of records regarding the preparation of reports shall be by Board action.</p>
CONFIDENTIALITY	<p>At the time a Board members aremember is provided access to confidential records or to reports compiled from such records, the Superintendent shall advise each Trusteethe Board member of his or herthe responsibility to comply with confidentiality requirements.</p>
REFERRING COMPLAINTS	<p>If employees, parents, students, or other members of the public bring concerns or complaints to an individual Board member, he or she shall refer them to the Superintendent or another appropriate administrator, who shall proceed according to the applicable complaint policy. [See DGBA(LOCAL) policies at DGBA, FNG, and FNG(LOCAL)]</p> <p>GF]When the concern or complaint directly pertains to the Board's own actions or policy, for which there is no administrative remedy or if a, the Board member is concerned that there has been no administrative remedy, the Trustee may request that the issue be placed on the agenda.</p>
VENDOR CONTACT WITH BOARD MEMBERS	<p>A Board member who is contacted by an individual who is engaged in or seeking to engage in business with the District shall refer that individual to the Superintendent's office for administrative response through the review/appeal process outlined in GF(LOCAL).</p>

PROPOSED REVISIONS

~~Trustees~~As a member of the ~~District are responsible for promoting~~Board, I shall promote the best interests of the District as a whole and, to that end, shall adhere to the following ethical standards:-:

- | | |
|-----------------------------------|--|
| EQUITY | • Be I will be fair, just, and impartial in all my decisions and actions. |
| IN ATTITUDE | • Accord I will accord others the respect he or she wants I wish for himself or herself myself.
• Encourage I will encourage expressions of different opinions and listen with an open mind to others' ideas. |
| TRUSTWORTHINESS
IN STEWARDSHIP | • I will be accountable to the public by representing District policies, programs, priorities, and progress accurately.
• Be I will be responsive to the community by seeking its involvement in District affairs and by communicating its priorities and concerns.
• Work I will work to ensure prudent and accountable use of District resources.
• Make I will make no personal promise or take private action that may compromise his or her my performance or my responsibilities. |
| HONOR | • Tell I will tell the truth.
• Share own I will share my views while working for consensus. |
| IN CONDUCT | • Respect I will respect the majority decision as the decision of the Board.
• Base I will base my decisions on fact rather than supposition, opinion, or public favor. |
| INTEGRITY | • Refuse I will refuse to surrender judgment to any individual or group at the expense of the District as a whole. |
| OF CHARACTER | • Consistently I will consistently uphold all applicable laws, rules, policies, and governance procedures.
• Not I will not disclose information that is confidential by law or that will needlessly harm the District if disclosed. |
| COMMITMENT
TO SERVICE | • I will focus my attention on fulfilling the Board's responsibilities of goal setting, policymaking, and evaluation.
• Diligently I will diligently prepare for and attend Board meetings. |

STUDENT-CENTERED
FOCUS

- **Avoid will avoid** personal involvement in activities the Board has delegated to the Superintendent.
- **Seek will seek** continuing education that will enhance ~~his or her~~**my** ability to fulfill ~~Trustee~~**my** duties effectively.
- **Bel will be** continuously guided by what is best for all students of the District.

~~PERSONAL CONDUCT~~

~~Board members shall not engage in conduct constituting harassment, including but not limited to, sexual harassment/sexual abuse of any employee, parent, or student.~~

~~COMPLAINTS~~

~~In the event a complaint of harassment is filed against a Board member, it shall be referred to the Superintendent. The Superintendent and the Board President or Vice President shall establish a three-person investigative panel composed of one person representing education (public, private, higher), one person with school Board Trustee experience, and one person from the general business community who does not have business interests with the District. This panel shall conduct the investigation, receive input, confer with the Superintendent and Board President or Vice President, and request assistance as needed from the District's attorney.~~

~~The investigation and subsequent proceedings shall conform, to the extent applicable and practicable, to the procedures in the following policies, provided that either the complainant or the Trustee in question may appeal the panel's findings to the Board, and provided further that any action regarding the Trustee proposed by the panel shall be in the form of a recommendation from the panel to the Board for its consideration. Any proceedings before the Board shall be held in closed session unless there is a request by the Trustee complained against that it be heard in open session.~~

~~[Regarding **allegations of harassment or discrimination against a Board member, see policies DIA (for employees) and FFH (for students)**] reports of prohibited harassment, including sexual harassment against:~~

~~EMPLOYEES, — see DIA~~

~~STUDENTS — see FFH~~

- ~~Regarding reports of child abuse or neglect, see FFG.~~

PROPOSED REVISIONS

~~VENDOR CONTACT
WITH BOARD
MEMBERS~~

~~An individual Board member who is contacted by persons regarding their commercial business matters with the District shall refer those persons to the Superintendent's office for administrative response through the review/appeal process outlined in GF(LOCAL).~~

A Board member shall not use coercive means or promise special treatment in order to influence Board or District decisions, nor use his or her position to seek personal advantage. [See also BBF(LOCAL)]

ANNUAL FINANCIAL
MANAGEMENT
REPORT

Each Board member shall provide in a timely manner to the District information necessary for the District's annual financial management report. [See CFA]

PROPOSED REVISIONS

~~TRAVEL
ARRANGEMENTS~~

~~Board travel arrangements and related accounting functions shall be handled by the Superintendent's Office in coordination with the Travel Office.~~

~~DISTRICT-ISSUED
EQUIPMENT AND
SUPPLIES~~

~~Board members may be loaned a dedicated facsimile machine and a District laptop computer for the purpose of conducting Board business. All supplies or replacement parts in relation to this equipment shall be provided by the District upon request (i.e., paper and toner). Other items relating to the role of Board members, including stationary and business cards, shall also be provided upon request. All such equipment and other items shall be returned to the District by the Trustee at the end of the Trustee's tenure as such.~~

EXPENSE
REIMBURSEMENT

An amount for Board member travel expenses shall be approved in the budget each year.

A Board member shall be reimbursed for reasonable, allowable expenses incurred in carrying out Board business only at the Board's request and for reasonable, allowable expenses incurred while attending meetings and conventions as an official representative of the Board.

TRAVEL EXPENSES

Payment for authorized and documented travel expenses shall be made in accordance with legal requirements by reimbursement, not to exceed the allowable rates, for use of a personal car or commercial transportation plus parking, taxi fares, lodging, meals, and other incidental expenses.

When commercial air transportation is available but the Board member elects to drive a personal vehicle, the total reimbursement for mileage shall not exceed the cost of the coach fare available for destination.

Accounting records shall accurately reflect that no state or federal funds were used to reimburse travel expenses beyond those authorized for state employees.

DOCUMENTATION
REQUIRED

For any authorized expense incurred, the Board member shall submit a statement, with receipts to the extent feasible, documenting actual expenses and in accordance with procedures applicable to employee expense reimbursement.

~~Board members shall be reimbursed for reasonable expenses, incurred in carrying out Board business, at the Board's request and for reasonable expenses incurred while attending meetings and conventions as official representatives of the Board. Board mem-~~

BOARD MEMBERS
COMPENSATION AND EXPENSES

BBG
(LOCAL)

~~bers may also be reimbursed for Internet service fees as needed for the purpose of conducting Board business.~~

~~An amount for Board member travel expense reimbursement shall be approved in the budget each year. If the Board authorizes travel reimbursement rates that exceed those authorized for state employees in the current state appropriations act, the Superintendent shall ensure that accounting records accurately reflect that no state or federal funds were used to reimburse those excess amounts.~~

~~Reimbursement shall be made by one of the following methods, as determined by the Board:~~

- ~~1. Reimbursement for use of a personal car at the mileage rate currently approved by the Board, or the actual cost of commercial transportation, plus parking and taxi fares and expenses for lodging, meals, and other incidental expenses. Board members shall file a travel expense voucher, including original receipts or credit card receipts that meet documentation standards, that accounts for actual expenses for which reimbursement is requested.~~
- ~~2. A set amount approved in advance for reasonable expenditures to be incurred on a particular trip. This amount shall include travel, lodging, meals, and any other reasonably predictable travel-related expenditures. Board members shall file a travel expense voucher, including original receipts or credit card receipts that meet documentation standards, that accounts for amounts actually expended. Any excess shall be refunded to the District.~~

MEALS

~~Board members may be reimbursed for meals purchased for non-employee guests on official business by submitting a meal expense reimbursement report. Meal expenditures must be reasonable and supported with proper receipts; the report should include the names of all who were in attendance along with a statement explaining the business purpose.~~

PROPOSED REVISIONS

BOARD OFFICERS	<p>The Board shall elect a President, a Vice President, and a Secretary who shall be members of the Board. Officers shall be elected by majority vote of the members present and voting. No Trustee can be a candidate for any office who has not completed a minimum of one year on the Board prior to such candidacy.</p> <p>The Superintendent shall serve as Assistant Secretary.—The Board may assign a District employee to provide clerical assistance to the Board.</p>
TERM AND DUTIES	<p>Board officers shall serve for a term of two years. Officers shall not serve consecutive terms in the same office. Each officer shall perform any legal duties of the office and other duties, as required by the Board.</p>
VACANCY	<p>A vacancy among officers of the Board shall be filled by majority action of the Board.</p>
PRESIDENT	<p>In addition to the duties required by law, the President of the Board shall:</p> <ol style="list-style-type: none">1. Preside at all Board meetings unless unable to attend.2. Have the right to discuss, make motions and resolutions, and vote on all matters coming before the Board.3. Serve as ex officio member of all Board committees.4. Call special meetings of the Board. [See BE]5. Sign all legal documents, warrants, vouchers, and reports, as required by statute, state or federal regulations, or Board policy.6. Decide all questions of order in accordance with <i>Robert's Rules of Order, Newly Revised</i>, as modified by Board policy.
VICE PRESIDENT	<p>The Vice President of the Board shall:</p> <ol style="list-style-type: none">1. Act in the capacity and perform the duties of the President of the Board in the event of the absence or incapacity of the President.2. Become President only upon being elected to the position.
SECRETARY	<p>The Secretary of the Board shall:</p> <ol style="list-style-type: none">1. Ensure that an accurate record is kept of the proceedings of each Board meeting.

OFFICERS AND OFFICIALS
DUTIES AND REQUIREMENTS OF BOARD OFFICERS

BDAA
(LOCAL)

2. Ensure that notices of Board meetings are posted and sent as required by law.
3. In the absence of the President and Vice President, call the meeting to order and act as presiding officer.
4. Sign or countersign documents as directed by action of the Board.

ASSISTANT
SECRETARY

~~The Superintendent, serving as Assistant Secretary, shall perform the duties of the Board Secretary in the absence of same.~~

PROPOSED REVISIONS

SELECTING A
DEPOSITORY

The Superintendent, with input from the chief ~~business~~-**financial** officer, shall have the authority to determine the method of selecting a depository in accordance with BDAE(LEGAL).

ALLOWABLE
COLLATERAL

Eligible securities for collateralization of deposits are those defined as "eligible securities" by the Public Funds Collateral Act. [See CDA] Pledged securities for collateral must be held by a third party other than the District's depository bank.

MONITORING
COLLATERAL
ADEQUACY

The District shall require monthly reports with market values of pledged securities from all financial institutions with which the District has collateralized deposits. The investment officers shall monitor adequacy of collateralization levels to verify market values and total collateral positions.

RELEASE OF
PLEDGED
SECURITIES

The investment officer shall approve in writing the release or substitution of any securities pledged to the District that are being held by any organization.

PROPOSED REVISIONS

MEETING PLACE	<p><u>Unless otherwise provided in the notice for a meeting, Board meetings shall be held at the El Paso ISD Education Center in Board Room Central Office.</u></p> <p>The Board meeting location shall be published in the Board meeting announcement.</p>
MEETING TIME	<p>Regular meetings of the Board shall be held on the third Tuesday of each month at 5:00 p.m. When determined necessary and for the convenience of Board members, the Board President may change the date or time of a regular meeting. The notice for that meeting shall reflect the changed date or time.</p>
SPECIAL OR EMERGENCY MEETINGS	<p>The time and place of special and emergency meetings shall be as set out in the notice for the meeting.</p> <p>The President of the Board shall call special meetings at the President's discretion or on request by three <u>two</u> members of the Board.</p> <p>The President shall call an emergency meeting when the President or three <u>two</u> members of the Board determine that an emergency or urgent public necessity, as defined by law, warrants the meeting.</p>
<u>AGENDA PREPARATION</u> AGENDA_DEADLINE	<p>The deadline for Board members to submit items for inclusion on the agenda is noon of the 12th calendar day before regular meetings and noon of the seventh calendar day before special meetings.</p>
<u>PREPARATION</u>	<p>In consultation with the Board President, and with input from Board members, the Superintendent shall prepare the agenda for all Board meetings. <u>Any two Board members may request that an item be included on the agenda for the meeting. The two Board members shall submit a written request to the Board President or the Superintendent within the prescribed time lines as provided at AGENDA DEADLINE, above.</u></p> <p>Before the official agenda is posted <u>finalized</u> for any meeting, the Superintendent shall consult the Board President to ensure that the agenda and the topics included meet with the President's approval. Any Board members requesting that an item be placed on the agenda shall submit a written request to the Board President or to the Assistant Secretary to the Board within the prescribed time lines as specified below. In reviewing the <u>preliminary</u> agenda before posting, the President shall ensure that any topics the Board or <u>at least individual two</u> Board members have requested to be addressed are either on that agenda or scheduled for deliberation at an appropriate time in the near future. <u>The Board President shall not have authority to remove from the agenda a subject requested</u></p>

BOARD MEETINGS

BE
(LOCAL)

	<u>by at least two Board members without Board members' specific authorizations.</u>
NOTICE TO MEMBERS	Members of the Board shall be given notice of regular and special meetings at least 72 hours prior to the scheduled time of the meeting and at least two hours prior to the time of an emergency meeting.
CLOSED MEETING	Notice of all meetings shall provide for the possibility of a closed meeting during an open meeting, as provided by law. [See BEC] The Board may conduct a closed meeting when the agenda subject is one that may properly be discussed in closed meeting. [See BEC (LEGAL) .]
ORDER OF BUSINESS	The order of business for regular Board meetings shall be as set out in the agenda accompanying the notice of the meeting. At the meeting, the order in which posted agenda items are taken may be changed by the Board President.
INVOCATION	The Board may include an invocation as part of the meeting agenda for regular Board meetings. The Board President may establish a process by which community clergy are invited to deliver the invocation. These representatives of the clergy shall be selected from the different recognized religious denominations in the community. Persons in attendance at the Board meetings shall not be required, encouraged, or coerced to participate. The District shall neither advance nor inhibit religion.
RULES OF ORDER	The Board shall observe the parliamentary procedures as found in <i>Robert's Rules of Order, Newly Revised</i> , except as otherwise provided in Board procedural rules or by law. Procedural rules may be suspended at any Board meeting by majority vote of the members present.
VOTING	Voting shall be by voice vote or show of hands, as directed by the President. Any member may abstain from voting, and a member's vote or failure to vote shall be recorded upon that member's request. [See BDAA(LOCAL) for the Board President's voting rights]
CONSENT AGENDA	<u>When the agenda is prepared, the Board President shall determine items, if any, that qualify to be placed on the consent agenda. A consent agenda shall include items of a routine and/or recurring nature grouped together under one action item. For each item listed as part of a consent agenda, the Board shall be furnished with background material. All such items shall be acted upon by one vote without separate discussion, unless a Board member re-</u>

	<p><u>quests that an item be withdrawn for individual consideration. The remaining items shall be adopted under a single motion and vote.</u></p> <p>All items listed under a consent agenda shall be considered to be routine by the Board and shall be enacted with one motion. There shall be no separate discussion of such items unless a Board member so requests, in which event the item shall be removed from the consent agenda and shall be considered an item on the regular agenda.</p>
<p>SOLE-SOURCE PURCHASES</p>	<p>Proposed sole source purchases in an amount of \$10,000 or more as defined in CH(LEGAL) shall be provided for discussion during a business services committee meeting. Such purchases over \$50,000 shall be presented at the following regular Board meeting for approval as a separate agenda item.</p>
<p>MINUTES</p>	<p>Board action shall be carefully recorded by the Secretary or clerk; when approved, these minutes shall serve as the legal record of official Board actions. The written minutes of all meetings shall be approved by vote of the Board and signed by the President and the Secretary of the Board.</p> <p>The official minutes of the Board shall be retained on file in the office of the Superintendent and shall be available for examination during regular office hours.</p>
<p>DISCUSSIONS AND LIMITATION</p>	<p>Discussions shall be addressed to the President of the Board and then the entire membership. Discussion shall be directed solely to the business currently under deliberation, and the Board President shall halt discussion that does not apply to the business before the Board.</p> <p>The Board President shall also halt discussion if the Board has agreed to a time limitation for discussion of an item, and that time limit has expired. Aside from these limitations, the President shall not interfere with debate so long as members wish to address themselves to an item under consideration.</p>
<p>COMPLIANCE WITH OPEN MEETINGS ACT</p>	<p>A campus principal should advise the Superintendent's office of any proposed meeting at that principal's campus at which official District business may be discussed and to which Board members are invited. Therefore, the nature of the meeting and the number of Board members likely to attend may be reviewed in advance by the Superintendent and the Board President so that a decision may be made concerning whether written notice of the meeting should be prepared and given by the Superintendent's office pursuant to the Texas Open Meetings Act. [See BEC]</p> <p>If one or more Board members serve on a Board or District committee, and the committee intends to meet to discuss District busi-</p>

~~ness, the Superintendent's office should be advised of the proposed meeting at least six days in advance so that prior written notice of the meeting may be prepared and given by the Superintendent's office pursuant to the requirements of the Texas Open Meetings Act. [See BEC]~~

~~In cases where a Board member believes that he or she is being invited to a meeting that may include a discussion of official District business, and to which other Board members are invited, the Board member should so advise the Board President or the Superintendent. The Board President or the Superintendent can then determine whether the nature of the proposed meeting and the number of Board members likely to attend shall require that a notice of the meeting be posted pursuant to the Open Meetings Act, and if so, the Superintendent's office shall prepare and give written notice of the meeting in accordance with the requirements of law. [See (LEGAL) policies at BE and BEC]~~

DELETE POLICY

CERTIFIED AGENDA / TAPE RECORDING

The Board, as a group, may review the certified agenda or listen to a tape recording of a closed meeting if it has convened in a closed meeting and it is the Trustees' desire to do so because it is germane to the purpose for which they are convened in closed meeting.

ACCESS BY INDIVIDUAL TRUSTEES

An individual Trustee may access a certified agenda or tape recording of a closed meeting that the Trustee attended or had a right to attend, in accordance with the provisions below:

1. A Trustee who wishes to review a certified agenda or listen to a tape recording of all or any portion of a closed meeting shall be given access by the Superintendent, in the Superintendent's office, during regular office hours. The original of the tape recording or certified agenda shall not be removed from the Superintendent's office area.
2. The tape recording of a closed meeting may not be copied, except under a court order issued pursuant to the Open Meetings Act. *Derived from Atty. Gen. Ltr. Op. 98-033 (1998)*

PROPOSED REVISIONS

OPEN FORUM

At regular monthly meetings the Board may elect to hear, for up to one hour, persons who desire to make comments to the Board. Speakers addressing the Board on items not listed on the agenda must sign up to speak during open forum. The open forum portion of the meeting shall be conducted ~~just prior before to~~ the Board convening ~~es~~ in executive session.

~~LIMIT ON PARTICIPATION~~

~~-At regular monthly meetings the Board may elect to hear for up to one hour persons who desire to make comments to the Board.~~ At all other times during a Board meeting, the audience shall not enter into discussion or debate on matters being considered by the Board, unless ~~recognized~~ **requested by the presiding officer by the Board President.**

LIMIT ON PARTICIPATION

An individual shall be limited to three minutes to address the Board during open forum. Speakers on any one agenda item/topic shall be limited to three individuals in favor of a particular result and three individuals opposed to a particular result. Public comment to the Board shall be available on a first-come, first-served basis.

Speaking time cannot be transferred to other speakers.

SPEAKERS TO AGENDA ITEMS

Speakers addressing the Board on an **agenda** item ~~listed on the agenda~~ must sign up to speak to that particular agenda item.

~~No presentation shall exceed three minutes. Speakers on any one agenda item/topic shall be limited to three individuals in favor of a particular result and three individuals opposed to a particular result. Public comment to the Board shall be available on a first-come, first-served basis.~~

ADDRESSING THE BOARD

Individuals who address the Board must:

1. ~~Register~~ **Sign up** as follows:
 - a. ~~Starting~~ **Beginning** 24 hours before the start of the meeting and ending 45 minutes before the start of the meeting, ~~sign-up~~ **register** through the link available under the District's Board tab ~~of on~~ the District's ~~Web site~~ **website**; or
 - b. ~~Starting~~ **Beginning** 45 minutes before the start of the meeting and ending 15 minutes before the start of the meeting, ~~sign-up~~ **register** with the designated District representative located outside of the Board room.
2. Use the lectern and microphone and provide their names ~~and address~~; ~~and~~ the name of any individual or group being rep-

resented; **and if a District employee, their position in the District.**

3. Refrain from naming specific District students, employees, or positions during their comments to the Board.

BOARD'S
RESPONSE

Specific factual information or recitation of existing policy may be furnished in response to inquiries, but the Board shall not deliberate or decide regarding any subject that is not included on the agenda posted with notice of the meeting.

COMPLAINTS AND
CONCERNS

The presiding officer or designee ~~may request to~~ **shall determine know** whether a person addressing the Board has attempted to solve a matter administratively through resolution channels established by policy. If not, the person shall be referred to the appropriate policy (see list below) to seek resolution:

Employee complaints: DGBA

Student or parent complaints: FNG

Public complaints: GF

DISRUPTION

The Board shall not tolerate disruption of the meeting by members of the audience. If, after at least one warning from the presiding officer, any person continues to disrupt the meeting by his or her words or actions, the presiding officer may request assistance from law enforcement officials to have the person removed from the meeting. ~~The presiding officer's decision is appealable by any Board member.~~

PROPOSED REVISIONS

LOCAL POLICIES

Within the context of current law, the District shall be guided by Board-adopted written policies that are given appropriate distribution and are accessible to staff members, parents, students, and community residents.

POLICIES CITING LEGAL AUTHORITY

Legally referenced policies contain provisions from federal and state statutes and regulations, case law, and other legal authority that together form the framework for local decision making and implementation. These **policies are binding on legal provisions** ~~shall be followed by~~ the District until the cited provisions are repealed, revised, or superseded by legislative, regulatory, or judicial action. Legally referenced policies are not intended to impose legal obligations on the District beyond those imposed by the applicable legal authorities cited. ~~Legally referenced policies are not intended to impose legal obligations on the District beyond those imposed by the applicable legal authorities cited.~~

HARMONY WITH LAW

No policy or regulation, or any portion thereof, shall be operative if it is found to be in conflict with applicable law. ~~The Board does not intend that the policies and regulations included within the District's policy manual confer contractual or vested rights as against the District (except to the extent incorporated by express reference or by operation of law into a written employment contract), nor that any alleged violation of a policy or regulation give rise to a cause of action or legal claim against the District, the Board, or any Board member.~~

SEVERABILITY

If any portion of a policy or its application to any person or circumstance is found to be invalid, that invalidity shall not affect other provisions or applications of policy that can be given effect without the invalid provision or application; and to this end, the provisions of this policy manual are declared to be severable.

POLICY DEVELOPMENT

Policies and policy amendments may be initiated by the Superintendent, Board members, school personnel, or community citizens but generally shall be recommended for the Board's consideration by the Superintendent.

OFFICIAL POLICY MANUAL

The Board shall designate one copy of the **local** policy manual as the official policy manual of the District. The official copy shall be kept in the Superintendent's office, and the Superintendent or designee shall be responsible for its accuracy and integrity and shall maintain a historical record of the District's policy manual.

ADOPTION AND AMENDMENT

Local policies may be adopted or amended by a majority of the Board at any regular or special meeting, provided that Board

members have had advance written notice of the proposed change and that it has been placed on the agenda for such meeting.

Local policies shall become effective upon Board adoption or at a future date designated by the Board at the time of adoption.

When the Board remands a policy back to the administration for revisions, an update as to the progress of the revisions or the proposed revisions shall be submitted to the Board within the next two regular Board meetings.

TASB LOCALIZED
UPDATES

After Board review of legally referenced policies and adoption of local policies, the new material shall be incorporated into the official policy manual and into other localized policy manuals maintained by the District. If discrepancies occur between different copies of the manual distributed throughout the District, the version contained in the official policy manual shall be regarded as authoritative.

~~New legally referenced policies shall be incorporated into the policy manual after review by the District's legal counsel and 30 days after they have been provided to the Board for their review. Upon incorporation into the manual, such policies shall be deemed to be official policies of the District; any further or more specific approval by the Board of individual legally referenced policies is not required but further review of the applicability of any policy provision may be requested by a Board member, the Superintendent, or legal counsel.~~

~~The update materials shall be incorporated into the official policy manual and into other localized policy manuals maintained by the District. If discrepancies occur between different copies of the manual distributed throughout the District, the version contained in the official policy manual kept in the Superintendent's office shall be regarded as authoritative.~~

~~WAIVERS FROM LAW/
RULE / POLICY~~

~~When requesting a waiver from state law, State Board rules, local Board policies, or local administrative policies with an intent to improve student achievement, the following procedures shall be followed:~~

~~— Campus-initiated waivers shall be developed and approved by the campus improvement team (CIT), after which they shall be submitted to the appropriate associate superintendent for schools. The waiver must contain a synopsis of its general goals and objectives and how its implementation would result in improved student achievement. Additionally, information regarding budget requirements, staffing impact, staff development needs, programs and/or campus(es) af-~~

~~ected, and evaluation design must be included for each waiver.~~

- ~~—— Following approval of the waiver by the appropriate associate superintendent for schools, the synopsis shall be submitted to the Districtwide Educational Improvement Council before it is sent to the Superintendent's Cabinet for review and discussion.~~
- ~~—— The Superintendent's Cabinet shall determine which council members will provide support in implementation of the waiver, if approved.~~
- ~~—— The waiver shall be reviewed and approved by the Superintendent's Cabinet prior to submission to the Board.~~
- ~~—— The waiver, with sufficient background information, shall be submitted to the Board for review and final approval.~~
- ~~—— Following approval by the Board and when appropriate, said waiver shall be submitted to the Commissioner of Education for approval.~~

TASB RECOMMENDED POLICY LANGUAGE

DUTIES	In addition to responsibilities specifically provided by law or in the Superintendent's contract, the Superintendent shall:
EDUCATIONAL LEADERSHIP	1. Provide leadership and direction for the development of an educational system that is based on the needs of students, on standards of excellence and equity, and on community goals. Toward that end, the Superintendent shall:
INSTRUCTIONAL MANAGEMENT	a. Establish effective mechanisms for communication to and from staff in instructional evaluation, planning, and decision making. b. Oversee annual planning for instructional improvement and monitor for effectiveness. c. Ensure that goals and objectives form the basis of curricular decision making and instruction and communicate expectations for high achievement. d. Ensure that appropriate data are used in developing recommendations and making decisions regarding the instructional program and resources. e. Oversee a system for regular evaluation of instructional programs, including identifying areas for improvement, to attain desired student achievement.
STUDENT SERVICES MANAGEMENT	f. Oversee student services, including health and safety services, counseling services, and extracurricular programs, and monitor for effectiveness. g. Oversee a discipline management program and monitor for equity and effectiveness. h. Encourage, oversee, and participate in activities for recognition of student efforts and accomplishments.
STAFF DEVELOPMENT AND PROFESSIONAL GROWTH	i. Oversee a program of staff development and monitor staff development for effectiveness in improving district performance. j. Stay abreast of developments in educational leadership and administration.
DISTRICT MANAGEMENT	2. Demonstrate effective planning and management of District administration, finances, operations, and personnel. To accomplish this, the Superintendent shall:

SUPERINTENDENT
QUALIFICATIONS AND DUTIES

BJA
(LOCAL)

FACILITIES AND
OPERATIONS
MANAGEMENT

- a. Implement and oversee a planning process that results in goals, targets, or priorities for all major areas of District operations, including facilities maintenance and operations, transportation, and food services.
- b. Monitor effectiveness of District operations against appropriate benchmarks.
- c. Oversee procedures to ensure effective and timely compliance with all legal obligations, reporting requirements, and policies.
- d. Ensure that key planning activities within the District are coordinated and are consistent with Board policy and applicable law and that goals and results are communicated to staff, students, and the public as appropriate.

FISCAL
MANAGEMENT

- e. Oversee a budget development process that results in recommendations based on District priorities, available resources, and anticipated changes to district finances.
- f. Oversee budget implementation to ensure appropriate expenditure of budgeted funds, to provide for clear and timely budget reports, and to monitor for effectiveness of the process.
- g. Ensure that District investment strategies, risk management activities, and purchasing practices are sound, cost-effective, and consistent with District policy and law.
- h. Maintain a system of internal controls to deter and monitor for fraud or financial impropriety in the District.

HUMAN
RESOURCES
MANAGEMENT

- i. Ensure that the system for recruiting and selection results in personnel recommendations based on defined needs, goals, and priorities.
- j. Organize District staff in a manner consistent with District priorities and resources and monitor administrative organization at all levels for effectiveness and efficiency.
- k. Oversee a performance appraisal process for all staff that reinforces a standard of excellence and assesses deficiencies; ensure that results are used in planning for improvement.
- l. Administer a compensation and benefits plan for employees based on clearly defined goals and priorities.
- m. Encourage, oversee, and participate in staff recognition and support activities.

SUPERINTENDENT
QUALIFICATIONS AND DUTIES

BJA
(LOCAL)

- n. Oversee a program for staff retention and monitor for effectiveness.
- BOARD AND COMMUNITY RELATIONS
- 3. Maintain positive and professional working relationships with the Board and the community. The responsibilities in this regard shall encompass the following:
 - a. Keep the Board informed of significant issues as they arise, using agreed upon criteria and procedures for information dissemination.
 - b. Respond in a timely and complete manner to Board requests for information that are consistent with Board policy and established procedures.
 - c. Provide recommendations and appropriate supporting materials to the Board on matters for Board decision.
 - d. Articulate and support Board policy and decisions to staff and community.
- BOARD
- COMMUNITY
- e. Direct a proactive program of internal and external communication at all levels designed to improve staff and community understanding and support of the District.
 - f. Establish mechanisms for community and business involvement in the schools and encourage participation.
 - g. Work with other governmental entities and community organizations to meet the needs of students and the community in a coordinated way.
- DELEGATION
- To the extent permitted by law, the Superintendent may delegate responsibilities to other employees of the District but shall remain accountable to the Board for the performance of all duties, delegated or otherwise.

PROPOSED REVISIONS

REASONS

The Board's decision not to renew the Superintendent's contract shall not be based on the Superintendent's exercise of rights guaranteed by the Constitution, or based unlawfully on race, color, religion, sex, national origin, disability, or age. Reasons for the nonrenewal of the Superintendent's contract shall be:

1. Deficiencies pointed out in evaluations, supplemental memoranda, or other communications.
2. Failure to fulfill duties or responsibilities.
3. Incompetency or inefficiency in the performance of duties.
4. Insubordination or failure to comply with Board directives.
5. Failure to comply with Board policies or administrative regulations.
6. Failure of the District to make measurable progress towards the goals stated in the District improvement plan. [See BQ]
7. Conducting personal business during school hours when it results in neglect of duties.
8. Drunkenness or excessive use of alcoholic beverages; or possession, use, or being under the influence of alcohol or alcoholic beverages while on school property, while working in the scope of the employee's duties, or while attending any school- or District-sponsored activity.
9. The illegal possession, use, manufacture, or distribution of a controlled substance, a drug, a dangerous drug, hallucinogens, or other substances regulated by state statutes.
10. Failure to meet the District's standards of professional conduct.
11. Failure to report to the Board any arrest, indictment, conviction, no contest or guilty plea, or other adjudication for any felony, any crime involving moral turpitude, or other offense listed at DH(LOCAL). [See DH]
12. Conviction of or deferred adjudication for any felony, any crime involving moral turpitude, or other offense listed at DH (LOCAL); or conviction of a lesser included offense pursuant to a plea when the original charged offense is a felony. [See DH]

13. Failure to comply with reasonable District requirements regarding advanced coursework or professional improvement and growth.
14. Disability, not otherwise protected by law, that prevents the Superintendent from performing the essential functions of the job.
15. Any activity, school-connected or otherwise, that, because of publicity given it or knowledge of it among students, faculty, or community, impairs or diminishes the Superintendent's effectiveness in the District.
16. Any breach by the Superintendent of an employment contract or any reason specified in the Superintendent's employment contract.
17. Failure to maintain an effective working relationship, or maintain good rapport, with parents, the community, staff, or the Board.
18. Assault on a person on school property or at a school-related function, or on an employee, student, or student's parent regardless of time or place.
19. Use of profanity in the course of performing any duties of employment, whether on or off school premises, in the presence of students, staff, or members of the public, if reasonably characterized as unprofessional.
20. Falsification of records or other documents related to the District's activities.
21. Falsification or omission of required information on an employment application.
22. Misrepresentation of facts to the Board or other District officials in the conduct of District business.
23. Failure to fulfill requirements for Superintendent certification.
24. Failure to fulfill the requirements of a deficiency plan under an Emergency Permit or a Special Assignment Permit.
25. Any attempt to encourage or coerce a child to withhold information from the child's parent or from other District personnel.
26. Any reason constituting good cause for terminating the contract during its term.

NOTICE

If the Board determines that the Superintendent's contract should be considered for nonrenewal, the Board shall deliver to the Super-

intendent by hand or certified mail, return receipt requested, written notice of the proposed nonrenewal. **The Board has chosen to designate the type of hearing for proposed nonrenewals on a case-by-case basis. In the notice of proposed nonrenewal, the Superintendent shall receive notice of whether the Board or an independent hearing examiner appointed by the Commissioner will conduct the hearing.** This notice shall contain the hearing procedures and shall be delivered not later than the 30th day before the last day of the contract term.

All notices, procedures, and time lines required in the Superintendent's employment contract shall also be observed.

**REQUEST FOR
APPOINTMENT OF
HEARING EXAMINER**

If the notice of proposed nonrenewal states that the nonrenewal hearing will be conducted by an independent hearing examiner, the Superintendent shall notify the Board in writing and file a written request with the Commissioner for an independent hearing examiner not later than the 15th day after receiving the notice of proposed action.

**HEARING
EXAMINER**

The hearing shall be conducted by an independent hearing examiner in accordance with the process described at BJCF(EXHIBIT).

BOARD DECISION

Following the hearing, the Board shall take appropriate action in accordance with BJCF(EXHIBIT).

**REQUEST FOR
BOARD HEARING**

**HEARING
PROCEDURE**

If the notice of proposed nonrenewal states that the nonrenewal hearing will be conducted by the Board, the Superintendent shall notify the Board in writing not later than the 15th day after receiving the notice. When the Board receives a timely request for a hearing on proposed nonrenewal, the hearing shall be held not later than the 15th day after receipt of the request, unless the parties mutually agree to a delay. The Superintendent shall be given notice of the hearing date as soon as it is set.

The hearing shall be conducted in closed meeting unless the Superintendent requests that it be open, with only the members of the Board, the Superintendent, their chosen representatives, and such witnesses as may be called in attendance. Witnesses may be excluded from the hearing until it is their turn to present evidence. The Superintendent and the Board may each be represented by a person designated in writing to act for them. Notice, at least five days in advance of the hearing, shall be given by each party intending to be represented, including the name of the representative. Failure to give such notice may result in postponement of the hearing.

The conduct of the hearing shall be under the Board President's control and in general shall follow the steps listed below:

1. After consultation with the parties, the Board President shall impose reasonable time limits for presentation of evidence and closing arguments.
2. The hearing shall begin with the Board's presentation, supported by such proof as it desires to offer.
3. The Superintendent may cross-examine any witnesses for the Board.
4. The Superintendent may then present such testimonial or documentary proofs, as desired, to offer in rebuttal or in general support of the contention that the contract be renewed.
5. The Board may cross-examine any witnesses for the Superintendent and offer rebuttal to the testimony of the Superintendent's witnesses.
6. Closing arguments may be made by each party.

A record of the hearing shall be made so that a certified transcript can be prepared, if required.

HEARING

~~Unless otherwise directed by the Board, the independent hearing examiner process described at DFD(LEGAL) shall be used when a hearing is requested by the Superintendent after receiving notice of proposed nonrenewal of the Superintendent's term employment contract. [See DFD] If specifically directed by the Board, the hearing may be conducted by the Board itself. The procedures to be followed if the hearing is conducted by the Board are listed below.~~

~~If the Superintendent desires a hearing after receiving written notice of the proposed nonrenewal, the Superintendent shall notify the Board in writing not later than the 15th day after receiving the written notice. When the Board receives a timely request for a hearing on a proposed nonrenewal, the hearing shall be held not later than the 15th day after receipt of the request, unless the parties agree to a different date. The Superintendent shall be given notice of the hearing date as soon as it is set. If the Superintendent fails to make a timely written request for a hearing, the Board may proceed to make a determination on its proposed action not later than the 30th day after the date the Board sends the Superintendent notice of the proposed nonrenewal.~~

~~If the Board chooses to conduct the hearing, the hearing shall be conducted in closed meeting unless the Superintendent requests that it be open, with only the members of the Board, the Superintendent, their chosen representatives, and such witnesses as may be called in attendance. Witnesses may be excluded from the hearing until it is their turn to present evidence. The Superintendent and the Board may each be represented by a person designated in writing to act for them. Notice, at least five days in advance of the hearing, shall be given by each party intending to be represented, including the name of the representative. Failure to give such notice may result in postponement of the hearing.~~

**HEARING
PROCEDURE**

~~The conduct of the hearing shall be under the Board President's control and in general shall follow the steps listed below:~~

- ~~1. After consultation with the parties, the Board President shall impose reasonable time limits for presentation of evidence and closing arguments.~~
- ~~2. The hearing shall begin with the Board's presentation, supported by such proof as it desires to offer.~~
- ~~3. The Superintendent may cross-examine any witnesses for the Board.~~
- ~~4. The Superintendent may then present such testimonial or documentary proofs, as desired, to offer in rebuttal or in general support of the contention that the contract be renewed.~~
- ~~5. The Board may cross-examine any witnesses for the Superintendent and offer rebuttal to the testimony of the Superintendent's witnesses.~~
- ~~6. Closing arguments may be made by each party.~~

~~A record of the hearing shall be made so that a certified transcript can be prepared, if required.~~

BOARD DECISION

The Board may consider only such evidence as is presented at the hearing. After all the evidence has been presented, if the Board determines that the reasons given in support of the recommendation to not renew the Superintendent's contract are lawful, supported by the evidence, and not arbitrary or capricious, it shall so notify the Superintendent by a written notice not later than the 15th day after the date on which the hearing is concluded. This notice shall also include the Board's decision on renewal, which decision shall be final.

NO HEARING

If the Superintendent fails to request a hearing, the Board shall take the appropriate action and notify the Superintendent

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SUPERINTENDENT
NONRENEWAL

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in writing of that action not later than the 30th day after the date the notice of proposed nonrenewal was sent.

PROPOSED REVISIONS

DISTRICT MISSION,
GOALS, AND
OBJECTIVES AND
CAMPUS OBJECTIVES

The Board shall approve and periodically review the District's mission and goals to improve student performance. The mission, goals, and the approved District and campus objectives shall be mutually supportive and shall support the state goals and objectives under Education Code, Chapter 4. [See AE(EXHIBIT)]

DISTRICT
IMPROVEMENT
PLANNING PROCESS

The District's planning process to improve student performance includes the development of the District's educational goals, the legal requirements for the District and campus improvement plans, all pertinent federal planning requirements, and administrative procedures.

The Board shall approve the process under which the educational goals are developed and shall ensure that input is gathered from the District-level committee.

PARENTAL
INVOLVEMENT
PLAN

The Superintendent shall ensure that the District and campus improvement plans, as applicable, address all elements required by federal law for receipt of Title I, Part A funds, including elements pertaining to parental involvement. The District-level and campus-level committees shall involve parents in the development of such plans and in the process for campus review and improvement of student academic achievement and campus performance. [See EHBD]

At least annually, ~~the Superintendent shall at least annually~~ submit the District and campus improvement plans to the Board. The ~~recommendation shall include a certification~~ **Superintendent shall certify** that all requirements in federal and state law and regulation have been met. ~~Such recommendation and provide shall contain~~ support documentation that lists all federal and state requirements and a statement of how each is met.

ADMINISTRATIVE
PROCEDURES AND
REPORTS

Administrative procedures shall meet legal requirements in the areas of planning, budgeting, curriculum, staffing patterns, staff development, and school organization; adequately reflect the District's planning process; and include implementation guidelines, time frames, and necessary resources. The Superintendent shall report periodically to the Board on the status of the planning process, which shall include a review of the related administrative procedures, any revisions to improve the process, and progress on implementation of identified strategies.

EVALUATION

The Superintendent shall ensure that data is gathered and criteria are developed to assist the Board in the required biennial evaluation to ensure that policies, procedures, and staff development activities related to planning and decision making are effectively

PLANNING AND DECISION-MAKING PROCESS

BQ
(LOCAL)

structured to positively impact student performance. A report, including data summaries, shall be submitted to the Board in connection with each evaluation.

PROPOSED POLICY

DISTRICTWIDE EDUCATIONAL IMPROVEMENT COUNCIL (DEIC)

In compliance with Education Code 11.251, the Districtwide Educational Improvement Council (DEIC) shall advise the Board or its designee in establishing and reviewing the District's educational goals, objectives, and major Districtwide classroom instructional programs identified by the Board or its designee.

The DEIC shall serve exclusively in an advisory role except that the DEIC shall approve staff development and campus incentive plans of a Districtwide nature. The DEIC shall also make a recommendation on the District calendar and assist in the development the District Improvement Plan.

CHAIRPERSON

The DEIC chairperson shall be elected annually in May by a plurality vote of the DEIC members, and shall serve a term from June through May.

RESPONSIBILITIES

The DEIC chairperson shall have the following responsibilities:

1. In collaboration with the Superintendent or Superintendent's designee, establish the DEIC agenda.
2. Facilitate DEIC meetings.
3. Review the DEIC meeting results before distribution.
4. Establish DEIC committees, as needed, for instructional issues.
5. Perform other functions as necessary to facilitate the creation of the District Improvement Plan.

Prior to the DEIC meeting, the chairperson shall work with the Superintendent or Superintendent's designee on instructional issues being considered by the DEIC for information or recommended approval.

MEETINGS

The facilitator of the DEIC shall set its agenda and shall schedule at least four meetings per year, including one public meeting; additional meetings may be held at the call of the chairperson.

All DEIC meetings shall be held outside of the regular school day.

COMMUNICATIONS

The Superintendent or designee shall ensure that the District-level DEIC obtains broad-based community, parent, and staff input and provides information to those persons on a systematic basis. Methods of communication may include, periodic reports on the work of the DEIC that may be posted on campus bulletin boards or on the District's website.

PLANNING AND DECISION-MAKING PROCESS
DISTRICT-LEVEL

BQA
(LOCAL)

COMPOSITION	<p>The DEIC shall be composed of members who shall represent campus-based professional staff, District-level professional staff, parents, businesses, and the community. For purposes of this policy, District-level professional staff shall be defined as professionals who have responsibilities at more than one campus, including, but not limited to, central office staff.</p>
PROFESSIONAL STAFF	<p>Classroom teacher representatives shall be nominated and elected by classroom teachers and shall comprise at least two-thirds of the total professional staff representation on the committee. The council shall include classroom teachers from the following representative groups:</p> <ol style="list-style-type: none">1. Elementary (prekindergarten–grade 5) classroom teachers, including at least one special education teacher.2. Middle school (grades 6–8) classroom teachers.3. High school (grades 9–12) classroom teachers, including at least one teacher each from each of the core subject areas of language arts, mathematics, science, and social studies.4. Classroom teachers in grades 6–12 from the remaining secondary subject areas. <p>No more than one teacher will be elected from each school.</p> <p>Campus-based nonteaching and District-level professional employees shall be nominated and elected by campus-based and District-level professional employees, respectively.</p>
PARENTS	<p>The DEIC shall include at least two parents of students currently enrolled in the District, selected in accordance with administrative procedures. The Superintendent shall, through various channels, inform all parents of District students about the DEIC’s duties and composition and shall solicit volunteers. [See BQA(LEGAL)]</p>
COMMUNITY MEMBERS	<p>The DEIC shall include at least two community members selected by a process that provides for adequate representation of the community’s diversity, in accordance with administrative procedures. The Superintendent shall use several methods of communication to ensure that community residents are informed of the DEIC and are provided the opportunity to participate and shall solicit volunteers. Community representatives must reside in the District.</p>
BUSINESS REPRESENTATIVES	<p>The DEIC shall include at least two business representatives selected by a process that provides for adequate representation of the community’s diversity, in accordance with administrative procedures. The Superintendent shall use several methods of commu-</p>

nication to ensure that area businesses are informed of the DEIC and are provided the opportunity to participate and shall solicit volunteers. Business representatives need not reside in nor operate businesses in the District.

ELECTIONS

An employee's affiliation or lack of affiliation with any organization or association shall not be a factor in either the nomination or election of the employee to the DEIC. [See DGA]

The consent of each nominee shall be obtained before the person's name may appear on the ballot.

Election of the DEIC shall be held no later than the end of November each year. Nominations and elections shall be conducted in accordance with this policy and administrative regulations. Eligible voters include professional employees employed by the District in a representative grouping on the date of the election.

TERMS

Representatives shall serve staggered two-year terms and shall be limited to two consecutive terms on the DEIC.

A DEIC year shall be from January through December.

VACANCY

If a vacancy occurs among the representatives, nominations shall be solicited and an election held or selection made for the unexpired term in the same manner as for the annual election.

OTHER ADVISORY
GROUPS

The existence of the District-level committee shall not affect the authority of the Board or its designee to appoint or establish other advisory groups or task forces to assist it in matters pertaining to District instruction.

Except as provided in this policy, the scope of issues to be addressed by this DEIC shall not extend to those issues within the scope of consultation as defined in Board policy DGB.

PROPOSED POLICY

CAMPUS IMPROVEMENT TEAM (CIT)

A Campus Improvement Team (CIT) shall be established on each campus to assist the principal. The team shall meet for the purpose of implementing planning processes and site-based decision making in accordance with Board policy and administrative procedures.

The facilitator shall be elected by the CIT. The facilitator shall receive training in facilitating meetings. The principal shall retain a leadership role by enhancing, contributing to, and guiding the work of the CIT. The team shall serve exclusively in an advisory role except that each campus team shall approve staff development of a campus nature.

CAMPUS PERFORMANCE OBJECTIVES

Each principal shall be responsible for the development of campus performance objectives. These objectives shall be formulated annually in accordance with a schedule established by the District, shall support the District's educational goals and objectives, and shall be specific to the academic achievement of students served by the campus. The Board shall review and approve campus performance objectives.

WAIVERS

The principal shall be responsible for ensuring that no campus-initiated decision violates rule, law, or policy, unless the campus has obtained a waiver. [See BQB(LEGAL) and BF]

Except as prohibited by law [see BF], a campus may apply to the Board for a waiver of a local policy. An application for a waiver must state the achievement objectives of the campus and the reasons for requesting the waiver.

COMMUNICATIONS

The principal or designee shall ensure that the campus-level team obtains broad-based community, parent, and staff input and provides information to those persons on a systematic basis. Methods of communication may include, but are not limited to periodic reports on the work of the team that may be posted on campus bulletin boards or campus website.

COMPOSITION

The team shall be composed of members who shall represent District- and campus-based professional staff, parents, businesses, the community, and noncertified/classified staff. At least two-thirds of the District and campus professional staff representatives shall be classroom teachers. The remaining employee representatives shall be professional nonteaching District- and campus-level staff. For purposes of this policy, District-level professional staff shall be defined as professionals who have responsibilities at more than one campus, including, but not limited to, central office staff.

PLANNING AND DECISION-MAKING PROCESS
CAMPUS-LEVEL

BQB
(LOCAL)

CLASSROOM TEACHERS	Classroom teachers shall be nominated and elected by classroom teachers assigned to that campus.
CAMPUS-BASED NONTEACHING PROFESSIONALS	Campus-based nonteaching professionals shall be nominated and elected by nonteaching professionals assigned to that campus.
DISTRICT-LEVEL PROFESSIONALS	District-level professionals shall be nominated and elected by the principal assigned to that campus. A District-level professional shall not serve on more than two CITs.
CAMPUS-BASED NONCERTIFIED STAFF	One representative from the campus' classified, custodial, paraprofessional, or food service personnel shall be nominated and elected by employees in those categories assigned to that campus.
PARENTS	The team shall include at least two parents of students currently enrolled at the campus, selected in accordance with administrative procedures. The principal shall, through various channels, inform all parents of campus students about the team's duties and composition and shall solicit volunteers. The principal, in consultation with the CIT, shall select the parent representatives. [See BQB(LEGAL)]
COMMUNITY MEMBERS	The team shall include at least two community members selected by a process that provides for adequate representation of the community's diversity, in accordance with administrative procedures. The principal shall use several methods of communication to ensure that community residents are informed of the team and are provided the opportunity to participate and shall solicit volunteers. Community representatives must reside in the District. The principal, in consultation with the CIT, shall select the community member representatives.
BUSINESS REPRESENTATIVES	The team shall include at least two business representatives selected by a process that provides for adequate representation of the community's diversity, in accordance with administrative procedures. The principal shall use several methods of communication to ensure that area businesses are informed of the team and are provided the opportunity to participate and shall solicit volunteers. Business representatives need not reside in nor operate businesses in the District. The principal, in consultation with the CIT, shall select the business representatives.
ELECTIONS	An employee's affiliation or lack of affiliation with any organization or association shall not be a factor in either the nomination or election of the employee to the team. [See DGA]

Nominated employees shall give their consent to serve on the team before they are eligible for election.

Elections shall be held during the sixth week of the school year. A special meeting shall be called by the principal to conduct the election. The elections shall be conducted by secret ballot. The Board expects full participation of staff in the CIT elections.

TERMS

Representatives shall serve staggered two year terms and shall not be limited as to the number of consecutive terms they may serve on the team.

Each principal shall determine the date on which the newly elected representatives at his or her campus assume office, provided that the date is within 20 business days prior to January 1. The terms of elected representatives shall continue until their successors take office.

VACANCY

A vacancy during a term shall be filled for the remainder of the term by election or selection as appropriate for the category.

MEETINGS

The CIT shall meet regularly during the school year. At the first CIT meeting of each year, meeting dates for the coming year shall be determined and shall be published by the end of the first month. Special meetings may be called by the principal or facilitator with a minimum 24-hour notification to all members. The principal or designee must be present at all meetings. The agenda shall be set for each regular meeting and shall be published and posted two school days before the meeting. Community, business, and parent members shall also be notified two days prior to the meeting.

All meetings shall be held outside the regular school day.

PROPOSED REVISIONS

All Trustees, employees, vendors, contractors, consultants, volunteers, and any other parties who are involved in the District's financial transactions shall act with integrity and diligence in duties involving the District's fiscal resources.

Note: See the following policies and/or administrative regulations regarding conflicts of interest, ethics, and financial oversight:

- Code of ethics:
for Board members—BBF
for employees—DH
- Financial conflicts of interest:
for public officials—BBFA
for all employees—DBD
- Financial conflicts involving federal funds: CBB
- Systems for monitoring the District's investment program: CDA
- Budget planning and evaluation: CE
- Compliance with accounting regulations: CFC
- Activity fund management: CFD
- Criminal history record information for employees: DC
- Disciplinary action for fraud by employees: DCD, DCE, and DF series

FRAUD AND
FINANCIAL
IMPROPRIETY

~~Fraud~~**The District prohibits fraud** and financial impropriety, as defined below, in the actions of **its** Trustees, employees, vendors, contractors, consultants, volunteers, and others seeking or maintaining a business relationship with the District, ~~violates federal and state laws and Board policies, and is unacceptable. All such persons are expected and directed to refrain from engaging in any action that constitutes fraud or financial impropriety, as defined below.~~

DEFINITION

Fraud and financial impropriety shall include but not be limited to:

1. Forgery or unauthorized alteration of any document or account belonging to the District.

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FINANCIAL ETHICS

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2. Forgery or unauthorized alteration of a check, bank draft, or any other financial document.
3. Misappropriation of funds, securities, supplies, or other District assets, including employee time.
4. Impropriety in the handling of money or reporting of District financial transactions.
5. Profiteering as a result of insider knowledge of District information or activities.
6. Unauthorized disclosure of confidential or proprietary information to outside parties.
7. Unauthorized disclosure of investment activities engaged in or contemplated by the District.
8. Accepting or seeking anything of material value from contractors, vendors, or other persons providing services or materials to the District, ~~if prohibited~~ **except as otherwise permitted** by law or ~~Board~~ **District** policy [see BBFA, ~~CBB~~, and DBD].
9. Inappropriately destroying, removing, or using records, furniture, fixtures, or equipment.
10. ~~Failing~~ **Failure** to provide financial records required by state or local entities.
11. Failure to disclose conflicts of interest as required by law or District policy.
12. Any other dishonest act regarding the finances of the District.

FINANCIAL CONTROLS
AND OVERSIGHT

Each employee who supervises or prepares District financial reports or transactions shall set an example of honest and ethical behavior and shall actively monitor his or her area of responsibility for fraud and financial impropriety.

FRAUD PREVENTION

The Superintendent or designee shall maintain a system of internal controls to deter and monitor for fraud or financial impropriety in the District.

REPORTS

Any person who suspects fraud or financial impropriety in the District shall report the suspicions immediately to any supervisor, the Superintendent or designee, the Board President, or local law enforcement.

Reports of suspected fraud or financial impropriety shall be treated as confidential to the extent permitted by law. Limited disclosure may be necessary to complete a full investigation or to comply with

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	<p>law. All employees involved in an investigation shall be advised to keep information about the investigation confidential.</p>
PROTECTION FROM RETALIATION	<p>Neither the Board nor any District employee shall unlawfully retaliate against a person who in good faith reports perceived fraud or financial impropriety. [See DG]</p>
FRAUD INVESTIGATIONS	<p>In coordination with legal counsel and other internal or external departments or agencies, as appropriate, the Superintendent or a designee shall promptly investigate reports of potential fraud or financial impropriety.</p>
	<p>If a report is made of potential fraud or financial impropriety involving the Superintendent, then the Board President or a designee shall lead the investigation, and coordinate with legal counsel and other internal or external departments or agencies, as appropriate.</p>
RESPONSE	<p>If an investigation substantiates a report of fraud or financial impropriety, the Superintendent or designee shall promptly inform the Board of the report, the investigation, and any responsive action taken or recommended by the administration.</p> <p>If an employee is found to have committed fraud or financial impropriety, the Superintendent or designee shall take or recommend appropriate disciplinary action, which may include termination of employment. If a contractor or vendor is found to have committed fraud or financial impropriety, the District shall take appropriate action, which may include cancellation of the District's relationship with the contractor or vendor.</p> <p>When circumstances warrant, the Board, Superintendent, or designee may refer matters to appropriate law enforcement or regulatory authorities. In cases involving monetary loss to the District, the District may seek to recover lost or misappropriated funds.</p> <p>The final disposition of the matter and any decision to file a criminal complaint or to refer the matter to the appropriate law enforcement or regulatory agency for independent investigation shall be made in consultation with legal counsel.</p>
ANALYSIS OF FRAUD	<p>After any investigation substantiates a report of fraud or financial impropriety, the Superintendent or designee shall analyze conditions or factors that may have contributed to the fraudulent or improper activity. The Superintendent or designee shall ensure that appropriate administrative procedures are developed and implemented to prevent future misconduct. These measures shall be presented to the Board for review.</p>

DELETE POLICY

Revenue for the operation of the District comes from three basic sources: state, federal, and local. In addition to these sources, there may be others such as tuition, sale of real estate or other property, gifts, and other miscellaneous items. [See also CDC]

STATE FUNDS

State funds are authorized by statutory provisions as set by the state legislature and by regulations of the Texas Education Agency. Approved educational programs determine the amount and source of state revenues available. [See CBA]

FEDERAL FUNDS

Federal funds are authorized through categorical and other federal grants for public education and shall be used to the maximum extent possible to provide better educational opportunities, educational environment, and physical and mental growth for each student. [See CBB]

LOCAL REVENUE

Local tax funds are derived from ad valorem (property) tax in accordance with statutes. The amount of tax is determined by three factors: market value, assessment ratio, and tax rate. The Board shall determine local revenue needs of the District annually and establish a tax rate within statutory limitation for the maintenance and operation of the District and for debt service. [See CC and DC series]

MISCELLANEOUS LOCAL REVENUE

Other local revenues are derived from interest on bank deposits, tuition, rentals of property, sale of books and other curriculum materials, gifts and bequests, and other miscellaneous sources.

GRANT REPORTS TO THE BOARD

The Superintendent shall provide to the Board a quarterly implementation report that covers each grant received by the District in the amount of \$10,000 or more if personnel units are involved and \$25,000 or more under any conditions. The Superintendent shall ensure that procedures are in place to safeguard the District's interests and to provide a full accounting of funds.

DELETE POLICY

INTRODUCTION

The following grievance procedures and guidelines shall be used concerning projects that receive financial assistance under the National and Community Service Grant Program, Subchapter I of the National and Community Service Trust Act, 42 U.S.C.A. 12501, et. seq., but only to the extent required by that act, 42 U.S.C.A. 12636. Such financial assistance is normally derived directly or indirectly from funds provided by the Corporation for National and Community Service.

FRAUD OR CRIMINAL ACTIVITY

If any grievance alleges fraud or criminal activity, it shall be brought to the attention of the inspector general of the Corporation for National and Community Service immediately.

INFORMAL ALTERNATIVE DISPUTE RESOLUTION (ADR)

The grievant may seek resolution for a grievance through alternative means of dispute resolution (ADR), such as mediation. ADR proceedings must be initiated within 45 calendar days of the date of the alleged occurrence. Any request for informal dispute resolution shall be forwarded by the grievant to the Superintendent or the director for employee relations, as the Superintendent's designee. The Superintendent or designee shall cooperate in good faith with the grievant in order to determine the identity of the neutral party to serve as a mediator. At the initial session of the ADR proceedings, the grievant must be advised in writing of the right to file a formal grievance, and the right to arbitration in the event that the formal grievance is not resolved to the grievant's satisfaction. If the matter is resolved through ADR, the grievant will agree to forego filing a formal grievance in the matter under consideration. If ADR is instituted, the process must be aided by a neutral party, who, with respect to any issue in controversy, functions specifically to aid the parties in resolving the matter through a mutually achieved and acceptable written agreement. The neutral party may not compel a resolution. Proceedings before the neutral party must be informal, and the rules of evidence will not apply. With the exception of a written and agreed-upon ADR resolution, the proceeding must be confidential. Any decision by the neutral party is advisory and is not binding unless both parties agree. If the informal grievance is not resolved within 30 calendar days of initiation, the neutral party again shall inform the grievant of his or her right to file a formal grievance.

FORMAL GRIEVANCE PROCEEDING

Except for a grievance that alleges fraud or criminal activity, a formal grievance must be filed no later than one year after the date of the alleged occurrence. If a hearing is held on a grievance, it must be conducted no later than 30 calendar days after the filing of such grievance. A final decision by the Board on any such filed grievance must be made no later than 60 days after filing. In the event

a grievant files a formal grievance after participating in an informal dispute resolution process, the neutral party may not participate in the formal grievance proceeding. In addition, no communication or proceedings of the informal dispute resolution process may be referred to or introduced into evidence as part of the formal grievance or arbitration proceedings. To the extent consistent herewith, the procedural provisions of other District policies governing grievances or complaints shall apply, depending on whether the grievant is an employee, student, parent, or member of the public. [See (LEGAL) and (LOCAL) policies at DGBA, FNG, GF, respectively]

ARBITRATION

If there is an adverse decision against a grievant, or if no decision has been reached after 60 calendar days after the filing of the formal grievance, the grievant may submit the grievance to binding arbitration before a qualified arbitrator who is jointly selected by, and independent of, the grievant and the District. If the parties cannot agree on an arbitrator within 15 calendar days after receiving a request from the grievant, the Corporation will appoint an arbitrator from a list of qualified arbitrators. An arbitration proceeding must be held no later than 45 days after the request for arbitration, or if the arbitrator is appointed by the Corporation, the proceeding must occur no later than 30 calendar days after the arbitrator's appointment. A decision must be made by the arbitrator no later than 30 calendar days after the date the arbitration proceeding begins. In accordance with 42 U.S.C. 12636(f)(4)(D), the cost of the arbitration proceeding shall be divided evenly between the parties to the arbitration, unless the grievant prevails. If the grievant prevails, the District shall pay the total cost of the proceeding and any attorney's fees of the prevailing party incurred in connection with the ADR proceeding. Pursuant to 42 U.S.C. 12636(f)(7), a suit to enforce an arbitration award may be brought in the United States District Court for the Western District of Texas, El Paso Division, without regard to the amount in controversy or citizenship.

SUSPENSION OF
PLACEMENT

If a grievance is filed regarding a proposed placement of a participant in a program or project, such placement must not be made unless the placement is consistent with the resolution of the grievance.

REMEDIES

Remedies for a grievance filed under a procedure established hereunder may include:

1. Prohibition of a placement of a participant; and
2. In grievance cases where there is a violation of non-duplication or non-displacement requirements and the employer of the displaced employee is the District:

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- a. Reinstatement of the employee to the position he or she held prior to the displacement;
- b. Payment of lost wages and benefits;
- c. Re-establishment of other relevant terms, conditions and privileges of employment; and
- d. Any other equitable relief that is necessary to correct any violation of the nonduplication or nondisplacement requirements or to make the displaced employee whole.

DELETE POLICY

The Superintendent or designee shall be authorized to manage the debt service operation of the District.

The Board may at its discretion contract with an independent firm to serve as fiscal adviser for a particular bond issue. The Superintendent shall recommend to the Board for its approval all proposed bond sales.

Bond elections shall be held in accordance with statutory requirements.

Bonds shall be sold as authorized by the qualified voters of the District on a competitive basis under the direction of a fiscal agent selected by the Board.

PROPOSED REVISIONS

~~DELINQUENT TAXES~~

~~Penalty, interest, and costs of collection shall be added to taxes paid after the delinquency date, in accordance with current legal rates.~~

~~The District shall impose an additional 15 percent penalty on all taxes, penalty, and interest due on taxes that are delinquent on or after July 1 when it has contracted with a private attorney for collection. This penalty shall be secured by a tax lien. The District's tax collector shall notify the taxpayer of the delinquency and the additional tax penalty 30 to 60 days before July 1.~~

~~The Superintendent shall report to the Board regarding the District's delinquent taxes and present recommendations concerning a system for collecting delinquent taxes.~~

NO DISCOUNTS OR SPLIT PAYMENTS

Discount or split payment options shall not be provided for the payment of property taxes in the District. ~~[See CCG(LEGAL)]~~

INSTALLMENTS

~~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 in accordance with applicable provisions. [See CCG(LEGAL)]~~

PROPOSED REVISIONS

INVESTMENT
AUTHORITY

The Superintendent or other person ~~(s) who has the state-required investment officer training in accordance with Government Code 2256.008 may be~~ designated by Board resolution to serve as an 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

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INVESTMENTS

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(LOCAL)

be undertaken that jeopardizes the total capital position of the overall portfolio.

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.

MONITORING RATING
CHANGES

In accordance with Government Code 2256.005(b), the investment officer shall develop a procedure to monitor changes in investment ratings and to liquidate investments that do not maintain satisfactory ratings.

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

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	<p>documents. Maturities longer than one year are authorized provided legal limits are not exceeded.</p>
CAPITAL PROJECTS	<p>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.</p>
INTERNAL SERVICE FUNDS	<p>Investment strategies for internal service funds shall have as their primary objectives safety, investment liquidity, and maturity sufficient to meet anticipated claims payments. Maturities longer than one year are authorized provided legal limits are not exceeded.</p>
SAFEKEEPING AND CUSTODY	<p>The cash, collateral, and investments of the District shall be held by an independent third party with whom the District has a current custodial agreement. The District shall retain clearly marked receipts providing proof of the District's ownership, or the District may delegate to an investment pool the authority to hold legal title as custodian of investments purchased with District funds.</p>
BROKERS / DEALERS	<p>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 Financial Industry Regulatory Authority (FINRA).</p>
SOLICITING BIDS FOR CD'S	<p>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.</p>
INTEREST RATE RISK	<p>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.</p> <p>The District shall monitor interest rate risk using weighted average maturity and specific identification of maturity dates of individual securities.</p>
INTERNAL CONTROLS	<p>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:</p> <ol style="list-style-type: none">1. Separation of transaction authority from accounting and recordkeeping.

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INVESTMENTS

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~~1.2.~~ **Avoidance of collusion.**

~~2.3.~~ Custodial safekeeping.

~~3.4.~~ Clear delegation of authority.

~~4.5.~~ Written confirmation of telephone transactions.

~~5.6.~~ Documentation of dealer questionnaires, quotations and bids, evaluations, transactions, and rationale.

~~6.7.~~ 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 activity shall be presented annually to the Board.~~

PROPOSED REVISIONS

REAL PROPERTY

~~CUSTODIAN~~

~~The Board is custodian of all real property under the jurisdiction of the District. The operation of the school plant and real property is delegated to the Superintendent. The Superintendent shall make recommendations to the Board regarding The projected program and recommendations as to property needs for future schools needs and specific property to be acquired shall be made to the Board in conference with the Superintendent.~~

ACQUISITION OF SITES AND ADDITIONS TO EXISTING SITES

Upon authorization of the Board, the Superintendent shall obtain a survey showing metes and bounds, an appraisal, and a topographical survey of real property proposed for acquisition. **When necessary,** ~~the Superintendent shall recommend request that Board authorization be given to negotiate for the purchase of property equal to or less than the appraised value and, if necessary, with plans for condemnation.~~ In the event real property needed for school purposes cannot be acquired within the appraised value, the Superintendent shall ~~so indicate in a report inform to the Board, together along~~ with a proper resolution for adoption to institute eminent domain proceedings.

TITLE POLICY-- LAND PURCHASES

Policies of title insurance or abstract covering all land hereinafter acquired by the District shall be obtained by the Superintendent.

SALE OR LEASE OF REAL PROPERTY

Real property may be sold or leased provided it has been determined that the property will not be needed for school purposes. The Board may sell or lease real property owned by the District whenever said property is not or will not be needed. Any such sale or lease shall be in accordance with statutes that include the following:

1. Declare the property surplus.
2. Obtain an appraisal from a qualified appraiser.
3. Establish terms of payment; i.e., cash or percentage of down payment and terms for payment of the balance.
4. Establish fee and execute listing and sales agreement with real estate firms or agents, if applicable, for the sale of surplus property.
5. Advertise for sealed bids.
6. Reserve the right to reject any or all bids, sales, or leases, and to withdraw properties from sale or lease at any time such action is deemed to be in the best interest of the District.

Administrative procedures shall be developed that outline step by step the details for sale or lease of school properties.

OTHER REVENUES
SALE, LEASE, OR EXCHANGE OF SCHOOL-OWNED PROPERTY

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PROPERTY
IMPROVEMENTS

The District shall cooperate with adjoining property owners on a pro rata basis, where applicable, on street paving and in providing off-site utility and drainage improvements at District property.

~~PAVING
ASSESSMENTS~~

~~Under the State Paving Law, a city is authorized to pave or hard-surface streets and assess the adjoining property owners. The procedure for assessment is set forth in the statutes. The District shall pay one-half of the paving costs for street improvements adjacent to school property, including all street widths.~~

RELOCATION OF
UTILITY LINES AND
OFF-SITE
IMPROVEMENTS

Where it becomes necessary for the District to relocate utilities or provide new utility services to District property, the administration shall have the authority to negotiate with utility companies or subdividers for the appropriate cost to be shared by the District. In all cases such projects in excess of \$10,000 shall be reported to the Board.

RIGHTS-OF-WAY
AND EASEMENTS

District property that is needed for rights-of-way or easements shall be sold at a fair market value, except as easements are needed for direct service to school facilities. Where service is required for District property and adjacent property owners participate in rights-of-way or easements, if the property owner donates half of the needed property, the District will also donate its pro-rata share.

UTILITIES

The associate superintendent for operations shall see that utilities are provided as needed for the successful operation of the District's facilities and programs. All requests for installing, changing, or discontinuing utilities shall be directed in writing through the office for operations for control purposes.

All contracts for utilities shall be filed in the office of the associate superintendent for operations. Periodic reports of utility consumption by the District shall be made by the office for operations.

~~DELEGATION OF
AUTHORITY TO ACT~~

~~The Superintendent has delegated the responsibility for implementation of these provisions to the associate superintendent for operations.~~

PROPOSED REVISIONS

FISCAL YEAR	The District shall operate on a fiscal year beginning July 1 and ending June 30.
BUDGET PLANNING	<p>Budget planning shall be an integral part of overall program planning so that the budget may effectively express reflects and implement all programs and activities of the District's programs and activities and provides the resources to implement them. In the budget planning process, general educational goals, specific program goals, and alternatives for achieving program goals shall be considered. Planning shall be a year-round process involving broad participation of school-District staff, the Board, and citizen groups when called upon for special consultation by the Board. The deputy budget officerschief financial officer shall direct the development of a budget calendar and a plan for budget preparation for Board review and approval by the Board by no later than April 15 each year. The budget calendar shall include:</p> <ol style="list-style-type: none">1. Date of completion of action.2. Description of the action to be performed.3. By whom the action will be performed. <p>The budget calendar shall be coordinated around the activities of the District in such a way as to comply with deadlines, consultation with employee groups, and other legal requirements of the state and federal governments. The plan shall include:</p> <ol style="list-style-type: none">1. General educational goals.2. Specific program goals.3. Alternative ways of achieving program goals.4. An evaluation system that will help determine how effectively goals are being achieved.
BUDGET MEETING	<p>The annual public meeting to discuss the proposed budget and tax rate shall be conducted as follows:</p> <ol style="list-style-type: none">1. The Board President shall request at the beginning of the meeting that all persons who desire to speak on the proposed budget and/or tax rate sign up on the sheet provided.2. Prior to the beginning of the meeting, the Board may establish time limits for speakers.

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3. **Speakers shall confine their remarks to the appropriation of funds as contained in the proposed budget and/or the tax rate.**
4. **No officer or employee of the District shall be required to respond to questions from speakers at the meeting.**

**AUTHORIZED
EXPENDITURES**

The adopted budget provides authority to expend funds for the purposes indicated and in accordance with state law, Board policy, and the District's approved purchasing procedures. The expenditure of funds shall be under the direction of the Superintendent or designee who shall ensure that funds are expended in accordance with the adopted budget.

**BUDGET
AMENDMENTS**

The Board shall amend the budget when a change is made increasing any one of the functional spending categories or increasing revenue object accounts and other resources.

**FUND BALANCE
AUTHORITY**

The Superintendent or ~~chief business officer~~**chief financial officer** shall serve as the fund manager for the District and shall classify fund balances as directed by the Board and in accordance with:

1. Generally accepted accounting practices as defined by Government Accounting Standards Board (GASB) Pronouncement #54;~~;~~
2. Any subsequent revisions by GASB;~~;~~
3. Updates to the TEA Financial Accountability Resource Guide;~~;~~
or
4. Subsequent documents prescribed by TEA.

~~The budget director shall serve in the absence of the chief business officer.~~

PROPOSED POLICY

CAPITALIZATION THRESHOLD

The capitalization threshold for purposes of classifying capital assets shall be \$5,000.

~~FIXED ASSET MANAGEMENT SYSTEM~~

~~The Superintendent or designee shall be responsible for the Districtwide fixed asset system to account for District property. The District will conduct an annual accurate physical inventory of all property of significant value [see CONTROLLED ASSET VALUES, below]. Site administrators shall be required to conduct the annual physical count of all such property in their area or site of responsibility and to properly enter and maintain appropriate records.~~

~~The fixed asset guidelines for the District shall:~~

- ~~1. Comply with generally accepted accounting principles and accountability guidelines provided by the Governmental Standards Board, the Texas Education Agency's Financial Accountability System Resource Guide, and the Comptroller's State Property Accounting System;~~
- ~~2. Comply with federal regulations pertaining to grant application requirements;~~
- ~~3. Provide for an accounting, tracking, and management system that provides a complete record of each asset from acquisition through disposal;~~
- ~~4. Require preparation of an annual financial report that provides a more complete picture of the financial condition of the District;~~
- ~~5. Assign direct responsibility for custody and proper use of specific fixed assets to site administrators;~~
- ~~6. Require the safeguarding of assets through periodic physical inventory;~~
- ~~7. Provide for the development of data to support risk-management related to fixed assets; and~~
- ~~8. Provide a basis for improved management decisions regarding maintenance programs and requirements.~~

~~FIXED ASSET INVENTORY OFFICER~~

~~The authorized designee from the Property Control Management Services Department shall serve as the fixed asset inventory officer for the District. The designee shall:~~

- ~~1. Write procedures and guidelines for appropriate management and control of inventory; and~~

~~2. Ensure that all fixed asset inventory transactions are recorded and maintained according to approved procedures.~~

~~RESPONSIBILITIES~~

~~All District staff members, regardless of classification or function, shall exercise the utmost care and diligence in the use, maintenance, and protection of all public assets placed under their care and/or custody. District schools and departments shall have specific roles and responsibilities for direct fixed asset custody, record-keeping, and regular reporting, as outlined in the Property Control Management Fixed Assets Procedure Manual, and shall be accountable for their timely execution and compliance.~~

~~The Property Control Management Services Department shall perform the mandatory training and will work to maintain ongoing communication and assistance to each site. The Property Control Management Services Department will also coordinate with the Financial Services Department to maintain current and accurate information. However, each site administrator shall assume ultimate responsibility for the fixed assets at that site.~~

~~CONTROLLED ASSET
VALUES~~

~~The fixed asset inventory will include all equipment with a unit value of \$500 or more, and all theft sensitive equipment regardless of cost, including assets that are tangible; movable; and that are reasonably identified and controlled through physical inventory.~~

~~Theft sensitive items will change as educational needs and technology evolves. Current theft sensitive equipment includes:~~

- ~~• Guns and rifles;~~
- ~~• Fax machines;~~
- ~~• Digital cameras and camcorders;~~
- ~~• Video/audio recorders and players (DVD, CD, iPods, MP3, TV, VCR, and the like);~~
- ~~• Palm pilots, iPads, and other tablets;~~
- ~~• Computers;~~
- ~~• Printers;~~
- ~~• Digital projectors and document cameras;~~
- ~~• Flatbed scanners; and~~
- ~~• Other equipment determined by the District.~~

~~The inventory of capitalized fixed assets shall include those whose cost equals or exceeds \$5,000. Significant value and depreciation~~

~~are defined by the Texas Education Agency and the Financial Accountability System Resource Guide.~~

~~FIXED ASSET FORMS~~

~~The Property Control Management Services Department will keep asset tag information on all forms relating to District equipment.~~

~~Accurate fixed asset inventories shall include:~~

- ~~1. A listing of fixed asset inventories by funding source, description, and location;~~
- ~~2. Information regarding new acquisitions;~~
- ~~3. Adjustment to previously recorded items;~~
- ~~4. Transfer of assets from one department or area to another; and~~
- ~~5. Retirement or disposition of fixed assets.~~

~~TAGGING AND
TRACKING
INVENTORY~~

~~Delivery of all purchases shall be made to the District warehouse for tagging and providing appropriate identification marks. All assets are District property and are not exempt from the requirement of delivery to the District's warehouse. Appropriate bar code tags shall be used to identify District property according to the procedures manual. The tag numbers shall be placed on the property by Property Control Management Services personnel as items are received. Fixed asset coding shall be detailed in the procedures manual.~~

~~Site administrators must receive prior approval from the Property Control Management Services Department when an alternate location for delivery is necessary such as for an order that is too large or the installation of the asset requires direct delivery. When approval has been granted for items to be delivered directly to the site, the site administrator is responsible for contacting the Property Control Management Services Department to have the item tagged and entered into the asset system.~~

~~All assets removed from a site shall require proper documentation and approval and shall be recorded in the Fixed Asset Management system. Only the site administrator shall be authorized to provide approval via signature. By releasing District property for at-home use, the site administrator shares responsibility for the protection of the asset from loss or damage. In the event the asset is lost, damaged, or stolen, the student/parent/guardian, or employee, who checked out the assets shall be liable to the District for the cost of having the assets replaced or repaired. Should such loss occur, a copy of the Police Services incident report form shall be sent to the Property Control Management Services Department.~~

~~PHYSICAL INVENTORY~~

~~Sites have primary custody and accountability for equipment and assets used in their operation. Therefore, a complete physical inventory of all capital and controlled assets will be conducted, and the results will be reconciled with the asset records every school year.~~

~~Under the guidance and coordination of the Property Control Management Services Department, sites will facilitate the maintenance of current and accurate asset records by assisting with the physical inventories. Should reconciliation of the asset counts and fixed asset system records reveal discrepancies, it will be the responsibility of the site administrator or designee to investigate the circumstances and determine the cause and party responsible. In cases where assets were lost, destroyed, or stolen through illegal actions, gross negligence, or clear violations of District policy, a police report will be filed and sent to the chief business officer for required action. The chief business officer may also determine that instances of destroyed or missing assets warrant additional review by the Internal Audit staff. Audit inventories will be conducted randomly by the Property Control Management Services Department.~~

~~Delegation of responsibilities and duties may be necessary to accurately complete the physical inventory process within the scheduled time. However, such delegation does not remove the site administrator's responsibility for proper accounting of the assets under his or her care. Administrators new to a site must verify the accuracy of the site's current inventory within ten days of beginning duty at the new site. The fixed asset group will assist in the inventory upon request. Failure to comply shall not constitute a waiver of responsibility for losses.~~

~~PENALTIES~~

~~Penalties assessed to administrators for inventory shortages, improper disposition of assets, or poor asset control records and procedures may include:~~

- ~~1. Formal reprimand through the performance evaluation process and a letter of reprimand in the personnel folder;~~
- ~~2. Criminal prosecution;~~
- ~~3. Employment termination; and~~
- ~~4. Other penalties, as deemed appropriate by the Superintendent.~~

PROPOSED REVISIONS

FINANCIAL AUDITS

~~As required by Education Code 44.008(A)~~ **In accordance with state law**, a financial audit ~~will~~ **shall** be performed annually by a certified public accountant holding a firm license from the Texas State Board of Public Accountancy. The financial audit shall be conducted in accordance with generally accepted auditing standards as outlined in the Texas Education Agency's *Financial Accountability System Resource Guide (FASRG)*.

The audit shall be conducted on an organization-wide basis, including all fund types and account groups that are the accounting responsibility of the District.

SELECTION OF EXTERNAL AUDITOR

The Board shall select an external auditor to conduct an annual financial audit for a one-year period with an option to renew annually for up to three additional years. In accordance with prudent business practices, the District shall conduct a formal request for qualifications after the third renewal for these services. A firm will be selected based on demonstrated competence and qualifications and fair and reasonable prices as required **by state law** ~~in Texas Government Code 2254.003, Professional and Consulting Services Act.~~

~~The auditor's final report will be presented to the Board in a public meeting. In compliance with Education Code 44.008(D), the annual financial audit will be filed with the Texas Education Agency no later than the 150th day after the end of the fiscal year (November 27th).~~

SELECTION OF DIRECTOR FOR INTERNAL AUDIT

The Board retains the authority to ~~select~~ **employ** the director for internal audit for the District. The Superintendent is authorized to **provide administrative support to assist the Board in employing a director for internal audit. Administrative support shall include** ~~arrange for the advertisement posting of for~~ the position, **providing applications to the board, and arranging** ~~and to screen and~~ interviews of applicants **by the Board**. ~~The Superintendent shall present to the Board for its consideration information on all of the applicants for the position and may recommend one or more of the applicants for the Board's consideration. The ultimate selection shall be made by the Board, and it reserves the right to interview one or more applicants if it so desires.~~

The director for internal audit shall be an at-will employee. ~~Once selected,~~ **Only the Board may terminate or reassign** the director for internal audit ~~may be reassigned or terminated from employment only with the approval of the Board.~~

ACCOUNTING
AUDITS

CFC
(LOCAL)

DIRECTOR FOR
INTERNAL AUDIT JOB
DESCRIPTION

The ~~Superintendent or designee~~ **Board** shall ~~recommend~~ **determine** a job description for the director for internal audit and shall, as conditions warrant, recommend revisions to the job description subject to the review and approval of the Board.

CERTIFICATIONS

The director for internal audit shall have either a Certified Internal Auditor (CIA) or a Certified Government Auditing Professional (CGAP) certification.

YEARLY EVALUATION
OF THE DIRECTOR
FOR INTERNAL AUDIT

The formative and summative evaluation for the director for internal audit shall be completed by the Board ~~in conjunction with the Superintendent in closed session~~ in December and June, respectively.

PROFESSIONAL
STANDARDS AND
PRACTICES

The operational practices and procedures of the internal audit department ~~will~~ **shall** be in accordance with the standards for the professional practice of internal auditing and code of ethics, established by the institute of internal auditors, as well as the District's policies and procedures.

REPORTING BY
DIRECTOR FOR
INTERNAL AUDIT

The director for internal audit shall provide a periodic (typically monthly, although high risk issues shall be reported immediately) report to the Board summarizing activities of the Internal Audit Department. This report shall be submitted by the director for internal audit directly to Board members and to the Superintendent simultaneously. The director for internal audit shall also provide specific reports to the Board of any investigations conducted by the Internal Audit Department concerning suspected fraud or financial impropriety, as those terms are defined in CAA(LOCAL), as well as non-compliance/wrong doing of a nonfinancial nature. These reports shall be submitted by the director for internal audit directly to Board members and to the Superintendent simultaneously, except in those cases where the Superintendent has been the subject of the investigation. The director for internal audit shall also report directly to the Board on those matters where the Board requests a specific investigation and a report from the director for internal audit.

When the Board requests a specific investigation for suspected fraud or financial impropriety, such may be discussed in closed meeting, when legally appropriate, with participation by the administration at the Board's discretion.

PLAN OF WORK AND
CHARTER

The Board President ~~and Superintendent shall~~, in cooperation with the director for internal audit, develop an annual audit plan. This plan shall be submitted to the Board for approval in ~~January~~ **April** of each year. Any addition or change to this plan shall be submitted to the Board for review and approval. Additionally, each ~~January~~ **April** as the District begins its budget development for the coming fiscal year, the Board, ~~and~~ **and** the director for internal audit, ~~and~~

ORGANIZATION AND
ASSIGNMENT OF
PERSONNEL TO THE
INTERNAL AUDIT
DEPARTMENT

~~the Superintendent~~ shall review the Internal Audit Department's organization, assigned personnel, proposed budget, this policy, and charter [see CFC(EXHIBIT)].

Without specific approval by the Board, the Internal Audit Department shall not engage in any activities that could reasonably be construed to compromise its independence. In a like manner, no additional duties or responsibilities shall be assigned to the Internal Audit Department without specific approval from the Board. Individual personnel assigned to the Internal Audit Department and their duties shall be recommended by the director for internal audit and brought ~~by the Superintendent~~ to the Board for review and approval.

Individuals applying for positions within the Internal Audit Department must disclose familial and close personal relationships with other District employees if they are on the list of finalists. The director of internal audit will consider any potential impairments of objectivity based on the position held before making the hiring decision.

**BOARD AUDIT
COMMITTEE**

The role of the Audit Committee shall be to assist and advise the board on issues related to the District's internal audit department. However, the ultimate oversight responsibility for the internal audit department remains with the full Board. The Audit Committee shall be composed of two members, for a five-member Board or three members for a seven-member Board.

The Audit Committee members shall have no conflicts of interest and shall act in the best interest of the District as a whole. Audit Committee members should possess or acquire the knowledge needed to understand and evaluate the internal audit department activities. Preferably, committee members should have knowledge of internal controls; accounting; financial reporting, and school district finance; and financial compliance and management/operational audits.

PROPOSED REVISION

DEFINITION

“Internal auditing is an independent, objective assurance and consulting activity designed to add value and improve an organization’s operations. It helps an organization accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes.”¹

~~PURPOSE OF THE INTERNAL AUDIT CHARTER~~

~~The purpose of this charter is to define the purpose, role, responsibility, and authority of the internal audit department within the El Paso Independent School District.~~

~~The charter:~~

- ~~1. Establishes the internal audit role within the District;~~
- ~~2. Authorizes full, free, and unrestricted access to all records, personnel functions (including the District’s legal counsel), property, and personnel in the performance of their duties;~~
- ~~3. Authorizes full and unrestricted access to the Board; and~~
- ~~4. Defines the scope of internal audit activities.~~

PROFESSIONALISM

The internal audit department shall govern itself by adherence to the institute of internal auditors' mandatory guidance including the definition of internal auditing, the code of ethics, and the international standards for the professional practice of internal auditing (standards). This mandatory guidance constitutes principles of the fundamental requirements for the professional practice of internal auditing and for evaluating the effectiveness of the internal audit department’s performance.

The institute of internal auditors' practice advisories, practice guides, and position papers will also be adhered to as applicable to guide operations. In addition, the internal audit department shall adhere to the District’s relevant policies and procedures.

ORGANIZATIONAL STATUS

The internal audit department is a vital part of the District and functions in accordance with policy CFC(LOCAL) established by the Board and appropriate state and federal law. The District’s director for reports to the District’s Board. **The internal audit director will communicate and interact directly with the Board, including in executive sessions and between Board meetings, as appropriate. The Board shall:**

- **Approve the internal audit charter;**
- **Approve the risk based internal audit plan;**

- **Approve the internal audit budget and resource plan;**
- **Receive communications from the director on the internal audit activity's performance relative to its plan and other matters during the monthly Board meetings and between meetings as appropriate;**
- **Approve decisions regarding the appointment and removal of the internal audit director;**
- **Approve the remuneration of the internal audit director; and**
- **Make appropriate inquiries of management and the internal audit director to determine whether there is inappropriate scope or resource limitations.**

The Superintendent shall provide appropriate support for the internal audit department within the district that includes but is not limited to providing:

- **Budget, accounting, procurement, and information technology support;**
- **Human resource administration, including support in hiring personnel and providing compensation;**
- **Adequate working space, furniture, and equipment; and**
- **Administration of the District's policies and procedures, to include enforcement of time and attendance, travel, and purchasing requirements.**

~~Administrative activities of the internal audit department are reported to and approved by the Superintendent.~~ The internal audit department operates independent of other departments and functions of the District. The organizational status and the support accorded to the internal audit department by the Board are major determinants of the scope and value of the internal audit function to the District.

AUTHORITY

The internal audit activity, with strict accountability for confidentiality and safeguarding records and information, is authorized full, free, and unrestricted access to any and all of the District's records, physical properties, and personnel pertinent to carrying out any engagement. All employees are required to assist the internal audit activity in fulfilling its roles and responsibilities. The internal audit activity shall also have free and unrestricted access to the Board.

INDEPENDENCE AND OBJECTIVITY

The internal audit activity is independent and the District's internal auditors ~~are~~ **will remain** objective and exercise due professional care in performing their work. In order to provide for the independence of the internal audit department, the department's personnel will report to and are evaluated by the director for internal audit.

Internal auditors shall have no direct operational responsibility or authority over any of the activities audited. Accordingly, they shall not implement internal controls, develop procedures, install systems, prepare records, or engage in any other activity that may impair internal auditor's judgment.

~~The internal audit department is an independent appraisal function established within the District to examine and evaluate its activities reporting to the Board and as approved by the Board, providing a service to the Superintendent and staff. The internal audit staff have a high degree of independence and are not assigned duties, do not engage in any activities that they would normally be expected to review or appraise, and do not assert direct responsibility or authority over any District activity. Independence allows the auditor to provide the impartial and unbiased judgments essential to the proper performance of audits. Internal audit staff will not:~~

- ~~1. Perform any operational duties for the District;~~
- ~~2. Initiate or approve accounting transactions external to the internal audit department;
or~~
- ~~3. Direct the activities of any District employee not assigned to the internal audit department, except to the extent that the employee has been assigned to an auditing team or to otherwise assist the internal audit staff.~~

Internal auditors shall exhibit the highest level of professional objectivity in gathering, evaluating, and communicating information about the activity or process being examined. Internal auditors shall make a balanced assessment of all the relevant circumstances and not be unduly influenced by their own interests or by others in forming judgments.

The internal audit director shall confirm to the board, at least annually, the organizational independence of the internal audit activity.

~~Objectivity is an independent mental attitude that the internal audit staff must maintain when performing audits. The internal audit staff members will not subordinate their judgment on audit matters to that of others. The internal audit department may recommend for consideration draft procedures and/or operating systems/processes but will not develop or install accounting procedures or controls, prepare records, or engage in activities that its personnel would normally review and appraise and that could reasonably be construed to compromise its independence.~~

~~Objectivity need not be adversely affected by the determination and the recommendations of standards and techniques of control to be applied in developing systems and procedures under its review or by lending its technical assistance to management in systematic analysis of operations or activities.~~

PLANNING AND COORDINATION

In accordance with policy CFC(LOCAL), the director for internal audit **shall** submit to the Board an audit plan **for the Board's review and approval. The plan shall consist of that**

~~includes the a~~ risk assessment ~~or fraud risk assessment~~, audit work schedule, and staffing plan for the **next fiscal** year. The audit plan is based on a prioritization of the audit universe using a risk-based model, **that includes input of senior management and the Board.**

The internal audit director shall review and adjust the plan, as necessary, in response to changes in the District's business, risks, operations, programs, systems, and controls. Any significant deviation from the approved internal audit plan will ~~Any amendments to the audit plan will~~ be taken to the Board for approval.

~~The director for internal audit will "share information and coordinate activities with other internal and external providers of relevant assurance and consulting services to ensure proper coverage and minimize duplications of efforts."~~²

~~The director for internal audit or designee will coordinate visits by external regulatory agencies when the visit is of an audit/monitoring/investigative nature. In addition, the director for internal audit or designee will participate in exit conferences in order to report issues to the Board members if they do not participate.~~

DEPARTMENT GOALS AND OBJECTIVES

The responsibilities of the internal audit department encompass, but are not limited to, the examination and evaluation of the adequacy and effectiveness of the District's governance, risk management, and internal controls as well as the quality of performance in carrying out assigned responsibilities to achieve the District's stated goals and objectives. This includes:

~~The objective of the internal audit department is to assist the Board, Superintendent, and staff in the effective discharge of their duties and responsibilities by furnishing them with objective analysis, appraisals, and recommendations. The internal audit department is responsible for providing information about the adequacy, efficiency, and effectiveness of the District's internal administrative and accounting controls; for the quality of operating performance when compared with established standards; and for recommending alternatives and modifications to existing systems and operations to improve overall efficiency and effectiveness. Key goals include but are not limited to:~~

1. **Evaluating risk exposure relating to the achievement of the District's objectives.** ~~Identifying, evaluating, and implementing risk assessment and management methodologies and controls to address risk.~~
2. ~~Developing and managing a risk-based internal audit plan.~~
- 3.2. ~~Verify~~ **Evaluating** the reliability and integrity of financial and operating information and the means used to identify, measure, classify, and report such information.
- 4.3. **Evaluating** ~~Reviewing~~ the systems established to ensure compliance with those policies, plans, laws, regulations, and procedures, which could have a significant impact on the District's operations. (Testing the adequacy of the control systems.)

- ~~5.4. Evaluating~~ **Evaluating** ~~Reviewing~~ the means of safeguarding assets, and as appropriate, verifying the existence of such assets.
- ~~6.5. Evaluating the effectiveness and efficiency with which~~ **Evaluating the effectiveness and efficiency with which** ~~Ensuring that~~ resources are acquired economically, used efficiently, and adequately protected.
- 6. Evaluating the design of manual and automated systems as an advisor on internal controls.**
- 7. Investigating reported occurrences of fraud, embezzlement, theft, waste, and the like, and recommending controls to prevent and/or detect such occurrences (for example, hotline reports).**
- 8. Coordinating audit efforts with external auditors in order to avoid duplication of effort, minimize audit findings, improve the effectiveness of corrective action plans, and improve communications between affected departments and personnel.**
- 9. Reporting periodically on the internal audit activity's purpose, authority, responsibility, and performance relative to its plan.**
- 10. Reporting significant risk exposures and control issues, including fraud risks, governance issues, and other matters needed or requested by the Board.**
- 11. Evaluating specific operations at the request of the Board or administration, as appropriate.**
- ~~7. Conducting special audits and reviews at the request of the Board.~~
- ~~8. Conducting special audits and reviews at the request of the Superintendent with notice to the Board.~~
- ~~9. Reviewing the design of manual and automated systems as an advisor on internal controls.~~
- ~~10. Investigating reported occurrences of fraud, embezzlement, theft, waste, and the like, and recommending controls to prevent and/or detect such occurrences (for example, hotline reports).~~
- ~~11. Coordinating audit efforts with external auditors in order to avoid duplication of effort, minimize audit findings, improve the effectiveness of corrective action plans, and improve communications between affected departments and personnel.~~

AUDIT REPORTS

The director for internal audit will submit reports to the Board in accordance with policy CFC(LOCAL). Audit reports are reviewed in order to ensure that all legal aspects, if any, and ethical implications have been considered and addressed in the report. All audit reports are objective, factual, concise, constructive, complete, and timely in nature and include findings, analyses, and recommendations in sufficient detail to facilitate review and the implementation of corrective action as appropriate. Draft audit reports are communicated to data owners who can ensure that the results are given due consideration. Audit reports are distributed in a controlled manner on the basis of organizational relationships and on a “need-to-know” basis, primarily to those activities and levels of management that have functional responsibility for acting on the findings and recommendations reported.

For standard audits, after internal audit staff members have met with auditees to confirm potential findings and discuss planned recommendations, the director for internal audit will brief the Board officers. Once a Corrective Action Plan (CAP) has been submitted and found to be adequate, then the audit report will be finalized. If in the opinion of the director for internal audit, the approval or adequacy of a CAP is unduly delayed, the director for internal audit will report the same to the Board. Only finalized reports will be posted on the District’s Web site, except information that is protected under the Family Educational Rights and Privacy Act (FERPA).

Some reports may require special consideration. In cases where findings are referred to law enforcement, the report posting may be delayed. In other cases, a more generalized report will be prepared for publication. When disclosing detailed weaknesses, such as non-functioning controls, would put the District at risk until fixed, a general report would be prepared for the public and a more detailed report would be prepared for the department personnel charged with correcting the weaknesses. In either case, the director for internal audit will work with the District’s legal counsel.

Draft reports or work papers will not be posted or made available for publication.

CORRECTIVE ACTION/MONITORING PROGRESS

The director for internal audit shall be responsible for appropriate follow-up on audit findings and recommendations. ~~The director for internal audit will “establish and maintain a system to monitor the disposition of results communicated to”³ the Superintendent and staff.~~

In finalizing the audit report, the director for internal audit or designee will consider the auditee’s response and a CAP to address findings and recommendations. The auditee’s response should include an explanation for any recommendation not addressed. The auditee’s CAP should include activities that address the findings (and prevent the re-occurrence of the non-compliance/deficiencies), a timetable illustrating status, and completion dates. Auditees who fail to provide a complete CAP are required to meet with the Superintendent and the director for internal audit to address their concerns and/or reasons for failing to respond.

The director for internal audit ~~will~~ **shall determine the appropriate** ~~establish a~~ follow-up process to monitor and ensure that management actions have been effectively implemented or that the Superintendent and/or staff members have accepted the risk of not taking action and the Board has been notified of their decision. The director for internal audit ~~will~~ **shall simultaneously** notify the **Board**, Superintendent and ~~cabinet~~ **leadership** of any delayed/past due CAP activities ~~at each week's cabinet meeting~~. The director for internal audit will notify/update the Board of delayed/past due CAP activities at the regularly scheduled ~~second~~ Board meeting ~~of the~~ **each** month. CAP owners must be in attendance at the Board meeting and explain their status.

Standards for the Professional Practice of internal auditing, Institute of internal auditors:

¹Definition of Internal Auditing

²Coordination 2050

~~³Monitoring Progress 2500~~

This charter has been approved by the El Paso Board of Trustees/Managers and shall only be modified upon a majority vote of the Board.

PROPOSED REVISIONS

FIDUCIARY RESPONSIBILITY

The Superintendent, principal, and sponsor, as applicable, shall be responsible for the proper administration of District and campus activity funds and student activity funds in accordance with state law, local policy, District-approved accounting practices and procedures, as outlined in the campus accounting manual, and the TEA *Financial Accountability System Resource Guide (FASRG)*.

STUDENT ACTIVITY FUNDS

The Superintendent or designee shall ensure that student activity accounts are maintained to manage all class funds, organization funds, and any other funds collected from students, employees, and outside organizations for a school-related purpose. The principal **or designee and**, campus financial clerk, ~~or a designee~~ shall issue receipts for all funds prior to their deposit into the appropriate District account at the District depository.

Student activity funds shall be included in the annual audit of the District's fiscal accounts. [See CFC]

USE AND EXPENDITURE

~~Use of funds collected by student groups shall be in accordance with state and local law, District-approved accounting practices and procedures, as outlined in the campus accounting manual, and the TEA FASRG. The principal or designee and sponsor shall approve fund-raising activities and all disbursements.~~

Funds collected by student groups shall be used only for purposes authorized by the organization or upon approval of the sponsor. The principal or designee shall approve all disbursements. All funds raised by student organizations must be expended for the benefit of the students.

CONTRIBUTIONS TO CHARITABLE ORGANIZATIONS

Except as provided in this policy, All funds raised by student organizations-groups must be expended for the benefit of the students. The only exception shall be the contribution of Organization funds and/or services may be contributed by a school-approved club to a charitable organization or other nonprofit entity organization in accordance upon with a the majority vote of the membership of the student organization. This type of contribution must be consistent with the organization's local, state, or national charter (local, state, or national affiliate) or related to an instructional course objective.

If the student **organization-group** plans to make a contribution to an outside charitable or nonprofit entity, then any fund-raising plan to raise the funds to be donated shall clearly stipulate that the event is being sponsored by the student organization, and not the District or campus, and shall clearly identify the outside entity and/or cause to which the funds raised shall be donated. Any such

funds to be donated to an outside entity shall be accounted for separately from the student organization's other funds.

For purposes of this policy, a charitable or nonprofit organization is a qualified Section 501(c)(3), Internal Revenue Code, organization or a similar tax-exempt organization. The charitable or non-profit organization shall provide a determination letter indicating their tax-exempt status.

DISTRICT AND
CAMPUS ACTIVITY
FUNDS

The Superintendent shall establish regulations governing the expenditure of District and campus activity funds generated from vending machines, rentals, gate receipts, concessions, and other local sources of revenue over which the District has direct control. Funds generated from such sources shall be expended for the benefit of the District or its students and shall be related to the District's educational purpose.

APPROVAL

Approval from the immediate supervisor or designee shall be obtained prior to a disbursement being made to any employee, including the principal. The principal shall approve disbursement to all other campus employees.

~~The appropriate associate superintendent for supervision and instruction or designee shall approve all disbursements or reimbursements to the principal. The principal shall approve disbursements to all other campus employees.~~

CARRYOVER FUNDS

All funds shall be left in the appropriate account and each sponsoring group shall retain the carryover funds for the next fiscal year. If an organization ceases to function or exist for at ~~minimum of least~~ three years, the **principal shall determine whether the** unexpended funds of the organization shall be credited to the campus general fund, student council, or Project Celebration account.

**SENIOR CLASS
FUNDS**

Any senior class having funds remaining in a class account at the end of its senior year, after all outstanding bills have been paid, shall make a recommendation to the principal a use of the remaining funds. Such funds shall be used to purchase an item or items for the school or shall be donated to the incoming senior class. The outgoing senior class shall no longer have proprietary interest in the funds after the last day of regular classes.

PROPOSED REVISIONS

The term “salvage property,” as used in this policy, means personal property (whether or not affixed to real property) that, through use, time, or accident is so damaged, used, or consumed that it has no value for the purpose for which it was originally intended.

The term “surplus property,” as used in this policy, means personal property (whether or not affixed to real property) that exceeds the District’s needs and is not required for the District’s foreseeable needs, and includes new or used personal property that retains some usefulness for the purpose for which it was intended or for another purpose.

DELEGATION OF AUTHORITY

~~The Superintendent shall establish and maintain procedures for the appropriate and lawful transfer, sale, or disposal of surplus and salvage property. The procedures shall:~~

- ~~1. Be designed to promote the goal of realizing the maximum benefit to the District in selling or disposing of surplus and salvage property.~~
- ~~2. Provide for an ongoing effort by the administration to evaluate surplus and salvage property to minimize any loss to the District resulting from accumulations of said property.~~
- ~~3. Call for the disposition of the District's surplus or salvage property in a manner calculated to maximize the District's financial benefit, including by competitive bid or auction (live or silent) where it is determined by the Superintendent or designee that such methods are in the District's best interests.~~
- ~~4. Provide that the District retains the right to reject any and all offers for surplus or salvage property if it determines that rejection is in the District's best interests.~~
- ~~5. Be calculated to minimize any risk to the District in connection with the disposition of the salvage and surplus property.~~

~~Provide that periodic surplus and salvage property sales shall be advertised at least once in a newspaper of general circulation in El Paso, Texas, and further, that any item with an estimated value of \$5,000 or more shall be listed specifically in such advertisement(s).~~

The Superintendent or designee is authorized to dispose of salvage property and surplus property materials for fair market value. If the salvage or surplus property has no value, the Superintendent or designee may dispose of such property according to administrative discretion.

Items obtained as federal surplus shall be managed according to federal regulations.

The Superintendent or designee is also authorized to offer surplus or salvage property as a trade-in on new property of the same general type, if said exchange is considered to be in the District's best interests. If the administration cannot sell or exchange such property for value, then the Superintendent or designee is authorized to destroy and dispose of it as worthless salvage.

This policy does not apply to the District's disposition of food and other by-products from the District's food service operations, trash, garbage, refuse, or recyclable materials. [See policy CL; for disposition of school buses, see also policy CNB]

REPORTS TO BOARD

~~The Superintendent or designee shall provide periodic reports to the Board describing items that have been designated as salvage property or surplus property, prior to disposition of same. The Superintendent or designee shall also provide periodic reports to the Board after surplus property has been sold, traded, or redesignated as salvage property, containing information concerning the disposition of said property.~~

DELETE POLICY

Texas and American flags shall be on display in every classroom. The Texas and American flags shall be flown on or near each school building every day that administrative personnel are on duty. The flags are placed at half-staff when the principal is notified to do so by the central administration.

The Pledge of Allegiance shall be included in the opening exercises of the school day.

PROPOSED REVISIONS

ELIGIBILITY

The District shall not provide transportation to any student for whom it does not receive state transportation funds, except as required by law and as provided in this policy.

~~The District shall establish and operate a student transportation system in accordance with TEA guidelines. Accordingly, the District shall not provide transportation to any student for whom it does not receive funding as part of its regular state transportation allotment, except as required by law and in the following circumstances:~~

- ~~1. A hazardous condition as defined by state law [see CNA(LEGAL)];~~
- ~~2. A student who resides within two miles of his or her assigned campus and who must cross Interstate 10 or US 54 going from his or her home to his or her assigned campus;~~
- ~~3. With annual approval of the Board, students for whom the District does not receive funding as part of its regular state transportation allotment to use District transportation, within limits of time and space and within guidelines established by the administration. A list of these routes shall be provided by May 15 for the upcoming school year.~~

HAZARDOUS CONDITIONS

No later than May 15 each year, the Board shall adopt a resolution to identify hazardous conditions within two miles of a school campus for the following school year. The resolution shall describe the specific hazardous areas where students reside who would otherwise be ineligible for transportation, but for whom the District shall provide transportation because of the hazardous conditions in those areas.

The District shall publish the locations of the routes with hazardous conditions.

MAGNET SCHOOL OR SPECIAL PROGRAM

A student ~~selected for any~~enrolled in a Board-approved magnet program or special program within the District shall be provided transportation to the respective magnet school or special program if the student lives two or more miles from the magnet school he or she will be attending or is in a designated hazardous area. ~~If a student lives less than two miles from the magnet school or special program he or she is attending, and the Board has declared the area as "hazardous," as defined in CNA(LEGAL), transportation shall be provided; otherwise, no transportation shall be provided for a student who lives within two miles of the magnet school or special program he or she attends.~~

TRANSPORTATION MANAGEMENT
STUDENT TRANSPORTATION

CNA
(LOCAL)

~~INELIGIBILITY~~

~~A nonpublic school student is not eligible for District transportation. Except as required by law or policy, the District shall make no provision for the transportation of an ineligible student, including a nonresident transfer student.~~

~~DESIGNATION OF
HAZARDOUS ROUTES~~

~~Hazardous conditions must be reviewed and approved by the Board on an annual basis no later than May 15 for the upcoming school year unless otherwise determined by the Board because of unforeseen circumstances.~~

~~The District shall publish the locations of the routes with hazardous conditions.~~

~~DISRUPTIVE STUDENT~~

~~If a student is disruptive and refuses to obey the driver's instructions to be seated or to cease disruptive behavior, the driver may stop the bus at a safe location, contact police services and request immediate removal of the student from the bus. Police services shall take the child home or to the police services office for pick up by a parent or guardian.~~

~~Students who disregard the posted bus rules or violate the Student Code of Conduct may be suspended from bus privileges pursuant to the Student Code of Conduct.~~

PROPOSED REVISIONS

~~NO~~-NONSCHOOL USE
PERMITTED

The District shall ~~not~~ permit use of District vehicles for nonschool purposes.

Nonschool use of District vehicles shall be permitted only with approval from the Superintendent or designee. Such use shall not be permitted when in conflict with school use. In granting approval, the Superintendent or designee shall not make decisions based on the viewpoints expressed by the requestors.

Nonschool users shall agree to comply with all administrative regulations and to pay all applicable fees to cover the cost of such use.

EMERGENCY USE
~~EXCEPTION~~

In case of emergencies or disasters, the Superintendent or designee may authorize the use of District vehicles by civil defense, health, or emergency service authorities. ~~[See GRC(LEGAL)]~~

~~COMMUNITY USE
EXCEPTIONS~~

~~In cases where the use of District vehicles benefits the welfare and needs of the community, the Superintendent or designee may authorize the use of District vehicles specifically for that need or event and as governed by District transportation procedures; provided, however, that the contract with the nonschool organization governing such use shall provide that it shall pay to the District an amount that at least fully covers the total cost to the District of any such use of District vehicles, including any related personnel time. The Superintendent shall ensure that appropriate insurance coverage is in place to cover such nonschool use.~~

SCHOOL-RELATED
USE

The Superintendent or designee shall develop administrative regulations for requesting, scheduling, and using District vehicles for extracurricular activities, field trips, and other school-related purposes.

[See GKD regarding nonschool use of school facilities]

DELETE POLICY

FEDERAL LAW AND STATE REGULATIONS	All District schools shall conform to applicable federal and state guidelines. In particular, no restricted foods such as foods of minimal nutritional value (FMNV), or competitive foods [see DEFINITIONS, below] may be sold in food service areas during meal service periods.
VENDING MACHINES	<p>The District shall allow vending machines dispensing products in approved locations as long as their operation does not interfere with the National School Lunch Program, the National School Breakfast Program, or the regular school instructional program. Vending machines shall not be located in cafeterias.</p> <p>Vending machines containing FMNV such as carbonated beverages and certain candies shall not be in areas where breakfast meals, lunch meals, or after-school snacks are served or eaten.</p> <p>The Superintendent shall implement rules and regulations pertaining to the location and operation of vending machines and to provide safeguards against litter and sanitation problems.</p>
CONTRACTS	All beverage vending machine contracts shall be approved at the District level. Individual campus principals do not have the authority to enter into individual contracts.
TEACHER AREAS	Vending machines in teacher/faculty dining areas and in teacher/faculty lounges may sell snack foods and beverages, including carbonated beverages. These machines shall be off limits to students at all times.
ELEMENTARY AND MIDDLE SCHOOLS	Beverage vending machines at the elementary and middle school levels, accessible to students and the general visiting public, shall dispense at any time unflavored, noncarbonated bottled water, 100 percent fruit and vegetable juices, and one percent milk and skim milk products.
ELEMENTARY SCHOOLS	Snack vending machines at elementary schools shall not be available to students except after school hours. An elementary school campus may not serve or provide access for students to FMNV or competitive foods at anytime or anywhere on school premises during the school day.
MIDDLE SCHOOLS	A middle school campus may not serve or provide access for students to FMNV or any form of candy anywhere on school premises until after the end of the last lunch period. Competitive foods may not be made available to middle school students anywhere on school premises during meal periods.
HIGH SCHOOLS	

Beverage and snack food vending machines at the high school level, accessible to students and the general visiting public, shall be allowed to dispense a limited selection of vendor products. A high school campus may not serve or provide access for students to FMNV or competitive foods in areas where reimbursable meals (breakfast, lunch, and snacks) are served or consumed, except unflavored, noncarbonated bottled water and 100 percent fruit and vegetable juices.

DEFINITIONS

PORTION SIZES

Maximum portion sizes are restricted by the Texas Public School Nutrition Policy from the Texas Department of Agriculture and pertain to all foods and beverages served or made available to students throughout the school day at elementary, middle, and high schools.

FOODS OF
MINIMUM
NUTRITIONAL
VALUE (FMNV)

FMNV are defined as the four categories of foods and beverages (soda water, water ices, chewing gum, and certain candies) that are restricted by the U.S. Department of Agriculture (USDA) under the Child Nutrition Program.

COMPETITIVE
FOODS

Competitive foods are defined as foods and beverages sold or made available to students that compete with the school's operation of the National School Lunch Program, School Breakfast Program, and/or After School Snack Program. This definition includes, but is not limited to, food and beverages sold or provided in vending machines, in school stores, or as part of school fundraisers. School fundraisers include food sold by school administrators or staff (principals, coaches, teachers, etc.), students or student groups, parents or parent groups, or any other person, company, or organization.

COMPETITIVE FOOD
SALES

The food service program operates without support from the general operating fund. In order for it to remain self-sustaining, competitive sales of food and beverages shall be strictly controlled. Competitive sales of food and beverages by school-related organizations, PTAs, and others shall not take place during school hours in elementary or elementary-intermediate schools; during school meal times in middle schools; and in high schools during meal times where school meals are served and consumed.

As part of the approval process for fund-raising activities, the principal, in collaboration with the Food and Nutrition Services Department and sponsors or officers of school-related organizations, shall impose reasonable restrictions on the number and frequency of competitive sales of food and beverages.

In planning for competitive sales, the principal shall consult with the Food and Nutrition Services Department to determine whether that department can reasonably serve as vendor or broker for the

FOOD SERVICES MANAGEMENT

CO
(LOCAL)

event. Any exceptions to this policy shall be approved under guidelines and procedures developed by the Superintendent or designee.

OUTSIDE ACTIVITIES

Schools and school-related organizations may contract with the Food and Nutrition Services Department to serve as broker or vendor for food and beverages served at activities outside normal school hours, although private vendors may also provide this service.

VIOLATIONS

Any violation of this policy, which is required by the USDA, may result in financial losses to the District.

PROPOSED REVISIONS

USE OF INTERNAL MAIL SYSTEM

The District mail system for delivering items between District buildings shall not be available for use other than official school business. With the permission of the Superintendent or designee, internal mailboxes at an individual campus may be used by campus employees and school-sponsored or school support groups affiliated with that campus. [See also GKDA]

~~PROHIBITION AGAINST POLITICAL ADVERTISING~~

~~The District's internal mail system may not be used to distribute political advertising, except for political advertising that is addressed to a specific person and delivered to the District through the United States Postal Service, as specified in Election Code 255.0031.~~

DEFINITIONS

~~"Political advertising" as defined by law means "a written communication supporting or opposing a candidate for nomination or election to a public office or office of a political party, a political party, a public officer, or a measure." [See CPAB(LEGAL)]~~

~~"Measure" as defined in Election Code 251.001(19) means "a question or proposal submitted in an election for an expression of the voters' will and includes the circulation and submission of a petition to determine whether a question or proposal is required to be submitted in an election for an expression of the voters' will."~~

PROPOSED REVISIONS

Note: For Board member use of District technology resources, see BBI. For student use of personal electronic devices, see FNCE.

AVAILABILITY OF
ACCESS

For purposes of this policy, “technology resources” means electronic communication systems and electronic equipment.

Access to the District’s technology resources, including the Internet, shall be made available to students and employees primarily for instructional and administrative purposes and in accordance with administrative regulations.

LIMITED PERSONAL
USE

Limited personal use of the District’s technology resources shall be permitted if the use:

1. Imposes no tangible cost on the District;
2. Does not unduly burden the District’s technology resources;
and
3. Has no adverse effect on an employee’s job performance or on a student’s academic performance.; **and**
- ~~4. Does not occur during class time or during an employee’s regular hours on duty.~~

USE BY MEMBERS
OF THE PUBLIC

Access to the District’s technology resources, including the Internet, shall be made available to members of the public, in accordance with administrative regulations. Such use shall be permitted so long as the use:

1. Imposes no tangible cost on the District; and
2. Does not unduly burden the District’s technology resources.

ACCEPTABLE USE

The Superintendent or designee shall develop and implement administrative regulations, guidelines, and user agreements consistent with the purposes and mission of the District and with law and policy. [See CY(LOCAL) for copyright issues]

Access to the District’s technology resources is a privilege, not a right. All users shall be required to acknowledge receipt and understanding of all administrative regulations governing use of the District’s technology resources and shall agree in writing to allow monitoring of their use and to comply with such regulations and guidelines. Noncompliance may result in suspension of access or termination of privileges and other disciplinary action consistent with District policies. [See DH(LOCAL), FN series, FO series, and

TECHNOLOGY RESOURCES

CQ
(LOCAL)

the Student Code of Conduct] Violations of law may result in criminal prosecution as well as disciplinary action by the District.

INTERNET SAFETY

The Superintendent or designee shall develop and implement an Internet safety plan to:

1. Control students' access to inappropriate materials, as well as to materials that are harmful to minors;
2. Ensure student safety and security when using electronic communications including understanding privacy issues, "netiquette," identifying violence and hate sites, and understanding social sites;
3. Prevent unauthorized access, including hacking and other unlawful activities;
4. Restrict unauthorized disclosure, use, and dissemination of personally identifiable information regarding students;
5. Identify parent responsibilities to set rules and guidelines, discuss risks of inappropriate use, monitor access, and look for symptoms of dangerous usage at home; and
6. Educate students about cyberbullying awareness and response and about appropriate online behavior, including interacting with other individuals on social networking Web sites and in chat rooms.

FILTERING

The District's network systems shall have filtering devices that block access to text or visual depictions that are obscene, pornographic, inappropriate for students, or harmful to minors, as defined by the federal Children's Internet Protection Act and as determined by the Superintendent or designee.

The Superintendent or designee shall enforce the use of such filtering devices. Upon approval from the Superintendent or designee, an administrator, supervisor, or other authorized person may consider not filtering specific Web sites for bona fide research or other lawful purpose.

MONITORED USE

Electronic mail transmissions and other use of the District's technology resources by students, employees, and members of the public shall not be considered private and may be subject to disclosure as specified by Texas Open Records law.

Designated District staff shall be authorized to monitor the District's technology resources at any time to ensure appropriate use.

DISCLAIMER OF LIABILITY

The District shall not be liable for users' inappropriate use of the District's technology resources, violations of copyright restrictions

TECHNOLOGY RESOURCES

CQ
(LOCAL)

or other laws, users' mistakes or negligence, and costs incurred by users. The District shall not be responsible for ensuring the availability of the District's technology resources or the accuracy, age appropriateness, or usability of any information found on the Internet.

RECORD RETENTION

A District employee shall retain electronic records, whether created or maintained using the District's technology resources or using personal technology resources **for District business**, in accordance with the District's record management program. [See CPC]

SECURITY BREACH
NOTIFICATION

Upon discovering or receiving notification of a breach of system security, the District shall disclose the breach to affected persons or entities in accordance with the time frames established by law.

The District shall give notice by using one or more of the following methods:

1. Written notice.
2. Electronic mail, if the District has electronic mail addresses for the affected persons.
3. Conspicuous posting on the District's Web site.
4. Publication through broadcast media.

DELETE POLICY

INSURANCE

The placement of insurance is controlled by the Board.

Management of insurance programs shall be as follows:

1. Employee insurance and annuities, physical plant, vehicle and liability insurance, and performance bonds are under the jurisdiction of the associate superintendent for Human Resources.
2. Workers' compensation is under the supervision of the associate superintendent for Human Resources. Workers' compensation claims are placed with the director for Risk Management.

An unemployment compensation program is provided for all District employees as required by the Texas Unemployment Compensation Act. [See CRF(LEGAL)]

PROPOSED REVISIONS

**TRUSTEES AND
EMPLOYEES**

The District shall purchase insurance as provided in CRB(LEGAL) to fund the cost of litigation to protect the District, its employees, and Trustees who are exposed to individual liability by virtue of their official duties. [See CRB(LEGAL)]

TORT CLAIMS

~~The~~**In addition, the** District shall purchase insurance to protect the District **and employees** from liability under the ~~Texas~~ Tort Claims Act. ~~The District may name employees of the District as additional insureds under such insurance policy.~~
[See CRB(LEGAL)]

PROPOSED REVISIONS

REASONABLE
ASSURANCE

The District shall issue letters of reasonable assurance, as appropriate, to employees in positions requiring less than 12 months of service whose services are anticipated to be needed at the beginning of the following school year. ~~Employees without written contracts in positions requiring less than 12 months of service and whose services are anticipated to be needed at the beginning of the following school year shall be provided with written reasonable assurance of employment.~~

Letters ~~Such assurance~~ shall be provided at the end of the current assignment and shall stipulate that the assurance of employment extends only to the beginning of the following school year, subject to compensation as determined by the Board and assignment as determined by the Superintendent or designee. [See DCD and DCE]

PROPOSED REVISIONS

COMPLIANCE WITH LAW	The Superintendent or designee shall establish procedures that ensure that all school facilities within the District comply with applicable laws and local building codes.
CONSTRUCTION CONTRACTS DELIVERY / PROCUREMENT METHOD	<p>For each construction contract valued at or above \$50,000 in the aggregate, except as noted below for job-order contracts, the Board designates the competitive sealed proposal project delivery procurement method as the default “best value” method. The Board determines that the competitive sealed proposal procurement method offers the most flexibility to the District in procuring a final best value purchase through direct negotiations with the offeror as permitted under Section 2267, Subsection (d) of the Government Code state law.</p> <p>Those services that qualify for procurement as job-order contracts shall be procured in accordance with the provisions of Section 2267, Subsection (i) of the Government Code state law. The Board determines that procurement of qualifying facilities construction or repair through job-order contracts provides for the timeliest completion of construction or repairs. <u>[See CVF]</u></p> <p>If any other project delivery procurement method is to be employed, the Superintendent or designee shall first recommend the same to the Board for its approval.</p>
APPROVAL AUTHORITY	<p>For construction contracts valued at or above \$100,000 in the aggregate, the Superintendent or designee shall recommend to the Board for its approval the contract award the Superintendent or designee determines provides the best value to the District. [See CV(LEGAL)]</p> <p>The Board authorizes the Superintendent or designee to approve contracts for lesser expenditures for construction and construction-related materials or services. No fewer than three telephone quotes for contracts less than \$50,000 shall be obtained, unless more formal procurement procedures are required by law. All such purchases shall be consistent with law and policy. [See also CH]</p>
CHANGE ORDERS	Change orders permitted by law shall be approved prior to any changes being made in the approved plans or the actual construction of the facility.
INDIVIDUAL CHANGE ORDERS	The Superintendent or designee shall be authorized to approve individual change orders for an adjustment of cost less than \$50,000. Change orders for an adjustment of cost greater than or equal to \$50,000 shall require Board approval. All change orders approved by the Superintendent or designee in excess of \$500 and less than \$50,000 shall be reported to the Board quarterly.

FACILITIES CONSTRUCTION

CV
(LOCAL)

AGGREGATE CHANGE ORDERS	The Superintendent or designee shall approve change orders when the aggregate amount of the changes is 15 percent or less of the original contract value. Changes in the aggregate above 15 percent of the original contract value shall require Board approval.
TIME EXTENSIONS	Changes to the construction time exceeding 30 days in the aggregate or individually shall be presented to the Board for approval. All change orders approved by the Superintendent or designee for time extensions of less than 30 days shall be reported to the Board quarterly.
PROJECT ADMINISTRATION	All construction projects shall be administered by the Superintendent or designee, who shall keep the Board informed on the progress of the construction projects and shall provide information to the general public. It is the Board's goal that change orders to construction contract amounts be maintained at an overall program rate of five percent or less.
<u>FINAL PAYMENT</u>	<u>The District shall not make final payments for construction or the supervision of construction until the work has been completed and the Board has accepted the work.</u>
BOND FOR INSURED LOSS	The Board discourages submission of bids or proposals for which a subcontractor is performing 100 percent of the work and would not itself be able to provide the payment and performance bonds necessary for the project if it were the prime contractor.
SCHOOL FACILITY PLANNING AND CONSTRUCTION	The operations department shall coordinate facility planning with the instructional and administrative staff, and the Board shall be informed on a periodic basis.
PROFESSIONAL SERVICES	<p>The administration shall be authorized to recommend employment of such professional services as needed for architectural and engineering design, appraisals, soil analyses, construction testing services, planning, and other specific job requirements. Fees shall be established at the time of employment.</p> <p>The Superintendent or designee shall be authorized to enter into such professional service agreements when the fee is valued at less than \$50,000<u>\$100,000</u>. All professional services contracts s approved by the Superintendent, regardless of the value, shall be reported to the Board quarterly. <u>Board approval shall be required for fees of \$100,000 or more.</u></p>

PROPOSED REVISIONS

SPECIFICATIONS	The Superintendent or designee shall ensure that appropriate specifications are prepared for any construction project or any re-habilitation, alteration, or repair service for a facility for which competitive bids are sought.
BID PROCESS	All bids shall be submitted in sealed envelopes, plainly marked with the name of the bid and the time of the bid opening. Bids shall be opened at the time specified. All interested parties shall be invited to attend the bid opening. Any bid may be withdrawn prior to the scheduled time for opening. Bids received after the specified time shall not be considered.
SAFETY RECORD	If the District considers the safety record of bidders in determining to whom to award a contract, the safety record shall be defined as a bidder's OSHA (Occupational Safety and Health Administration) inspection logs for the last three years, a loss analysis from the bidder's insurance carrier, and a loss history covering all lines of insurance coverage carried by the bidder.
SELECTION CRITERIA	The District may establish one or more of the following criteria for determining the bid that offers the best value to the District: <ol style="list-style-type: none"><li data-bbox="560 1083 1442 1283">1. The bidder's safety record. As used in this policy, "safety record" shall mean a bidder's OSHA (Occupational Safety and Health Administration) inspections for the last three years, a loss analysis from the bidder's insurance carrier for the last three years, and a loss history covering all lines of insurance coverage carried by the bidder for the last three years;<li data-bbox="560 1310 808 1344">2. The bid price;<li data-bbox="560 1371 997 1404">3. The reputation of the bidder;<li data-bbox="560 1432 1089 1465">4. The quality of the bidder's services;<li data-bbox="560 1493 1398 1549">5. The extent to which the bidder's services meet the District's needs;<li data-bbox="560 1577 1227 1610">6. The bidder's past relationship with the District;<li data-bbox="560 1638 1442 1694">7. The impact on the ability of the District to comply with law and rules relating to historically underutilized businesses;<li data-bbox="560 1722 1442 1778">8. The total long-term cost to the District to acquire the bidder's services; and<li data-bbox="560 1806 1442 1864">9. Any other relevant factor specifically listed in the request for bids.

FACILITIES CONSTRUCTION
COMPETITIVE BIDDING

CVA
(LOCAL)

BID PROCESS	All bids shall be submitted in sealed envelopes, plainly marked with the name of the bid and the time of the bid opening. Bids shall be opened at the time specified at or in an office of the District. All interested parties shall be invited to attend the bid opening.
WITHDRAWALS AND LATE BIDS	Any bid may be withdrawn prior to the scheduled time for opening. Bids received after the specified time shall not be considered.
AWARD OF CONTRACT	The District shall award a competitively bid contract at the bid amount to the bidder offering the best value to the District according to the selection criteria established by the District. The District may reject any and all bids.
BONDING REQUIREMENTS	Bonding requirements are specified in CV(LEGAL).

PROPERTY REVISIONS

SPECIFICATIONS	The Superintendent or designee shall prepare a request for proposals for the selection of a contractor for construction services for which competitive sealed proposals are sought.
PROCESS	All proposals shall be submitted in sealed envelopes, plainly marked with the name of the proposal and the time of the deadline for submission. Proposals shall be opened at the time specified. All offerors shall be invited to attend the proposal opening. Changes in the content of a proposal, and in prices, may be negotiated after proposals are opened.
WITHDRAWAL AND LATE PROPOSALS	Any proposal may be withdrawn prior to the scheduled time for opening. Proposals received after the specified time shall not be considered.
PROPOSAL ACCEPTANCE	The District may reject any and all proposals.
SAFETY RECORD	If the safety record of offerors is considered in selecting a proposal, the record shall be defined as an offeror's OSHA (Occupational Safety and Health Administration) inspection logs for the last three years, a loss analysis from the offeror's insurance carrier, and a loss history covering all lines of insurance coverage carried by the offeror.
SELECTION CRITERIA	The District may establish one or more of the following criteria for determining the proposal that offers the best value to the District: <ol style="list-style-type: none">1. The offeror's safety record. As used in this policy, "safety record" shall mean an offeror's OSHA (Occupational Safety and Health Administration) inspections for the last three years, a loss analysis from the offeror's insurance carrier for the last three years, and a loss history covering all lines of insurance coverage carried by the offeror for the last three years;2. The proposal price;3. The reputation of the offeror;4. The quality of the offeror's services;5. The extent to which the offeror's services meet the District's needs;6. The offeror's past relationship with the District;7. The impact on the ability of the District to comply with law and rules relating to historically underutilized businesses;

FACILITIES CONSTRUCTION
COMPETITIVE SEALED PROPOSALS

CVB
(LOCAL)

~~8. The total long-term cost to the District to acquire the offeror's services; and~~

~~9. Any other relevant factor specifically listed in the request for proposals.~~

~~PROCESS~~

~~All proposals shall be submitted in sealed envelopes, plainly marked with the name of the proposal and the time of the deadline for submission. Proposals shall be opened at the time specified, at or in an office of the District. All offerors shall be invited to attend the proposal opening.~~

~~WITHDRAWAL AND
LATE PROPOSALS~~

~~Any proposal may be withdrawn prior to the scheduled time for opening. Proposals received after the specified time shall not be considered.~~

~~AWARD OF
CONTRACT~~

~~The District shall select the proposal that the District determines provides the best value to the District based on a combination of price and the other selection criteria designated by the District. The District may discuss proposals with offerors after the proposals have been opened to allow for clarification and changes. The District shall take adequate precautions to ensure that information from competing proposals is not disclosed to other offerors except as may be required by law. [See GBA(LEGAL)]~~

~~The District may reject any and all proposals.~~

PROPOSED REVISIONS

~~TRADE CONTRACTOR
/SUBCONTRACTOR~~

~~The construction manager-at-risk shall publish and make available to all interested subcontractors, specific criteria to be used in the evaluation of subcontractor bids or proposals with its advertisement for said bids or proposals, and shall adhere strictly to the published criteria in evaluating the subcontractor bids or proposals. The construction manager-at-risk agreement shall provide that in no case shall the subcontractor bid or proposal "price" bear a relative weight of less than 70 percent of the total evaluation score in the selection criteria for the determination of best value as approved by the Superintendent or designee. Other evaluation criteria as specified in Section 44.031(B) of the Texas Education Code, shall comprise the remaining 30 percent of the evaluation score, with no other single factor comprising more than ten percent of the total evaluation score. The construction manager-at-risk's recommendations of bids or proposals shall be based on the evaluation process specified above, in related policies, and in Section 44.038 of the Texas Education Code.~~

DELEGATION OF
AUTHORITY

The Superintendent shall be authorized to approve the construction manager-at-risk's guaranteed maximum price for construction of the facility. The guaranteed maximum price shall not exceed the project budget as authorized in the related professional design services agreement.

The Superintendent shall further have the authority to approve the construction manager-at-risk's recommendations for the selection of trade subcontractors in connection with the project's construction phase. The Superintendent shall also have the authority to require acceptance of a different trade contractor or subcontractor bid or proposal, subject to legal and contract requirements. The construction manager-at-risk, or any bidder/proposer trade contractor or subcontractor, may appeal the Superintendent's decision as to the acceptance or rejection of a trade contractor or subcontractor bid or proposal to the Board in accordance with Board policy GF(LOCAL).

PROPOSED REVISIONS

	<p>The Board shall name all schools, other facilities, and function areas whether new or existing.</p>
TIME LINES	<p>When the Board awards a contract for construction of a school, other facility, or function area that requires naming, the Board Business Services Committee may solicit recommendations for naming the school, facility, or function area 30 days after approval of the contract. The deadline for accepting recommendations shall be no later than 30 calendar days after nominations have been requested.</p>
NEW FACILITIES OR FUNCTION AREAS	<p>Within 60 calendar days from the date of awarding the contract, the Board Business Services Committee shall submit the name consider the recommendations to the Board.</p>
EXISTING FACILITIES OR FUNCTION AREAS	<p>The time lines for naming an existing school, other facility, or function area shall adhere to the requirements as specified by the Board Business Services Committee.</p>
GUIDELINES	<p>The following guidelines shall be applicable to nomination submissions:</p> <ol style="list-style-type: none">1. A school, facility, or function area may be named after an individual. The individual should must have made exceptional contributions to public education, preferably to the District or society.2. The individual should must represent exemplary human qualities or serve as a model of excellence for the students who will attend the facility and should lend prestige and status to an institution of learning.3. The individual may be living or deceased.4. The individual nominated shall not be an employee at the time of consideration or selection of a name.5. Diversity will shall be given consideration in selecting a school name.6. Schools, facilities, or function areas may also be named after geographic areas, landmarks, or academic-educational functions.7. Personal favoritism, political pressure, or temporary popularity shall not influence the naming of schools, facilities, or function areas.
NOMINATIONS	<p>All nominations for naming of a school, facility, or function area shall be submitted in writing to the chairperson of the Board Busi-</p>

NAMING FACILITIES

CW
(LOCAL)

~~ness Services Committee~~ **Board or Board's designee**. If the nomination is for an educational facility to be named after an individual, the justification shall include biographical data, significant contributions, and the rationale for the honor.

MAJOR CAPITAL
DONATIONS
FACILITY

Upon approval of the Board, a facility may be named for an individual or group if a major capital donation has been made to the District for the facility by or on behalf of the nominated individual or group. A major capital donation is defined as the land for the facility or a donation of 50 percent or more of the total cost of constructing the facility.

PORTION OF A
FACILITY

Upon approval of the Board, a portion of a facility may be named for an individual or group if a major capital donation has been made to the District for the facility by or on behalf of the nominated individual or group. A major capital donation for the naming or re-naming of portions of facilities is defined as the land for the facility or a donation of 25 percent or more of the cost of constructing the facility or portion of the facility.

BUILDING ADDITION
OR FACILITY
RENOVATION

When a District building addition or facility renovation takes place, and interest has been expressed to name the addition or renovation, or when interest has been expressed to name an existing school facility, the principal shall convene a committee comprised of a member of the school's campus improvement team (CIT), PTA, booster club or other significant parent organization, alumni organization (if one exists), and a member of the school community (parent, business representative, or community member).

The committee shall solicit nominations through announcements in school/PTA newsletters, the marquee, and local newspaper announcements. The committee is advised to make a concerted effort to research a variety of stakeholders using more than one method of communication. A person making a nomination shall complete the District's school/facility name nomination form and shall return it to the principal or unit head. The committee shall convene and consider all nominations.

The committee shall submit a recommendation for the Board's consideration and shall include a second and third option. The principal or unit head shall coordinate this process through the appropriate associate/assistant superintendent or supervisor, who shall forward the documentation to the Superintendent for presentation ~~to the Board Business Services Committee and~~ to the Board for approval. Funding to provide signage for the building addition or facility renovation, that is not already budgeted, must be provided by an outside entity or must be submitted for a future budget consideration.

NAMING FACILITIES

CW
(LOCAL)

The facilities department shall compile a list of common signage (interior and exterior) cost estimates, including installation. The cost estimates shall be included as part of the District's school/facility name nomination form.

NOTIFICATION /
DEDICATION

Only after Board approval, if the approved name is of an individual, the honoree (if living) and/or the honoree's family shall be formally notified and an appropriate dedication ceremony shall be planned.

DELETE POLICY

RESIDENCE

Effective June 1, 1963, all District employees must reside in the United States.

PROPOSED REVISIONS

EXAMINATIONS
DURING
EMPLOYMENT

The Superintendent or designee may require an employee to undergo a medical examination if information received from the employee, the employee's supervisor, or other sources indicates the employee has a physical or mental impairment that:

1. Interferes with the employee's ability to perform essential job functions; or
2. Poses a direct threat to the health or safety of the employee or others. A communicable or other infectious disease may constitute a direct threat.

The District may designate the physician to perform the examination. If the District designates the physician, the District shall pay the cost of the examination. The District may place the employee on paid administrative leave while awaiting results of the examination and evaluating the results.

Based on the results of the examination, the Superintendent or designee shall determine whether the employee has an impairment. If so, the Superintendent or designee shall determine whether the impairment interferes with the employee's ability to perform essential job functions or poses a direct threat. If not, the employee shall be returned to his or her job position.

If the impairment does interfere with the employee's ability to perform essential job functions or poses a direct threat, the Superintendent or designee shall determine whether the employee has a disability and, if so, whether the disability requires reasonable accommodation, including the use of available leave. The granting of **additional** unpaid leave may be a reasonable accommodation in some circumstances. **Even if** the employee does not have a disability, the Superintendent or designee shall evaluate the employee's eligibility for leave. [See DEC(LOCAL)]

[See DAA for information on disabilities and reasonable accommodation]

PLACEMENT ON
TEMPORARY
DISABILITY
AT EMPLOYEE'S
REQUEST

The Superintendent or designee shall have authority to place an educator on temporary disability leave at the educator's request, as appropriate, when the educator's condition interferes with the performance of regular duties.

BY BOARD
AUTHORITY

Based on the Superintendent's recommendation that an educator be involuntarily placed on temporary disability leave, the Board shall place an educator on temporary disability leave if the Board determines, in consultation with the physician who performed the

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
MEDICAL EXAMINATIONS AND COMMUNICABLE DISEASES

DBB
(LOCAL)

medical examination that the educator's condition interferes with the performance of regular duties.

[See DEC(LEGAL)]

OTHER
REQUIREMENTS

Employees with communicable diseases shall follow recommendations of public health officials regarding contact with students and other employees. Food service workers shall comply with health requirements established by city, county, and state health authorities. Bus drivers shall comply with legal requirements. [See DBA]

BLOODBORNE
PATHOGENS
EXPOSURE CONTROL
PLAN

The Superintendent shall develop and implement a Bloodborne Pathogens Exposure Control Plan pursuant to ~~Subchapter H of Chapter 81 of the Texas Health and Safety Code~~ **state law** and ~~the rules promulgated thereunder by the Texas Department of Health.~~
[See DBB(REGULATION)]

PROPOSED REVISIONS – District accepts this policy

~~These provisions~~**This policy** shall govern ~~these~~ employee conflict of interest situations not already prohibited by Board ~~policies~~**policy** ~~DBD(LEGAL), CBB(LEGAL), the legal provisions cited therein~~**state law**, ~~the Code of Ethics and Standard Practices for Texas Educators or the Educators' Code of Ethics~~ at DH(EXHIBIT), ~~or other legal provisions.~~

A District employee shall not directly or indirectly use coercive means, promise special treatment, or capitalize upon his or her position in order to influence professional decisions, purchases, adoptions, or colleagues. It is a violation of ethics for any employee to use his or her position with the District to seek personal or professional advantage. [See DH(EXHIBIT)]

The District has an obligation to eliminate or restrict all transactions that would indicate an apparent conflict of interest involving the District and any employee. Therefore, the District shall not enter into any business transactions or negotiations for services or for the purchase of any product with any of its employees, whether the employee is acting as an agent for any vendor or for his or her own interest in any separate business, except as expressly permitted by this policy.

DEFINITIONS

The following definitions shall apply for ~~For~~ purposes of this policy, ~~the following definitions are provided.~~

CONFLICT OF INTEREST

A conflict of interest is a situation in which the personal interests of a contractor or District employee are, or appear to be, at odds with the best interests of the District.

A conflict of interest arises when a District employee holds an interest in, is an employee of, and/or consultant with, another business if that business is a supplier of products or professional service to the District, employees, or students. Under certain circumstances, however, such conflict may be waived after full disclosure, as discussed further below.

BUSINESS OWNERSHIP

Business ownership shall be defined as any percentage interest of ownership in a business by an employee or his or her immediate family.

IMMEDIATE FAMILY

For the purpose of this policy, "immediate family" shall include persons related to an employee in the first degree by consanguinity (blood) and affinity (marriage). Relationships by consanguinity include an employee's parents and children; relationships by affinity include an employee's spouse and the spouse's parents and children.

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
CONFLICT OF INTEREST

DBD
(LOCAL)

DISCLAIMER	A disclaimer is a statement to the effect that an employee (or his or her immediate family) has no business interest in any entity conducting or planning to conduct business with the District.
DISCLOSURE STATEMENT	A disclosure is a statement that makes known and explains an employee's (or his or her immediate family's) business interest (ownership or employment) in an entity conducting or planning to conduct business with the District.
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 with the best interest of the District.
SPECIFIC DISCLOSURES SUBSTANTIAL INTEREST	<p>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.</p> <p><u>Any other employee who is in a position to effect 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.</u></p>
INTEREST IN PROPERTY	The Superintendent shall be required to file an affidavit disclosing interest in property in accordance with Government Code 553.002.
AFFIDAVIT / DISCLOSURE OF OWNERSHIP OR EMPLOYMENT	<p>District employees shall comply with the following guidelines in accordance The following steps shall be followed by District staff in complying with the District's conflict of interest policy:</p> <ol style="list-style-type: none">1. Personnel District employees with primary purchasing responsibilities (employees with budget authority) shall file an affidavit with the District's director for purchasing. The director for purchasing shall file an affidavit with the chief financial officer for business services.2. The director for purchasing shall submit a statement to the chief business officer chief financial officer for business services that discloses a potential conflict of interest from personnel District employees with primary purchasing responsibilities.3. The aforementioned statement (that includes a listing of affidavits for employees with primary purchasing responsibilities) shall be approved by the Superintendent and submitted for approval by the Board at the beginning of the fiscal year.

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
CONFLICT OF INTEREST

DBD
(LOCAL)

Any additions to that document shall also be submitted for Board approval.

4. Purchasing transactions shall be reviewed periodically (at least annually) under the direction of the Superintendent to ensure that conflicts of interest do not exist.

REQUIREMENTS AND
RESTRICTIONS

The District shall make no purchase, either directly or indirectly, of labor, services, supplies, materials, equipment, or real estate from a District employee or from a business owned by a District employee or his or her immediate family.

EXCEPTIONS

If labor, services, supplies, materials, equipment, or real estate cannot be acquired from other sources or the price from other sources is greater than that of the business owned by an employee or his or her immediate family, then purchases may be made from this business after full disclosure and Board **approval** of said disclosure(s). Evidence must show that such labor, services, supplies, materials, equipment, or real estate are needed. Exceptions shall be made for businesses owned by employees when such employees have qualified and are chosen as certified vendors through an established cooperative purchase program approved by the Board.

~~An employee without primary purchasing responsibilities shall file an affidavit [see DBD(EXHIBIT)] with the director for purchasing stating the nature of the business. The District shall not purchase from a business unless that an affidavit is on file in the purchasing department. A list of all affidavits shall be approved by the Superintendent and submitted for approval by the Board at the beginning of the fiscal year. Any additions to that list shall be submitted for Board approval.~~

~~No employee of the District shall engage in any activity, commercial or otherwise, that would compromise the employee's ability to perform his or her duties and responsibilities. More specifically, no employee of the District shall:~~

- ~~1. Solicit or accept any gift, favor, or service that might reasonably tend to influence him or her in the discharge of official duties or that the employee knows or should know is being offered with the intent to influence his or her official conduct.~~
- ~~2. Accept any employment or engage in any business, professional, or social activity that could reasonably be expected to require or induce the employee to disclose confidential information acquired by reason of his or her official position.~~

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
CONFLICT OF INTEREST

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- ~~3.— Accept other employment or compensation that could reasonably be expected to impair the employee's independence of judgment in the performance of official duties.~~
- ~~4.— Make personal investments that could reasonably be expected to create a conflict between the employee's private interest and the public interest.~~
- ~~5.— Intentionally or knowingly solicit, accept, or agree to accept, any benefit for having exercised official powers or performed official duties in favor of or against another.~~

ENDORSEMENTS

Employees shall not recommend, endorse, or require students to purchase any product, material, or service in which they have a financial interest or that is sold by a company that employs the District employee during nonschool hours. Professional employees shall not recommend or require students to purchase a specific brand of school supplies if there are other brands that are equal and suitable for the intended instructional purpose.

SALES

Employees shall not use their positions with the District to gain entrance to a home within the District or to obtain an audience with any District resident for the purpose of attempting to sell products or services.

TEXTBOOKS

In the event any textbook recommended by the local textbook adoption committee is written, endorsed, or sponsored (in whole or in part) by any current or former employee of the District, an ad hoc committee composed of the Superintendent, the executive director for kindergarten–grade 12 curriculum, and a facilitator in the applicable field selected by the Superintendent shall review the recommended selection and shall advise the Board regarding the selection.

GIFTS

District employees and their immediate families shall not accept any gift, favor, loan, or service that could influence the employee in the discharge of official duties.

District employees and their immediate families may accept the items listed below from those soliciting business relationships with the District or those already doing business with the District, providing acceptance is in keeping with good ethics and does not place the recipient under obligations to the giver:

1. Unsolicited gifts that are appropriate for ceremonial occasions or official events with a nominal intrinsic value of less than \$50.
2. Unsolicited occasional business meals of nominal intrinsic value accepted as a guest.

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
CONFLICT OF INTEREST

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(LOCAL)

3. Unsolicited infrequent entertainment or social invitations of nominal intrinsic value accepted as a guest.
4. Unsolicited advertising novelty or merchandise gifts of nominal intrinsic value (\$25 or less).

Under no circumstances may a District employee or immediate family member accept cash or a negotiable instrument (e.g., check, draft, note, money order, and the like) in any amount. An employee shall obtain the Superintendent's prior approval before taking any vendor-related business trip as a guest and before accepting any trips in which a vendor is paying all or a portion of the expenses (food, lodging, transportation, or entertainment). The Superintendent shall obtain prior approval from the Board before accepting similar trips for himself or herself.

NONDISTRICT
EMPLOYMENT

An employee shall not engage in any outside business or employment that may interfere with the employee's assigned duties or regularly assigned hours of work.

Coaching or tutoring of students for pay is permitted off campus provided the student is not coached or tutored in a subject by a certified employee who is, at the time, teaching the student the subject. As an exception to the above rule, fine arts teachers may provide private lessons for pay to their own students as long as it is not done on school property. The District's tutorial program is exempt from the above.

~~PUBLIC OFFICE~~

~~An employee who is appointed or elected to public office will not be compensated by the District for the time that the employee must devote to the appointed or elected public office. The Superintendent, on a case-by-case basis, has the initial responsibility of determining whether the employee's other obligations are so great that they are incompatible with continuing to be a full-time District employee. If the Superintendent determines that the other obligations are incompatible, then such an employee will be required to take a leave of absence without pay for the term of office to which the employee is appointed or elected. The Superintendent's decision is appealable to the Board through the District's employee complaints and grievance process. [See DGBA]~~

~~No employee may be employed as an election judge or clerk during his or her hours on duty. No employee may serve as an election official for a school bond election or Board election.~~

CONSULTANT
SERVICE

The following shall apply:

1. All requests to serve as a consultant for another educational institution must be submitted by the requesting institution to the Superintendent. Such applications must be submitted far

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
CONFLICT OF INTEREST

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enough in advance so that arrangements can be made for the absence.

2. An employee may be allowed to serve as a consultant a maximum of five duty days in a school year.
3. When an employee is approved and accepts a consultant assignment for another educational institution and is to be paid for his or her services, the employee may choose the consultant fee or the regular salary. If the employee accepts the consultant fee, he or she will be docked for the time off duty in order to serve as a consultant. If the employee chooses to be paid the District salary, any compensation paid for the employee's services must be turned in to the District's business office for deposit in the District's general account. Employees may accept reimbursement for actual out-of-pocket expenses incurred for travel to and from and per diem paid by the other educational institution.
4. Employees are at liberty to make whatever commitments they choose, and under such conditions as they may wish, during their vacation or nonduty periods. Employees may serve as consultants for organizations other than other educational institutions only during their vacation or nonduty periods. [See DCB(REGULATION) regarding nonduty days]
5. No part of the District's locally allocated travel allotment may be used by an employee when working with or for another educational institution. All travel costs must be borne by either the employee or the other educational institution.
6. None of the above provisions applies to requests from TEA. Such requests will be handled individually between the Superintendent and the person whose services are requested.

VIOLATION OF POLICY

All documentation and information concerning an infraction of policy shall be referred to the Superintendent or designee for investigation. ~~Employees found in violation of this policy shall be subject to disciplinary action that may include termination of employment.~~

PROPOSED REVISIONS

PERSONNEL DUTIES	<p>The Superintendent shall define the qualifications, duties, and responsibilities of all positions and shall ensure that job descriptions are current and accessible to employees and supervisors.</p>
FILLING VACANCIES	<p>The Superintendent or designee shall establish guidelines for advertising employment opportunities and posting notices of vacancies and employment opportunities. These guidelines shall advance the Board's commitment to equal opportunity employment and to recruiting well-qualified candidates. Current District employees are eligible to may apply for any vacancy for which they have appropriate qualifications.</p> <p>[See also DK(LOCAL) and DK(REGULATION)]</p>
APPLICATIONS	<p>All applicants shall complete the application form supplied by the District. Information in-on applications for contractual positions shall be verified confirmed before a contract is offered for a contractual position, and information in applications for noncontractual positions shall be verified before hiring or as soon as possible thereafter for a noncontractual position.</p> <p>[For information related to the evaluation of criminal history records, see DBAA.]</p>
EMPLOYMENT OF STAFF	<p>Except for the internal auditor, Tthe Board delegates to the Superintendent final-shall have the sole authority to select and employ all contractual and noncontractual staffemployees, except for the internal auditor. and The employment shall be subject to the District's salary schedule and budget as approved by the Board., including the authority to organize, reorganize, arrange, direct, assign, reassign, and transfer all staff in the manner that best serves the District. Further, the Superintendent shall have the authority to terminate or nonrenew all staffemployees, other than contract contractual employees staff covered by subchapters C, D, E, F, and G, Chapter 21, Texas Education Code and any other administrators who are not covered by Chapter 21, Texas Education Code.</p> <p>Prior to publicly announcing the assignment, reassignment, or transfer of the administration's senior staff as defined hereinafter, the Superintendent shall inform the Board of said assignment, reassignment, or transfer. The administration's senior staff is defined as the chief executive officer, deputy superintendent, chief financial officer, associate superintendent, assistant superintendent, general counsel, and their equivalents.</p>

Further, the Superintendent shall develop and implement administrative procedures, rules, and regulations that the Superintendent believes necessary for the efficient and effective operation of the District and that are consistent with Board policies and state and federal law.

EXERCISE OF
AUTHORITY

The Superintendent ~~may~~ **shall have the discretion to** submit to the Board for approval ~~the names of applicants~~ **recommendations being considered** for principal and ~~central office~~ **administration senior staff** positions.

The administration's senior staff is defined as the deputy superintendent, operations and administration; deputy superintendent of academics and school leadership; chief financial officer, general counsel, and their equivalents.

The authority delegated by the Board to the Superintendent regarding personnel matters shall be exercised by the Superintendent personally ~~or by the Superintendent's designee in the human resources department~~. All personnel appointments must be approved by the Superintendent ~~or designee in human resources~~. Individual central office divisions shall not have the authority to transfer personnel, offer contracts, adjust compensation or job titles, and/or terminate positions without the approval of the Superintendent ~~or designee in human resources~~.

~~NONCERTIFIED
PERSONNEL
QUALIFICATIONS~~

~~The following are general qualifications for noncertified personnel:~~

- ~~1. Skills — Sufficient language, mechanical, computational, or clerical skills to perform the basic tasks of the position without close supervision.~~
- ~~2. Maturity — Reasonable emotional balance and self-control.~~
- ~~3. Facility in dealing with others — Facility for and enjoyment in working with other people.~~
- ~~4. Understanding of department functions — The ability to develop readily a clear understanding of the function of the department in operating the school system.~~
- ~~5. Residence requirements — Compliance with the District's requirements for residence in the U.S.~~

~~LATERAL TRANSFER
OR REASSIGNMENT~~

~~The Superintendent may appoint an employee to fill a vacant position by a lateral transfer or reassignment. A transfer or reassignment shall be considered to be "lateral" when the previous position held by the employee and the new position have the same pay grade or level and the same number of days on duty.~~

EMPLOYMENT PRACTICES

DC
(LOCAL)

EXIT INTERVIEWS AND
TERMINATION
REPORTS

An exit interview shall be conducted and a termination report prepared, if possible, for every employee who leaves employment with the District. These interviews shall be conducted in accordance with administrative procedures.

DELETE POLICY

BASIC POLICY

With its basic commitment to provide public education to the citizens of El Paso, the District must respond, not only to the needs of the employees, but also to students, parents, and the community at-large as well as the regulatory agencies of the state and federal government. To achieve its mission, the District expects each employee will perform his or her job duties to the best of his or her ability. Since compensation costs comprise a very significant portion of the total operating budget of the District, it is important to maintain a highly productive, capable workforce and to utilize resources in a cost-effective, efficient, and prudent manner.

It is, therefore, the compensation policy of the District to establish and maintain compensation levels that reflect position responsibilities, are competitive with the external market, and are capable of attracting, retaining, and motivating competent employees. Such a policy should place the District in a competitive compensation position in both the field of public education for instructional personnel and the general community for other positions.

OBJECTIVES OF THE COMPENSATION ADMINISTRATION PROGRAM

The Superintendent shall develop a compensation administration program that establishes and maintains sound, practical guidelines and procedures for effective compensation administration. The program shall include guidelines and procedures designed to create a better understanding of the principles of compensation administration and specifically the District's own compensation administration program and to permit delegation of authority and responsibility for the administration of compensation within the framework of the compensation policy. Specifically, the objectives of the compensation administration program shall be:

1. To compensate each employee based on the value of his or her contribution to the success of the District within the context of the position held;
2. To provide opportunities for advancement, without regard to race, color, religion, age, sex, or national origin;
3. To pay competitive compensation rates in order to retain qualified personnel and to attract competent applicants;
4. To motivate employees to work effectively and efficiently in achieving the goals of the District;
5. To provide a uniform method for determining the relative value of all positions within the District to ensure a proper relationship between compensation paid for similar requirements and responsibilities within the District and that provides a basis for

COMPENSATION AND BENEFITS

DE
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comparing position responsibilities and compensation levels with other employers;

6. To control direct and indirect personnel costs and be cost effective; and
7. To comply with all local, state, and federal laws.

All employees will be advised of the District's compensation administration practices and procedures and will be kept informed of compensation matters affecting their pay in an effort to assure them they are being treated equitably.

ELEMENTS OF THE
COMPENSATION
ADMINISTRATION
PROGRAM

The basic elements of the compensation administration program are outlined below. Each of these program elements shall be implemented by the administration.

POSITION
EVALUATION AND
CLASSIFICATION

1. Written job content information that defines the duties and responsibilities of each position and groups positions of similar value into the same category or pay level.

COMPENSATION
RANGES

2. The minimum and maximum dollar limits to be paid each year for each position classified within a given pay level based on competitive compensation information and the relative value of each position to the District.

COMPENSATION
REVIEWS AND
ADJUSTMENTS

3. The criteria and procedures for employee compensation reviews and compensation adjustments.

PROPOSED REVISIONS

PAY SYSTEMS
AUTHORITY

The Superintendent shall recommend to the Board, for adoption, pay structures and compensation plans for all District employees. Pay structures shall be designed and administered for the purpose of attracting and retaining qualified employees to achieve District goals. The Superintendent shall administer and maintain pay systems in accordance with administrative regulations for the District compensation plan. Annual pay increases shall be approved by the Board.

Professional contract personnel employed for less than full-time or less than a full year shall be paid an amount specified in the employment agreement.

Any changes in pay schedules for 12-month employees shall be effective after Board adoption of a new compensation schedule and on such date as specified by the Board.

The new compensation rate for each certified or classified employee shall be effective after Board adoption of a new compensation schedule and on such date as specified by the Board.

PAY SYSTEMS
DESCRIPTION

Certified classroom teachers and librarians shall be paid no less than the minimum monthly salary on the state salary schedules based on years of experience as required by law. For other employees, the Superintendent shall assign positions to pay ranges that define the minimum and maximum base pay for the positions.

PAY INCREASE
BUDGET

The Superintendent shall recommend to the Board an amount for employee pay increases as part of the annual budget. Pay increase budgets are based on consideration of available revenue, cost-of-living inflation, changes in minimum pay laws, competitive job markets, and District compensation objectives.

INDIVIDUAL PAY
ACTIONS

The Superintendent shall review individual employee compensation for possible adjustment. Individual equity adjustments, promotion increases, reclassifications, and hiring rates for new employees shall be determined by the Superintendent in accordance with the approved budget and the District compensation plan. [See DEAB for public hearing requirements]

The Superintendent shall inform the Board of any compensation actions that are significantly beyond the guidelines in DEA(REGULATION).

DEMOTIONS

Demoted employees shall be compensated in accordance with the salary schedule for the position they hold after the demotion, subject to applicable legal requirements.

COMPENSATION AND BENEFITS
WAGE AND HOUR LAWS

DEA
(LOCAL)

~~CREDITABLE YEARS
OF SERVICE~~

~~The information on creditable years of service, including military service, is listed in Volume 19, Chapter 153, Subchapter CC, Commissioner's Rules on Creditable Years of Service in the Texas Administrative Code, Subsection 153.1021.~~

COMPENSATION
DURING DISASTER
CLOSURES

~~DEFINITION OF
DISASTER~~

A disaster shall be defined as any sudden, calamitous event that brings forth immediate danger, damage, loss, or destruction. Disasters include, but are not limited to earthquakes, fires, floods, hazardous material/chemical emergencies, terrorism, thunderstorms, tornados, storms, other extreme weather conditions, disruption of utility service, or epidemiological outbreaks.

The Superintendent or designee shall have discretion to close schools or nonschool facilities during a disaster, as that term is further defined in this policy. An employee who works at a facility that has been closed shall not report to work unless instructed to do so by his or her supervisor or appropriate District administrator.

The Board finds there is a public purpose and benefit associated with continuing regular payment of salary and wages to all exempt and nonexempt employees during the closing of the schools or nonschool facilities due to a disaster. Each employee who is assigned to a regular, budgeted position with benefits at a facility that has been closed, and who is available to be called to work if needed, shall continue to be paid at the standard base rate of pay for the normal work schedule, not to exceed 40 hours per week. However, a nonexempt employee whose normal facility is closed but is called to report to work at a closed facility shall be paid an additional 50 percent of his or her normal rate of pay for all hours actually worked during the disaster closure.

The public purpose and benefit associated with continuing regular payment of salary and wages shall be the continued protection of District staff and facilities during a time of disaster that requires the closing of the schools as set out in this policy.

Any requirement of employees to make up days missed during a disaster shall be determined by the Texas Education Agency waiver and Board approval. Exempt employees shall be expected to work any make up days designated by the Board, without additional compensation. Nonexempt employees shall be paid at the standard rate of pay for any worked make up days required by the Board.

The number of closure days that will be paid for nonexempt employees who do not work during school closures shall be subject to budgetary constraints.

COMPENSATION AND BENEFITS
WAGE AND HOUR LAWS

DEA
(LOCAL)

	<p>The Superintendent or designee shall approve payments and ensure that accurate time records are kept of actual hours worked during emergency closings.</p> <p>All other actions concerning remuneration shall comply with the District policies and the FLSA.</p> <p>Continuation of payment during disaster situations shall not affect leave hours accrued by individual employees.</p>
EXEMPT / NONEXEMPT	<p>The Superintendent or designee, within guidelines set out in federal regulations, shall determine the classification of positions of employees as "exempt" or "nonexempt" for purposes of compliance with the Fair Labor Standards Act (FLSA). Employees classified as nonexempt may not work overtime without prior approval of their supervisor.</p>
SUPPLEMENTAL DUTIES	<p>The Superintendent or designee may assign noncontractual supplemental duties to personnel exempt under the FLSA, as needed. The employee shall be compensated for these assignments according to the supplemental duty pay schedule established by the Board. These assignments may be discontinued at any time for any reason or no reason, by either party. The assignment of these duties shall not create any expectation of continued assignment to that same duty or any other duty.</p>
WORKWEEK	<p>For purposes of calculating overtime, the workweek is defined as Sunday through Saturday.</p>
FLEXTIME	<p>Supervisors of nonexempt employees shall ensure that employees perform work during the schedule of hours on duty as outlined in DK(REGULATION). It is often necessary, however, in the course of normal operations, for an employee to be required to work an alternative flex schedule.</p> <p>A flex schedule is defined as working the same total number of hours per workweek but at different amounts per day. For example, an employee may work ten hours one day and six hours the next. Unless the total amount of hours exceeds 40 hours in a single workweek, no overtime shall be accumulated.</p>
OVERTIME	<p>It is the policy of the District to hold overtime work to a minimum. But when overtime is necessary, nonexempt employees, with the approval of management, may work additional hours beyond the schedule of hours on duty as outlined in DK(REGULATION).</p>
COMPENSATORY TIME	<p>It is the policy of the District to not allow the accumulation of compensatory time unless extenuating circumstances exist. When a nonexempt employee works more than 40 hours during a workweek, compensatory time off is accumulated at one and one-half</p>

times the number of hours worked over 40 hours. Time worked includes actual work performed, exclusive of leaves of absence or other nonwork periods.

If the work of a nonexempt employee regularly includes work in a public safety activity, an emergency response activity, or a seasonal activity, the employee engaged in such work may accrue a maximum of ~~480~~120 hours of compensatory time off. All other nonexempt employees may accrue a maximum of ~~240~~120 hours of compensatory time off.

Any nonexempt employee who has accrued the maximum number of compensatory time hours, ~~480 or 240 hours as the case may be,~~ shall be paid ~~monetary overtime compensation~~ for additional overtime hours worked in excess of the maximum allowable number.

Compensatory time off shall be accrued by the nonexempt employee, unless the employee expresses an unwillingness to accept the compensatory time off in lieu of overtime pay before the performance of the work, and the District, at its discretion, also maintains the authority to pay any employee or a group of employees monetary overtime pay in lieu of compensatory time.

USE OF
COMPENSATORY TIME

Any nonexempt employee who has accumulated compensatory time off shall be permitted by the employee's supervisor to use such time within a reasonable period after making the request if the use of the compensatory time does not unduly disrupt the operations of the District. The employee and the employee's supervisor are encouraged to use the compensatory time accumulated as soon as possible after it is earned. In determining whether to allow an employee to use compensatory time off at the specific time requested, the following factors may be considered:

1. Customary work practices within the District;
2. Normal work schedules;
3. Anticipated peak workloads based on past experience;
4. Emergency requirements for staff and services;
5. The availability of qualified substitutes; and
6. The District's ability to provide services of acceptable quality and quantity during the time requested without the use of the employee's services.

In the event that such a request cannot be granted within a reasonable period by the supervisor, a request for monetary compensation should be submitted, in writing by the employee, to the Superintendent or designee for approval.

COMPENSATION AND BENEFITS
WAGE AND HOUR LAWS

DEA
(LOCAL)

All accumulated and unused compensatory time as of June 30 shall be compensated at the employee's current rate of pay. Under extenuating circumstances, nonexempt employees may be ~~allowed~~ **permitted** by the ~~site administrator (principal, director, or above)~~ **immediate supervisor** to carry forward no more than 20 hours of compensatory time into the ~~ensuing following~~ school year. Any ~~hours compensatory time~~ carried forward must be used (~~or LIQUIDATED~~) by December 31 of the ~~ensuing following~~ school year. **Any carried over compensatory time remaining after December 31, shall be paid at the employees current rate.**

TERMINATION /
RETIREMENT OF
NONEXEMPT
EMPLOYEE

Upon termination or retirement of a nonexempt employee, all accumulated compensatory time off will be paid at the higher of the employee's:

1. Current rate of pay; or
2. The average regular rate received by the employee for the last three years of employment.

VOLUNTEER WORK

Volunteer work that is related to a person's regular job is not considered voluntary and must be compensated appropriately. Supervisors should ensure that employees are not permitted to volunteer for the same type of services that they are currently performing for the District.

DELETE POLICY

Children of District employees who reside outside the boundaries of the District may attend District schools on a tuition-free basis.

TUITION EXEMPTION FOR DISTRICT EMPLOYEES

Any full-time employee of the District who wishes to enroll in a tuition class for adults in the District's program (Sunset) may have his or her tuition exempted under the conditions listed below:

1. Books and supplies not normally furnished to students must be purchased by the employee.
2. The employee must have the approval of the immediate supervisor if the employee needs to flex his or her schedule in order to attend.

ADD POLICY

- PAID VACATION DAYS Each person employed in a position normally requiring a 238-day schedule shall receive ten paid vacation days per year from July 1 – June 30. All vacation schedules shall be subject to the approval of the immediate supervisor. The following guidelines shall apply:
1. An employee shall be eligible for vacation time after six months of continuous employment on a full-time basis and must have earned pay for at least 120 days on duty.
 2. Vacation days remaining after June 30 of each school year may be accumulated but must be used by December 31 of the same calendar year. Accumulated vacation days not used prior to December 31 of the same calendar year shall be forfeited.
 3. **Upon the employee's retirement, the District shall pay an employee for all accrued vacation days at the employee's daily rate.**
 4. **The District shall pay an employee who resigns or is terminated for accrued vacation days. The number of days shall be determined by multiplying the number of full months employed with pay by 5/6 vacation day per month.**
- HOLIDAYS Each person employed in a position normally requiring a 238-day schedule shall receive July 4 as a paid holiday.

PROPOSED REVISIONS

~~TRAVEL~~

**PRIOR APPROVAL
REQUIRED**

An employee traveling at the District's request shall be reimbursed for reasonable, allowable expenses incurred in carrying out District business only with the prior approval of the employee's immediate supervisor.

~~Employees traveling on District business shall comply with the District-approved employee and student travel guidelines. Amendments to the employee and student travel guidelines require approval from the Superintendent.~~

Travel outside the continental United States requires prior Board approval.

~~VOLUNTEER
OFFICIALS TRAVELING
AT DISTRICT
REQUEST~~

~~A nonemployee, unpaid, volunteer official who is asked by the District to represent the District as an official at an out-of-town UIL-sponsored competition at which District students are competing, and who travels to the competition at the request and on behalf of the District, shall be accorded the same treatment as a District employee for purposes of expense reimbursement, including provision of an advance to cover actual and necessary expenses to the same extent as an advance would be made to an employee under the same or similar circumstances.~~

TRAVEL EXPENSES

Reimbursement for authorized travel shall be in accordance with legal requirements.

Accounting records shall accurately reflect that no state or federal funds were used to reimburse travel expenses beyond those authorized for state employees.

~~REIMBURSEMENT~~

~~Requests for travel or mileage reimbursements shall be made in a timely manner and in compliance with the employee and student travel guidelines and administrative bulletins.~~

~~Travel and mileage reimbursements shall be made in accordance with federal (including IRS), state, and local regulations.~~

**DOCUMENTATION
REQUIRED**

Reimbursement for authorized travel shall be in accordance with the rate established by the State of Texas Travel Allowance Guide published by the State Comptroller of Public Accounts.

EXCEPTION

Expenses for meals associated with authorized overnight travel not related to a state or federal grant shall be paid to employees on a per diem basis. No receipts shall be required for expenses paid on a per diem basis.

~~MONTHLY REPORT~~

~~Each month, the Superintendent shall submit to the Board a written report on travel expenses for District personnel. The report shall~~

COMPENSATION AND BENEFITS
EXPENSE REIMBURSEMENT

DEE
(LOCAL)

~~include the name of each employee, the location to which the employee traveled, the function attended by the employee, the purpose of the trip, and the total amount of travel expenses paid or reimbursed by the District to the employee.~~

PROPOSED REVISIONS

SUSPENSION WITH
PAY

A probationary contract employee may be suspended with pay or placed on administrative leave by the Superintendent during an investigation of alleged misconduct by the employee or at any time the Superintendent determines that the District's best interest will be served by the suspension or administrative leave.

SUSPENSION
WITHOUT
PAY/TERMINATION

~~The Superintendent is authorized to reassign or suspend with pay, or to recommend to the Board the suspension without pay or the termination of employment of, any certified professional employee employed under a probationary contract who is arrested and charged with a misdemeanor involving moral turpitude, a felony, or any criminal offense involving an alleged drug violation, in accordance with applicable legal and local provisions. [See DFAA(LEGAL)]~~

~~The Superintendent shall recommend to the Board the termination of employment of any such employee who is convicted of any criminal offense involving drugs or other controlled substances, in accordance with applicable legal and local provisions. [See DF(LEGAL)]~~

DELETE POLICY

CRIMINAL OFFENSES

The Superintendent is authorized to reassign or suspend with pay, or to recommend to the Board the suspension without pay or the termination of employment of, any certified professional employee employed under a term contract who is arrested and charged with a misdemeanor involving moral turpitude, a felony, or any criminal offense involving an alleged drug violation, in accordance with applicable legal and local provisions. [See DFBA(LEGAL)]

The Superintendent shall recommend to the Board the termination of employment of any employee who is convicted of any criminal offense involving drugs or other controlled substances, in accordance with applicable legal and local provisions. [See DF(LEGAL)]

PROPOSED REVISIONS

TIME LIMITS FOR ORAL ARGUMENT

The Board shall consider the hearing examiner's record and recommendation at the first Board meeting for which notice can be posted in compliance with the open meetings laws.

The Board shall allow 20 minutes per party for oral argument. Administration shall be offered the opportunity to present argument first and may use a portion of the designated time for rebuttal after the other party has presented argument.

The Board reserves the right to grant additional time in equal amount to both parties, depending on the complexity of the issues and solely at the Board's discretion.

DIRECT COMMUNICATION WITH BOARD MEMBERS

~~Employees are generally not prohibited from communicating with Board members regarding District operations, except when direct communication between an employee and a Board member would be inappropriate because of a pending hearing or appeal related to the employee. Such direct communications are prohibited in connection with any proceeding under this policy, until after a final decision in the matter has been reached by the Board.~~

PROPOSED REVISIONS

An employee's participation in community, political, or employee organization activities shall be entirely voluntary and shall not:

- 1. Interfere with the employee's performance of assigned duties and responsibilities.**
- 2. Result in any political or social pressure being placed on students, parents, or staff.**
- ~~3.~~ **3. Involve trading on the employee's position or title with the District.**

'EMPLOYEE LABOR ORGANIZATION' DEFINED

For the purpose of this policy, an "employee labor organization" shall be defined as any organization that exists for the purpose, in whole or in part, of dealing with the District concerning grievances, wages, rates of pay, hours of employment, or conditions of work and that does not claim the right to strike. [See also DGA(LEGAL)]

Employee labor organizations that, on or before October 1 of each school year, present to the Superintendent certified membership lists showing a membership of currently employed persons in excess of 100 shall, until revoked, be granted the privileges described below.

~~USE OF MAIL SERVICE~~

~~[See provisions regarding distribution of organization material and administrative provisions regarding use of mailboxes at CPAB (LEGAL) and CPAB(REGULATION), respectively]~~

BULLETIN BOARD

Each employee labor organization shall be permitted, at its own expense, to erect one bulletin board at each school, the central office, maintenance and transportation, and area offices. The administrator responsible for the site shall have the right to approve the size and location of the bulletin board.

Neither political campaign material nor any material that constitutes a personal attack upon any individual, nor any material that is likely to substantially disrupt school activities or the educational mission of the District, shall be posted. The employee labor organization's representative(s) shall be responsible for posting materials and shall promptly remove any item(s) when instructed to do so by the administrator responsible for the site. If the site administrator requires removal of any item(s), the site administrator shall provide the reasons for the removal to the employee labor organization representative, who shall then have the right to appeal the removal pursuant to the appropriate complaint policy [see DGBA and GF]. The material in question shall be removed pending any appeal.

EMPLOYEE RIGHTS AND PRIVILEGES
FREEDOM OF ASSOCIATION

DGA
(LOCAL)

[For distribution of organization material, see policy CPAB.]

VISITS TO CAMPUSES
**AND OTHER DISTRICT
FACILITIES**

Local employee labor organization members or employees may visit school campuses before or after regular school hours and may visit other school facilities before and after normal working hours or at other times when permitted by the administrator in charge of the District facility. Visiting school campuses or other District facilities ~~must~~ **shall** not interfere with school activities, employee work responsibilities, or the administration of the District.

The local employee labor organization member may meet with any employee at the employee's location of work when the member is designated as the employee's representative and the meeting concerns a grievance or any type of administrative review process, provided however, the meeting at the employee's location ~~does~~ **shall** not interfere with school activities, the employee's work responsibilities (including any preparation and planning period, if any), or the administration of the District.

USE OF DISTRICT
FACILITIES FOR
MEETINGS

Employee labor organizations may use school facilities for one-half hour before classes begin and for one-half hour after classes ~~terminate~~ **end**, subject to arrangements and permission of the principal. Other District facilities may be used before and after normal working hours subject to arrangements and permission of the administrator in charge of the site. Use of buildings after school hours or normal working hours for the site or on Saturdays may be arranged with permission of the associate superintendent for operations and is subject to payment of the standard rental fee. [See GKD regarding use of school facilities by nonschool organizations]

~~TELEPHONE USE~~

~~Subject to the approval of the principal or the administrator responsible for the site location, representatives may use the building telephone for organization business as long as it does not interfere with their duties, other teachers' telephone conferences with parents, or other school business and does not incur additional expense to the District.~~

LEAVE OF
ABSENCE FOR
EMPLOYEE LABOR
ORGANIZATION
PRESIDENTS

Local employee labor organizations that qualify for the privileges outlined in this policy may request unpaid leave of absence for the person serving as president of the local organization provided the person serving as president has worked for the District for at least five school years. The Superintendent may grant unpaid leave for a period not to exceed two school years.

Unpaid leave of absence for such an employee labor organization president shall be provided under the same terms as other forms of unpaid leave of absence granted under Board policy [see DEC (LOCAL)], including the terms regarding the length of leave, rein-

statement rights, and continuation of group life and health insurance plans.

PROPOSED POLICY

PURPOSE The purpose of this policy is to provide employees an orderly process for the prompt and equitable resolution of complaints/grievances. The Board intends that, whenever feasible, complaints/grievances be resolved at the lowest possible administrative level. The policy shall not be constructed to create new or additional substantive rights beyond those granted by Board policy or law.

OTHER COMPLAINT PROCESSES Employee complaints shall be filed in accordance with this policy, except as provided below:

1. Complaints alleging discrimination, including violations of Title IX (gender), Title VII (sex, race, color, religion, national origin), ADEA (age), or Section 504 (disability), shall be submitted in accordance with DIA.
2. Complaints alleging certain forms of harassment, including harassment by a supervisor and violation of Title VII, shall be submitted in accordance with DIA.
3. Complaints concerning retaliation relating to discrimination and harassment shall be submitted in accordance with DIA.
4. Complaints concerning instructional materials shall be submitted in accordance with EFA.
5. Complaints concerning a commissioned peace officer who is an employee of the District shall be submitted in accordance with CKE.
6. Complaints concerning the proposed nonrenewal of a term contract issued under Chapter 21 of the Education Code shall be submitted in accordance with DFBB.
7. Complaints concerning the proposed termination or suspension without pay of an employee on a probationary, term, or continuing contract issued under Chapter 21 of the Education Code during the contract term shall be submitted in accordance with DFAA, DFBA, or DFCA.

NOTICE TO EMPLOYEES

~~The principal of each campus and other supervisory personnel shall ensure that all employees under their supervision are informed of this policy. Employees shall be provided a copy of the policy at the time of employment and whenever it is revised.~~
The District shall inform employees of this policy.

PERSONNEL-MANAGEMENT RELATIONS
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA
(LOCAL)

DIRECT COMMUNICATION WITH BOARD MEMBERS	Employees shall not be prohibited from communicating with a member of the Board regarding District operations except when communication between an employee and a Board member would be inappropriate because of a pending hearing or appeal related to the employee.
ATTENDANCE	Employees shall be allowed to attend their grievance hearings and with no loss of pay. The employee must provide notice of absence from work to his or her immediate supervisor in accordance with DEC(LOCAL).
FREEDOM FROM RETALIATION	Neither the Board nor the administration shall unlawfully retaliate against any employee for bringing a complaint under this policy.
WHISTLEBLOWER COMPLAINTS	Whistleblower complaints shall be filed within the time specified by law and may be made to the Superintendent or designee beginning at Level Two. If the complaint is not resolved at that level, the Superintendent's designee shall ensure that the matter reaches the Board expeditiously. Time lines for the employee and the District set out in this policy may be shortened to ensure that the Board's final decision is made within 60 calendar days of the initiation of the complaint. [See DG]
DEFINITIONS	The following definitions shall apply:
DAYS	"Days" shall be defined as District business days in accordance with the District wide calendar, unless otherwise noted. In calculating time lines under this policy, the day a document is filed is "day zero." The following business day is "day one."
EMPLOYEE	"Employee" shall be defined as an individual employed by the District and performing work under regular, continuous employment.
GRIEVANCE	A "grievance" is a complaint by an employee or group of employees involving wages, hours, or conditions of work (including but not limited to demotion, suspension without pay, or termination if applicable under this policy). The terms "dispute," "complaint," and "grievance" shall have the same meaning throughout this policy.
GRIEVANT	The term "grievant" includes the employee, employees, or organization filing a grievance on behalf of the employee. The words "grievant" and "employee" shall have the same meaning throughout this policy.
REPRESENTATIVE	A "representative" is any person, including an individual from an association or organization selected by the employee to be present

PERSONNEL-MANAGEMENT RELATIONS
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA
(LOCAL)

and to represent the employee at all levels, so long as the representative does not claim the right to strike. [See DGBA (LEGAL)]

The employee may designate a representative through written notice to the District at any level of this process. If the employee designates a representative with fewer than three business days' notice before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date, if desired, in order to include the District's Legal Counsel. The District may be represented by counsel at any level of the process.

SUPERINTENDENT
DESIGNEE

For purposes of grievances involving an employee's appraisal, the "Superintendent's designee" shall be the appropriate area superintendent.

For all other grievances, the "Superintendent's designee" shall be the director of employee relations, who also serves as the Level Two Hearing Officer.

GENERAL
PROVISIONS
FILING

Grievance forms and appeal notices shall be filed by hand-delivery, ~~or~~ electronic submission or U.S. Mail to the Office of Employee Relations. Filings shall be considered timely if received by the Office of Employee Relations by the close of business on the deadline date. Mail filings shall be timely filed if they are postmarked by the U.S. Mail on or before the deadline.

A grievance form that is incomplete must be re-filed within five days of the date the grievance form was returned to the employee. The grievance must be filed with all the requested information, in order for the grievance form to be considered timely and a hearing to be scheduled.

COMPLAINTS
AGAINST
SUPERVISORS

Complaints alleging a violation of law or unlawful harassment by a supervisor may be made to ~~a different supervisor~~ the Superintendent or designee. Complaints alleging a violation of law or unlawful harassment by the Superintendent may be made directly to the Board or Board's designee beginning at Level Three.

CONSOLIDATING
GRIEVANCES

When two or more complaints are sufficiently similar in nature and a remedy to permit their resolution through one proceeding is possible, the District may consolidate the complaints.

An employee shall not bring separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.

COST INCURRED

Each party shall pay its own cost incurred in the course of the grievance.

PERSONNEL-MANAGEMENT RELATIONS
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA
(LOCAL)

UNTIMELY FILING	<p>All time limits shall be strictly followed unless modified by mutual written consent.</p> <p>If a grievance form or appeal notice is not filed timely with the Office of Employee Relations, as provided by this policy, the grievance shall be dismissed at any level during the grievance process. The employee shall be provided written notice of the dismissal of the grievance.</p> <p>Consideration shall be given for extenuating circumstances in all cases.</p> <p>The employee may appeal the dismissal by seeking review in writing within ten days from the date of the written dismissal notice, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.</p>
MUTUAL AGREEMENT OF PARTIES	<p>The parties involved may mutually consent to modify the procedures as may be necessary to accomplish the goal of resolving the grievance in the most efficient and expeditious matter possible.</p>
WITHDRAWAL	<p>An employee may withdraw a grievance at any time. Once withdrawn, a grievance may not be re-opened/re-filed.</p>
RESOLUTION	<p>If at any level of the grievance process the employee is granted the relief he or she has requested, the grievance shall be deemed resolved. A resolved grievance may not be appealed to the next level of the process and shall be considered closed.</p>
RESPONSE	<p>At Levels One and Two, "response" shall mean a written communication to the employee from the appropriate administrator. The employee hearing the grievance shall provide a response to the grievant's complaint within the timelines specified in this policy.</p>
GRIEVANCE PROCESS	
BURDEN OF PROOF	<p>In a grievance, the burden of proof shall be on the grievant.</p>
AUDIO RECORDING	<p>As provided by law, an employee shall be permitted to make an audio recording of a conference or hearing under this policy at which the substance of the employee's complaint is discussed. The employee shall notify all attendees present that an audio recording is taking place.</p>
INFORMAL CONFERENCE	<p>Within ten days of the action complained of, the grievant shall have request a meeting with his or her immediate supervisor. The immediate supervisor shall schedule the meeting within <u>five</u> days of the request.</p>

PERSONNEL-MANAGEMENT RELATIONS
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA
(LOCAL)

	<p>If the grievance is resolved during this meeting, the grievant shall be required to complete a statement to the effect that the particular grievance has been resolved. If the matter is not resolved in the informal conference, the grievant may move to Level One.</p>
GRIEVANCE FORM	<p>Grievances shall be submitted in writing on a form prescribed by the District, which may be obtained on the District's website (my.episd.org) or in the Office of Employee Relations.</p> <p>Copies of any documents that support the grievance must be attached to the grievance form. Except as provided at the Board presentation, after Level One, no new documents may be submitted by the employee unless the employee can demonstrate that the additional evidence was not available to the employee at the time of Level One.</p>
LEVEL ONE	<p>The grievant shall complete the Level One grievance form as prescribed by the District. The Level One form must be received by the Office of Employee Relations within five days of the date of the informal conference with the grievant's immediate supervisor. It must contain the specific factual basis for the grievance. It must identify any particular policy or policies or administrative regulations involved. It must also indicate any remedy or requested relief that the grievant is seeking. The Office of Employee Relations shall forward the grievance to the grievant's immediate supervisor.</p> <p>If it is determined that a Level One hearing is necessary, it shall be held within ten days of the receipt of the Level One grievance form. The immediate supervisor shall have three-ten days following that hearing within which to respond to the grievant.</p> <p>If it was deemed that no Level One hearing was necessary, the immediate supervisor shall respond to the grievant within three-ten days from the initial date and receipt of the Level One grievance form.</p> <p>If the only administrator who has authority to remedy the alleged problem is the Superintendent or designee, In the event that the supervisor cannot resolve the grievance because it is outside their authority, the complaint may begin at Level Two following the procedure, including deadlines, for filing the complaint form at Level One.</p>
LEVEL TWO	<p>If the grievant did not receive the relief requested at Level One, the grievant may appeal to Level Two. This appeal must be in writing and must be received in the Office of Employee Relations within five days of the Level One decision. The Level Two hearing shall be held within ten days of the receipt of the Level One appeal form.</p>

PERSONNEL-MANAGEMENT RELATIONS
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA
(LOCAL)

Following the Level Two hearing and prior to the Level Two response, the Level Two Hearing Officer may, at his or her discretion and as he or she deems necessary, investigate the employee's allegations. Any evidence gathered by the Level Two hearing officer may be used in, and as evidence in support of, the Level Two response. The Level Two hearing officer shall have ~~three~~ ten days following the hearing within which to respond to the grievant. Any matter not expressly contained in the written grievance shall not be considered in the appeal.

~~The Level Two hearing officer may assume jurisdiction at any time after the grievant's submission of the grievance form and make a decision regarding the grievance.~~

LEVEL THREE

If the grievant did not receive the relief request at Level Two, the grievant may appeal the decision to the Board. This appeal must be in writing and must be received in the Office of Employee Relations within five days of the Level Two decision.

The ~~director of employee relations~~ Superintendent's designee shall inform the employee of the date, time, and place of the Board meeting at which the complaint will be on the agenda for presentation to the Board.

BOARD
PRESENTATION

The District shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BE]

The Office of Employee Relations shall provide the Board with copies of the employee's grievance, all responses, and any written documentation previously submitted by the employee and the administration. The Board shall not consider documentation or other evidence not previously submitted or issues not previously presented unless the grievant and Level Two Hearing Officer both agree.

The Board may remand the grievance back to Level Two if the Board determines that further factual development is needed.

The proceeding before the Board shall be recorded by audiotape. The Board President may set reasonable time limits on complaint presentations. The Board shall listen to the complaint, but is not required to respond or take any action on the matter. The lack of official action by the Board upholds the administrative decision at Level Two.

PROPOSED REVISIONS

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. Certain limitations shall apply to searches of employee's telecommunications/electronic devices. [See STORED WIRE AND ELECTRONIC COMMUNICATIONS AND TRANSACTIONAL RECORDS ACCESS ACT at CQ(LLEGAL) for further information]

REASONABLE
SUSPICION ALCOHOL
OR DRUG SCREENING

The term "reasonable suspicion" means a suspicion based on specific facts and reasonable inferences drawn from those facts that an employee is under the influence of drugs or alcohol. Circumstances that constitute a basis for determining "reasonable suspicion" may include, but are not limited to:

1. A pattern of abnormal or erratic behavior.
2. Information provided by a reliable and credible source.
3. Direct observation of drug use.
4. Presence of the physical symptoms of drug or alcohol use (i.e., glassy or bloodshot eyes, slurred speech, or poor coordination or reflexes).

~~A supervisor~~ **The employee's supervisor** must detail in writing the specific facts, symptoms, or observations that formed the basis for his or her determination that reasonable suspicion existed to warrant the testing of the employee. The documentation shall be forwarded directly and confidentially to the associate superintendent for human resources.

The Superintendent may require any employee to submit to ~~a medical or psychological examination by an appropriate health professional designated~~ **alcohol or drug screening** and paid by the District at any time there is reasonable suspicion to believe the employee has used or has been under the influence of an illegal controlled substance, alcohol, or other drug influencing the employee's ability to perform competent services.

Failure to comply with the Superintendent's directive may result in termination of employment. The report to the District from the ~~appropriate health professional~~ **alcohol or drug screening laboratory** ~~may~~ **shall** be the basis for personnel action including suspension or termination. ~~Any testing for e~~ **Drugs** or alcohol ~~testing~~ shall

EMPLOYEE STANDARDS OF CONDUCT
SEARCHES AND ALCOHOL/DRUG TESTING

DHE
(LOCAL)

be in accordance with the procedures outlined in DHE(REGULATION).

Note: The following provisions apply to employees who are covered by the federal Department of Transportation (DOT) rules and also District employees and other drivers who drive District-owned vehicles and who are required by their job description to ~~have~~ **maintain** a commercial driver's license (CDL) or Class A or Class B license (as defined in ~~Transportation Code 521.081~~ **state law**). [See DHE(LEGAL)]

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 and other drivers who drive District-owned vehicles and who are required to maintain a CDL or Class A or Class B driver's license (as defined in Transportation Code 521.081) as part of their job description. 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 required follow-up test.~~
- ~~8. Testing positive for controlled substances in a required follow-up test.~~
- ~~9.~~7. Testing positive for alcohol, at a concentration of 0.04 or above, in a reasonable suspicion test.

EMPLOYEE STANDARDS OF CONDUCT
SEARCHES AND ALCOHOL/DRUG TESTING

DHE
(LOCAL)

~~10-8.~~ 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.

ADMINISTRATIVE
REGULATION

~~The Superintendent is authorized to promulgate an administrative regulation setting out further details regarding these issues, consistent with this local policy and with DHE(LEGAL).~~

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 ~~en-~~
~~sur~~**ing-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 re-

EMPLOYEE STANDARDS OF CONDUCT
SEARCHES AND ALCOHOL/DRUG TESTING

DHE
(LOCAL)

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.

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. A subsequent violation may subject the driver to termination in accordance with Board policy.

CONFIDENTIALITY OF
TEST RESULTS

All information from an individual's physical examination, including any drug/alcohol test, is confidential. Disclosure of test results to any other person, agency, or organization is prohibited unless written authorization is obtained from the individual or the information is sought through judicial proceedings or by any entity with the legal authority to obtain the information.

APPEALS

An employee who has adverse personnel action as a result of these provisions may appeal to the Board by filing a written request for a hearing with the Superintendent within five days of the personnel action. [See DGBA]

PROPOSED POLICY

DRUG-FREE AWARENESS PROGRAM

The District shall maintain a drug-free environment and shall establish, as needed, a drug-free awareness program complying with federal requirements. [See DH] The program shall provide applicable information to employees in the following areas:

1. The dangers of drug use and abuse in the workplace.
2. The District's policy of maintaining a drug-free environment. [See DH(LOCAL)]
3. Drug counseling, rehabilitation, and employee assistance programs that are available in the community, if any.
4. The penalties that may be imposed on employees for violation of drug use and abuse prohibitions. [See DI(EXHIBIT)]

~~The District shall strive to provide a drug-free workplace and shall require all employees to abide by the following procedures as a condition of their employment:~~

- ~~1. The District will provide all employees with annual notification through the employee handbook, and other District publications that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance (as defined by federal and/or state law) is prohibited in the workplace.~~
- ~~2. A drug-free awareness program has been established and is available to all employees. This program provides information about:
 - ~~a. The dangers of drug abuse in the workplace.~~
 - ~~b. The District policy of maintaining a drug-free workplace.~~
 - ~~c. Available drug counseling, rehabilitation, and employee assistance programs.~~
 - ~~d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.~~
 - ~~e. The penalties that may be imposed for drug abuse violations occurring outside the workplace that result in the arrest of the employee.~~~~
- ~~3. An employee shall immediately notify the administration of any conduct relating to or allegations of any drug violation incident occurring in the workplace. Any allegation will be immediately investigated by the administration.~~

- ~~4. If an employee is arrested and charged with any criminal offense involving any alleged drug violation, he or she shall be subject to immediate personnel action until a disposition has been made of the case. The Superintendent is delegated the authority to take appropriate personnel action regarding any employee upon receiving evidence of any arrest for any drug-related criminal offense or violation of this policy, in accordance with applicable contract, legal, and policy requirements. [See DC and DF policy series, and DI(EXHIBIT)] Any affected employee may contest any such action in accordance with established procedures. [See policies previously cited and DGBA]~~
- ~~5. Any employee convicted of a violation of a criminal drug law, and any employee who violates this policy or fails to comply with any directive of the administration pursuant to this policy is subject to appropriate disciplinary action, up to and including termination of employment, in accordance with applicable legal and policy requirements. [See DC and DF policy series, and DI(EXHIBIT)]~~
- ~~6. The District will notify any federal agency from which the District has received a grant, within ten days after the District receives notice that a District employee has been convicted of a criminal drug law violation occurring in the workplace, in accordance with the requirements of the grant and the Drug-Free Workplace Act of 1988, as amended.~~

**EMPLOYEE
RESPONSIBILITY**

All fees or charges associated with drug/alcohol abuse counseling or rehabilitation shall be the responsibility of the employee.

PROPOSED REVISIONS

ASSIGNMENT SUPERINTENDENT'S AUTHORITY

Except for the internal auditor, All personnel are employed subject to assignment and reassignment by the Superintendent or designee **when the Superintendent determines that the assignment or reassignment is in the best interest of the District. Reassignment shall be defined as a transfer to another position, department, or facility that does not necessitate a change in the employment contract of a contract employee. Any change in an employee's contract shall be in accordance with policy DC,** ~~except to the extent authority has been retained by the Board, as provided below.~~

Any employee may request reassignment to another position within the District for which he or she is qualified.

TRANSFERS AND REASSIGNMENTS

~~The Superintendent shall have the sole authority to select and employ all contract and noncontract staff, except for the internal auditor and subject to the District's salary schedule and budget as approved by the Board, including the authority to organize, reorganize, arrange, direct, assign, reassign, and transfer all staff in the manner that best serves the District. Further, the Superintendent shall have the authority to terminate or nonrenew all staff, other than contract staff covered by Subchapters C, D, E, F, and G, Chapter 21, Texas Education Code and any other administrators who are not covered by Chapter 21, Texas Education Code.~~

Prior to publicly announcing the assignment, reassignment, or transfer of the administration's senior staff as defined hereinafter, the Superintendent shall inform the Board ~~of said assignment, reassignment, or transfer.~~ The administration's senior staff is defined as the chief executive officer, deputy superintendent, chief financial officer, associate superintendent, assistant superintendent, general counsel, and their equivalents.

~~Further, the Superintendent shall develop and implement administrative procedures, rules, and regulations that the Superintendent believes necessary for the efficient and effective operation of the District and that are consistent with Board policies and state and federal law.~~

Subject to the preceding provisions on assignment, the Superintendent may appoint an employee to fill a vacant position by a lateral transfer or reassignment. A transfer or reassignment shall be considered "lateral" when the previous position held by the employee and the new position have the same pay grade or level and the same number of days on duty.

ASSIGNMENT AND SCHEDULES

DK
(LOCAL)

CAMPUS
ASSIGNMENTS

The principal's criteria for approval of campus assignments and reassignments shall be consistent with District policy regarding equal opportunity employment and shall be submitted to the Superintendent or designee (human resources associate superintendent or designated director) for review. Central office staff and principals shall work cooperatively in making and approving assignments to campuses to ensure the efficient operation of the District as a whole.

SUPPLEMENTAL
DUTIES

Noncontractual supplemental duties for which supplemental pay is received may be discontinued by either party at any time. An employee who wishes to relinquish a paid supplemental duty may do so by notifying the Superintendent or designee in writing. Paid supplemental duties are not part of the District's contractual obligation to the employee, and an employee shall hold no expectation of continuing assignment to any paid supplemental duty.

ADMINISTRATOR
ASSIGNMENT REVIEW

To encourage and facilitate the continuing professional development of each administrative staff member, the Board directs the Superintendent to provide a process that allows for new challenges and a variety of assignments by reassignment or promotion of administrators.

The rotation, reassignment, and possible promotion of personnel should provide for the flexibility of assignment between schools and administrative or teaching assignments.

At all times, the Board shall favor a flexible administrative schedule that allows for excellence in classroom teaching.

WORK SCHEDULES

The Superintendent shall establish work schedules and shall provide for absences and other conditions of work in keeping with the Board's policies. Working conditions shall be designed to promote excellent physical and mental health of all employees.

WORK LOAD
REQUIRED PLANS AND REPORTS

DLB
(LOCAL)

ADD POLICY

RESTRICTIONS ON
WRITTEN REPORTS

Annually upon the Board's request, the Superintendent shall report to the Board on efforts to minimize teacher paperwork and on the number and length of written reports that teachers are required to prepare.

DELETE POLICY

The District shall provide a comprehensive system of professional development for all employees. To this end opportunities are provided to employees based on an assessment of their needs. Ultimately, the growth of the individual, the campus, and the entire organization results in improved student learning, which is the District's goal.

NEW TEACHER ASSISTANCE PROGRAM (NTAP)

Teachers new to teaching and experienced teachers new to the District shall participate in the year-long New Teacher Assistance Program (NTAP), which assists the teacher with District expectations, procedures, and programs.

TEACHER CAREER CURRICULUM

A teacher career curriculum shall be provided for beginning teachers that starts with the second phase of the NTAP and proceeds through designated basic, intermediate, and advanced courses. All teachers may enter this progressive program.

STAFF DEVELOPMENT NEEDS IDENTIFIED

Each year, the staff development needs of the District shall be identified and addressed in the campus improvement plans, the District improvement plan, and the work of the staff development advisory council. Staff development training hours may be considered through District or campus waivers submitted and approved by TEA.

The District may credit the teacher six hours of compensatory time toward other training hours as listed in the Education Code and Texas Administrative Code, or other professional training planned or sponsored by the District (staff development credit). These hours may be exchanged for three hours of designated campus compensatory time and/or three hours of designated District compensatory time.

ALLOCATION OF FUNDS AND TIME

The District shall provide allocation of funds and time in the school calendar to implement the staff development activities. The Superintendent and other administrative staff shall be responsible for implementing the plans.

NONDUTY HOURS

The Board authorizes the administration to conduct work sessions during the summer in order to develop courses of study and teacher guides, and to plan staff development activities. Teachers selected to participate receive an hourly compensation as established by the District.

In addition, teachers may be remunerated for working after school hours or on Saturdays during the school year.

PROFESSIONAL DEVELOPMENT
REQUIRED STAFF DEVELOPMENT

DMA
(LOCAL)

In some instances, teachers may be released to work on these projects during the regular teaching day. Under this condition, they are not eligible to receive an additional hourly compensation.

PROPOSED REVISIONS

MEETINGS,
CONFERENCES, AND
WORKSHOPS

Professional personnel may attend and participate in meetings, conferences, and workshops that will contribute to their professional growth and development. [See also DMA and DMC]

When attendance at such events is recommended or required by the administration, the Board, TEA, or UIL, personnel may attend ~~provided that the employee complies with the employee and student travel guidelines.~~ **with the Superintendent's or designee's approval.** No salary deduction or loss of leave shall occur when attendance is recommended or required.

The Superintendent **or designee** may grant additional absences to employees for attendance at meetings, conferences, and workshops that ~~benefit the District and its operations.~~ **are of special interest to the employee.**

RELEASE TIME

Requests for release time with pay to attend employee organization meetings, other than any such meetings approved for required staff development purposes, shall be considered on a case-by-case basis. The responsibility for justifying the school-related purpose to be accomplished by attendance shall rest with the employee. Approval shall be given only if the employee is on the program, has some official function, or can obtain specific information related to his or her job description that will assist the District in improving the instructional program.

~~Any employee planning to be absent from duty on one of these trips must comply with the employee and student travel guidelines. The travel request must include a clear and concise explanation substantiating the business purpose and expenditures for the trip. [See DEC(REGULATION)]~~

~~School employees are expected to travel the most direct route to and from the meeting, and no off-duty time other than for travel and attendance will be allowed except in cases where there is a financial benefit for the District.~~

~~Up to five school days of release time will be allowed for any one trip. Additional time, with prior approval, may be allowed by charging this time to earned vacation/nonduty days when applicable.~~

PROPOSED REVISIONS

GENERAL PRINCIPLES	This policy applies only to District employees, except for other than teachers, administrators, and other full-time certified professional employees. [See DNA and DNB(REGULATION)] All District employees covered by this policy shall be annually appraised in the performance of their duties in accordance with administrative regulations established by the Superintendent.
CRITERIA	The employee's performance of assigned duties and other job-related criteria shall provide the basis for the employee's evaluation and appraisal. Employees shall be informed of the criteria on which they will be evaluated.
PERFORMANCE REVIEWS	Evaluation and appraisal ratings shall be based on the evaluation instrument and cumulative performance data gathered by supervisors throughout the year. Each employee shall have at least one evaluative conference annually, except as otherwise provided by policy, to discuss the written evaluation. An employee may also have as many conferences about performance of duties as the supervisor deems necessary. [See also DNA and DNB]
DOCUMENTATION AND RECORDS	<p>Appraisal records and forms, reports, correspondence, and memoranda may be placed in each employee's personnel records to document performance.</p> <p>All records that support appraisal rating shall be maintained for the time period required by applicable law and the District's records management plan. Official appraisal records shall be maintained throughout a person's for the duration of an individual's employment with the District and, thereafter, for the time period required by applicable law and the District's records management plan.</p>
EMPLOYEE COPY	All employees shall receive a copy of their annual written evaluation.
COMPLAINTS	Employees may present complaints regarding the evaluation and appraisal process in accordance with the District's complaint policy for employees. [See DGBA(LEGAL) and (LOCAL)]

PROPOSED REVISIONS

EMPLOYMENT
DECISIONS

When relevant to the decision, written evaluations of ~~any~~ professional employee's performance, as documented to date, and any other information the administration determines to be appropriate, shall be considered in decisions affecting contract status. The administration's criteria for determining the appropriateness of other information to be considered shall be consistently applied.

EXCEPTION

~~The Board is not required to consider written~~ **Written** evaluations and other evaluative information **need not be considered** prior to a decision to terminate a probationary contract at the end of the contract term.

PROPOSED REVISIONS

PRINCIPAL QUALIFICATIONS

In addition to the minimal certification requirement, the principal shall have at least:

1. Working knowledge of curriculum and instruction;
2. The ability to evaluate instructional program and teaching effectiveness;
3. The ability to manage budget and personnel and coordinate campus functions;
4. The ability to explain policy, procedures, and data;
5. Strong communications, public relations, and interpersonal skills;
6. Three years' experience as a classroom teacher;
7. Prior experience in instructional leadership roles; and
8. Other qualifications deemed necessary by the Board.

~~The qualifications, job goals, and duties of elementary, middle, and high school principals shall be as described below.~~

ELEMENTARY SCHOOL PRINCIPAL QUALIFICATIONS

~~The elementary school principal shall have the following qualifications:~~

- ~~1. Master's degree;~~
- ~~2. Valid Texas midmanagement, administrative, or principal's certificate;~~
- ~~3. Three years of related administrative experience in education to include at least two years assistant principal experience (for a person who has not previously served as a principal);~~
- ~~4. Leadership ability in working with teachers and students in instructional and managerial administration;~~
- ~~5. Working knowledge of curriculum and instruction;~~
- ~~6. The ability to evaluate instructional program and teaching effectiveness;~~
- ~~7. The ability to manage budget and personnel and coordinate campus functions;~~
- ~~8. The ability to explain policy, procedures, and data;~~
- ~~9. Strong communications, public relations, and interpersonal skills;~~

PERSONNEL POSITIONS

DP
(LOCAL)

	<p>10.— Three years' experience as a classroom teacher, preferably at the elementary school level; and</p> <p>11.— Other qualifications deemed necessary by the Board.</p>
JOB GOAL	<p>The elementary school principal's job goal shall be to provide effective administration and discipline in the implementation, maintenance, and improvement of the instructional program.</p>
DUTIES	<p>The elementary school principal shall:</p>
INSTRUCTIONAL MANAGEMENT	<p>1.— Maintain the organization and management of the school program.</p> <p>2.— Provide leadership for the instructional growth of teachers by supervising instruction through classroom observation and teacher conferences.</p> <p>3.— Prepare a master schedule that is in compliance with accreditation standards and other applicable guidelines.</p> <p>4.— Promote a guidance and counseling program that will furnish the assistance appropriate to meet identified needs of schools, parents, teachers, and students.</p> <p>5.— Act as the chairperson of the ARD committee or designate an administratively qualified representative who is professionally qualified to facilitate the committee work.</p> <p>6.— Supervise the administration of state-mandated or Districtwide testing programs and evaluate the results to determine weaknesses and strengths in the school instructional programs and curriculum.</p>
SCHOOL/ ORGANIZATIONAL CLIMATE	<p>7.— Establish and maintain communication with personnel and students to foster a productive school climate.</p> <p>8.— Inform the appropriate division superintendent for schools promptly of all cases of extreme danger or disaster where it would be necessary to set aside any Board policy.</p>
SCHOOL/ ORGANIZATIONAL IMPROVEMENT	<p>9.— Assist in establishing and clarifying the short-range and long-range goals that are educationally sound and administratively feasible.</p> <p>10.— Utilize District and community resources in developing the most effective educational program.</p>
PERSONNEL MANAGEMENT	<p>11.— Determine staff assignments according to campus needs.</p> <p>12.— Interview, select, and orient new staff and approve assignment of campus personnel. [See DC, DK]</p>

PERSONNEL POSITIONS

DP
(LOCAL)

- ~~13. Supervise and coordinate the activities of the school staff.~~
- ~~14. Identify those aspects of the teacher's instructional program in need of improvement and suggest alternative avenues of improvement.~~
- ~~15. Maintain adequate and accurate documentation upon which recommendations for job termination are based.~~
- ~~16. Evaluate teachers, assistant principals, counselors, nurses, at-risk coordinators, and non-certified staff. [See DN series]~~
- ~~17. Make recommendations relative to personnel placement, transfer, retention, promotion, nonrenewal, and dismissal. [See DK]~~
- ~~18. Involve campus staff in the planning of staff development activities. [See DMA and BQ series]~~
- ~~19. Assume responsibility for implementing TEA's requirements and the Board's policies and directives.~~
- ~~20. Manage facility functions effectively.~~
- ~~21. Prepare and submit the school budget and monitor allocations and expenditures of funds according to administrative policies.~~
- ~~22. Submit annual inventories of supplies and equipment and requisitions for any supplies and equipment needed for the next school year.~~
- ~~23. Establish and maintain an accurate account system for all textbooks issued to the staff and students.~~
- ~~24. Inform the Superintendent regarding conditions and needs of the instructional program, personnel matters, student accomplishments, and concerns through the established organizational channels.~~
- ~~25. Maintain accurate records and make such reports as required by TEA or as requested by the Superintendent or Board.~~
- ~~26. Assume responsibility for the proper maintenance of the campus financial accounts in accordance with administrative policies. These accounts include, but are not limited to, receipts, disbursements, donations, and fund-raising activities.~~
- ~~27. Function as the attendance officer of the school.~~
- ~~28. Develop, promote, and/or communicate a student management system that results in positive student behavior.~~

ADMINISTRATION
AND FISCAL/
FACILITIES
MANAGEMENT

STUDENT
MANAGEMENT

PERSONNEL POSITIONS

DP
(LOCAL)

- | | |
|--|---|
| | 29. Provide for the close supervision of extracurricular activities. |
| PROFESSIONAL
GROWTH AND
DEVELOPMENT | 30. Promote professional growth that meets the needs of professional and auxiliary personnel. |
| | 31. Improve leadership skills through professional development activities. |
| ADDITIONAL
RESPONSIBILITIES | 32. Support established District goals. |
| | 33. Communicate the educational efforts and successes to the community. |
| | 34. Oversee committees of special education, gifted and talented, discipline, LPAC, CIT, and communications. |
| | 35. Coordinate adult-related programs. |
| | 36. Perform other duties as assigned by the appropriate division superintendent for schools or Superintendent. |

PERSONNEL POSITIONS

DP
(LOCAL)

~~MIDDLE SCHOOL
PRINCIPAL~~

~~QUALIFICATIONS~~

~~The middle school principal shall have the following qualifications:~~

- ~~1. Master's degree;~~
- ~~2. Valid Texas midmanagement, administrative, or principal's certificate;~~
- ~~3. Three years of related administrative experience in education to include at least two years assistant principal experience (for a person who has not previously served as a principal);~~
- ~~4. Leadership ability in working with teachers and students in instructional and managerial administration;~~
- ~~5. Working knowledge of curriculum and instruction;~~
- ~~6. The ability to evaluate instructional program and teaching effectiveness;~~
- ~~7. The ability to manage budget and personnel and coordinate campus functions;~~
- ~~8. The ability to explain policy, procedures, and data;~~
- ~~9. Strong communications, public relations, and interpersonal skills;~~
- ~~10. Three years' experience as a classroom teacher, preferably at the middle school level; and~~
- ~~11. Other qualifications deemed necessary by the Board.~~

~~JOB GOAL~~

~~The middle school principal's job goal shall be to provide effective administration and discipline in the implementation, maintenance, and improvement of the instructional program.~~

~~DUTIES~~

~~The middle school principal shall:~~

~~INSTRUCTIONAL
MANAGEMENT~~

- ~~1. Assume responsibilities for the planning, operations, supervision, and evaluation of the educational program of the school.~~
- ~~2. Maintain the organization and management of the school program.~~
- ~~3. Provide leadership for the instructional growth of teachers by supervising instruction through classroom observation and teacher conferences.~~
- ~~4. Prepare a master schedule that is in compliance with accreditation standards and other applicable guidelines.~~
- ~~5. Act as the chairperson of the ARD committee, or designate an administratively qualified representative who is professionally qualified to facilitate the committee work.~~

PERSONNEL POSITIONS

DP
(LOCAL)

- ~~SCHOOL/
ORGANIZATIONAL
CLIMATE~~

 - ~~6.— Supervise the administration of state-mandated or Districtwide testing programs and evaluate the results to instructional programs and curriculum.~~
 - ~~7.— Promote a guidance and counseling program that will furnish the assistance appropriate to meet identified needs of schools, parents, teachers, and students.~~
 - ~~8.— Provide leadership in the implementation of the middle school philosophy.~~
- ~~SCHOOL/
ORGANIZATIONAL
IMPROVEMENT~~

 - ~~9.— Establish and maintain communication with personnel and students to foster a productive school climate.~~
 - ~~10.— Inform the appropriate division superintendent for schools promptly of all cases of extreme danger or disaster where it would be necessary to set aside any Board policy.~~
 - ~~11.— Assist in establishing and clarifying the short-range and long-range goals that are educationally sound and administratively feasible.~~
 - ~~12.— Utilize all resources of the District and the community in developing the most effective educational program.~~
 - ~~13.— Determine staff assignments according to campus needs.~~
 - ~~14.— Supervise and coordinate the activities of the school staff.~~
 - ~~15.— Identify those aspects of the teacher's classroom instructional program in need of improvement and suggest alternative avenues of improvement.~~
- ~~PERSONNEL
MANAGEMENT~~

 - ~~16.— Maintain adequate and accurate documentation upon which recommendations for retention and/or placement are based.~~
 - ~~17.— Interview, select, and orient new staff and approve assignment of campus personnel. [See DC, DK]~~
 - ~~18.— Evaluate instructors, assistant principals, counselors, nurses, at-risk coordinators, and student activities managers. [See DN series]~~
 - ~~19.— Make recommendations relative to personnel placement, transfer, retention, promotion, nonrenewal, and dismissal. [See DK]~~
 - ~~20.— Involve campus staff in the planning of staff development activities. [See DMA and BQ series]~~
 - ~~21.— Assume responsibility for implementing the policies and directives of the Board and TEA.~~

PERSONNEL POSITIONS

DP
(LOCAL)

ADMINISTRATION AND FISCAL/ FACILITIES MANAGEMENT	22.— Make regular and thorough inspections of the school property and direct the assignment of classified personnel within the school.
	23.— Prepare and submit the school budget and monitor allocations and expenditures of funds according to the administrative policies.
	24.— Submit annual inventories of supplies and equipment and requisitions for any supplies and equipment needed for the next school year.
	25.— Establish and maintain an accurate accounting system for all textbooks issued to the staff and students.
	26.— Keep the Superintendent informed of school conditions and needs, personnel matters, student accomplishments, and concerns through the established organizational channels.
	27.— Maintain accurate records and make such reports as required by TEA or as requested by the Superintendent or Board.
	28.— Assume responsibility for the proper maintenance of the campus financial accounts in accordance with administrative policies. These accounts include, but are not limited to, receipts, disbursements, donations, and fund-raising activities.
	29.— Function as the attendance officer of the school.
STUDENT MANAGEMENT	30.— Establish and maintain a standard of conduct that is supportive of the middle school instructional program.
	31.— Provide for the close supervision of extracurricular activities.
SCHOOL/ COMMUNITY RELATIONS	32.— Establish and maintain favorable relationships with parents, local community groups, and individuals to foster understanding of and solicit support for over-all school objectives and programs.
PROFESSIONAL GROWTH AND DEVELOPMENT	33.— Promote the professional growth of the staff by presenting professional development programs that meet the individual and group needs of professional and auxiliary personnel.
	34.— Attend professional development activities as directed.
	35.— Promote professional improvement through activities approved by the Board.
ADDITIONAL RESPONSIBILITIES	36.— Oversee the athletic and fine arts programs on campus.

PERSONNEL POSITIONS

DP
(LOCAL)

	<p>37. Coordinate school involvement in terms of curriculum, counseling services, and support areas to maintain the success of District-established objectives.</p> <p>38. Communicate the educational efforts and successes to the scholastic community.</p> <p>39. Manage the disciplinary functions to maintain an optimal level of learning within the school.</p> <p>40. Perform other duties as assigned by the appropriate division superintendent for schools or Superintendent.</p>
<p>HIGH SCHOOL PRINCIPAL QUALIFICATIONS</p>	<p>The high school principal shall have the following qualifications:</p> <ol style="list-style-type: none">1. Master's degree;2. Valid Texas midmanagement, administrative, or principal's certificate;3. Three years of related administrative experience in education to include at least two years assistant principal experience (for a person who has not previously served as a principal);4. Leadership ability in working with teachers and students in instructional and managerial administration;5. Working knowledge of curriculum and instruction;6. The ability to evaluate instructional program and teaching effectiveness;7. The ability to manage budget and personnel and coordinate campus functions;8. The ability to explain policy, procedures, and data;9. Strong communications, public relations, and interpersonal skills;10. Three years' experience as a classroom teacher preferably at the high school level; and11. Other qualifications deemed necessary by the Board.
<p>JOB GOAL</p>	<p>The high school principal's job goal shall be to provide effective administration and discipline in the implementation, maintenance, and improvement of the instructional program.</p>
<p>DUTIES</p>	<p>The high school principal's duties shall be to:</p>
<p>INSTRUCTIONAL MANAGEMENT</p>	<ol style="list-style-type: none">1. Assume responsibilities for the planning, operation, supervision, and evaluation of the educational program of the school.

PERSONNEL POSITIONS

DP
(LOCAL)

- ~~2. Maintain the organization and management of the school program.~~
- ~~3. Provide leadership for the instructional growth of teachers by supervising instruction through classroom observation and teacher conferences.~~
- ~~4. Prepare a master schedule that is in compliance with accreditation standards and other applicable guidelines.~~
- ~~5. Act as the chairperson of the ARD committee or designate an administratively qualified representative who is professionally qualified to facilitate the committee work.~~
- ~~6. Promote a guidance and counseling program that will furnish the assistance appropriate to meet identified needs of schools, parents, teachers, and students.~~
- ~~7. Supervise the administration of state-mandated or Districtwide testing programs and evaluate the results to determine weaknesses and strengths in the school instructional programs and curriculum.~~
- ~~SCHOOL/
ORGANIZATIONAL
CLIMATE~~ ~~8. Establish and maintain communication with personnel and students to foster a productive school climate.~~
- ~~9. Inform the appropriate division superintendent for schools promptly of all cases of extreme danger or disaster where it would be necessary to set aside any Board rules and regulations.~~
- ~~SCHOOL/
ORGANIZATIONAL
IMPROVEMENT~~ ~~10. Assist in establishing and clarifying the short-range and long-range goals that are educationally sound and administratively feasible.~~
- ~~11. Utilize all resources of the District and the community in developing the most effective educational program.~~
- ~~12. Supervise and coordinate the activities of the school staff.~~
- ~~13. Identify those aspects of the teacher's classroom instructional program in need of improvement and suggest alternative avenues of improvement.~~
- ~~PERSONNEL
MANAGEMENT~~ ~~14. Maintain adequate and accurate documentation upon which recommendations for retention or placement are based.~~
- ~~15. Interview, select, and orient new staff and approve assignment of campus personnel. [See DC, DK]~~

PERSONNEL POSITIONS

DP
(LOCAL)

- ~~16. Define expectations for staff performance regarding instructional strategies, classroom management, and communication with the public.~~
- ~~17. Observe employee performance, record observations, and conduct evaluation conferences with all staff. [See DN series]~~
- ~~18. Make recommendations relative to personnel placement, transfer, retention, promotion, nonrenewal, and dismissal. [See DK]~~
- ~~19. Confer with subordinates regarding their professional growth; work jointly with them to develop and accomplish improvement goals. [See DN series]~~
- ~~20. Involve campus staff in the planning of staff development activities. [See DMA and BQ series]~~
- ~~21. Evaluate instructors, assistant principals, counselors, nurses, at-risk coordinators, and student activities managers. [See DN series]~~
- ADMINISTRATION AND FISCAL/FACILITIES MANAGEMENT
- ~~22. Assume responsibility for implementing the policies and directives of the Board and TEA.~~
- ~~23. Make regular and thorough inspections of the school property and direct the assignment of classified personnel within the school.~~
- ~~24. Prepare and submit the school budget and monitor allocations and expenditures of funds according to administrative policies.~~
- ~~25. Submit annual inventories of supplies and equipment and requisitions for any supplies and equipment needed for the next school year.~~
- ~~26. Establish and maintain an accurate accounting system for all textbooks issued to the staff and students.~~
- ~~27. Keep the Superintendent informed of school conditions and needs, personnel matters, student accomplishments, and concerns through the established organizational channels.~~
- ~~28. Maintain accurate records and make such reports as required by TEA or as requested by the Superintendent or Board.~~
- ~~29. Assume responsibility for the proper maintenance of the campus financial accounts in accordance with administrative policies. These accounts include, but are not limited to, receipts, disbursements, donations, and fund-raising activities.~~

PERSONNEL POSITIONS

DP
(LOCAL)

- | | |
|--|---|
| STUDENT
MANAGEMENT | 30.— Function as the attendance officer of the school. |
| | 31.— Establish and maintain a standard of conduct that is supportive of the instructional program. |
| | 32.— Provide for the close supervision of extracurricular activities. |
| SCHOOL/
COMMUNITY
RELATIONS | 33.— Establish and maintain favorable relationships with parents, local community groups, and individuals to foster understanding of and solicit support for overall school objectives and programs. |
| PROFESSIONAL
GROWTH AND
DEVELOPMENT | 34.— Promote the professional growth of the staff by presenting professional development programs that meet the individual and group needs of professional and auxiliary personnel. |
| | 35.— Attend professional development activities as directed. |
| | 36.— Promote professional improvement through activities approved by the Board. |
| ADDITIONAL
RESPONSIBILITIES | 37.— Oversee the athletic and fine arts programs on campus. |
| | 38.— Coordinate school involvement in terms of curriculum, counseling, services, and support areas to maintain the success of District-established objectives. |
| | 39.— Communicate the educational efforts and successes to the scholastic community. |
| | 40.— Manage the disciplinary functions to maintain an optimal level of learning within the school. |
| | 41.9. Perform other duties as assigned by the appropriate division superintendent for schools or Superintendent. |

PROPOSED REVISIONS

SCHOOL CALENDAR

Annually, after consultation with ~~EPCA [see DGB]~~ **DEIC**, the Superintendent shall recommend **to the Board** a school calendar that complies with **all applicable** legal requirements ~~for approval at a Board meeting.~~

Upon Board approval ~~Once approved~~, the calendar shall be made available to students, staff, and parents.

The calendar shall ~~contain~~ **include** dates for the following ~~items~~:

1. Teacher preparation days.
2. Teachers' report for duty. The teachers' first day on duty shall constitute the first day of the school year. ~~{See DFE}~~
3. Opening and closing of school.
4. Grade reporting periods/exam days.
5. Semester beginnings and endings. The last day of required attendance for the students shall be considered the last day of instruction. ~~{See DFBB(LEGAL)}~~
6. Scheduled holidays.
7. Scheduled staff development activities.

EMERGENCIES

The Superintendent is authorized to make decisions regarding variations from the school calendar in case of emergencies, ~~subject to Board ratification of such changes.~~

DELETE POLICY

Full-time students in grades 9–12 shall be scheduled for at least four hours per day. [See FDD(LEGAL)] Students enrolled in schools utilizing block schedules shall spend an average of at least four hours per day in class for a five-day school week.

Students may drop courses or change their schedules in accordance with administrative regulations. The principal shall inform students of deadline and requirements for dropping courses or changing schedules.

PROPOSED REVISIONS

- GENERAL EDUCATION Consistent with TEA's Student Attendance Accounting Handbook (SAAH), a student to be confined for a minimum of four weeks to a hospital or homebound for medical reasons specifically documented by a physician licensed to practice in the United States may be eligible for general education homebound services. The request for services shall be made through the principal in accordance with TEA's SAAH and administrative procedures.
- The principal or designee shall convene a placement committee composed of at least a campus administrator, a teacher of the student, and the parent, guardian, or other person having authority to make educational decisions for the student **or the student, if the student is 18 years or older or is an emancipated minor,** ~~(or the adult student in lieu thereof)~~ to consider the necessity of providing general education homebound instruction to the student. If the committee determines that such instruction is appropriate, the committee shall determine the type and amount of instruction to be provided and, when the student is able to return to the regular educational setting, the length of the transition period based on current medical information.
- SPECIAL EDUCATION For special education students, the ARD committee shall determine the type and amount of instruction to be provided and, when the student is able to return to the regular educational setting, the length of the transition period based on current medical information.
- DOCUMENTATION OF SERVICES The District shall maintain, in accordance with administrative procedures, full documentation about students receiving homebound services.

PROPOSED REVISIONS

The Superintendent shall establish standards, criteria, and procedures whereby instructional materials and supplies can be provided to the professional staff. ~~In this policy, “instructional resources” refers to textbooks, library acquisitions, supplemental materials for classroom use and any other materials, including electronic resources, used for formal and informal teaching and learning purposes. Provisions shall be made for the requisition and purchase of such materials within limits of the annual District budget, as needed.~~

The Board shall provide a wide range of instructional resources for students and faculty that present varying levels of difficulty, diversity of appeal, and a variety of points of view. Although trained professional staff members are afforded the freedom to select instructional resources for their use in accordance with this policy and the Texas Essential Knowledge and Skills (TEKS), the ultimate authority for determining and approving the curriculum and instructional program of the District lies with the Board.

OBJECTIVES

In this policy, “instructional resources” refers to textbooks, library acquisitions, supplemental materials for classroom use and any other materials, including electronic resources, used for formal and informal teaching and learning purposes. The primary objectives of instructional resources are to deliver, support, enrich, and assist in implementing the District’s educational program. [See EFAA for the selection and adoption process of state-adopted instructional materials]

The Board shall rely on District professional staff to select and acquire instructional resources that:

1. Enrich and support the curriculum, taking into consideration students’ varied interests, abilities, learning styles, and maturity levels.
2. Stimulate growth in factual knowledge, enjoyment of reading, literary appreciation, aesthetic values, and societal standards.
3. Present various sides of controversial issues so that students have an opportunity to develop, under guidance, skills in critical analysis and in making informed judgments in their daily lives.
4. Represent many ethnic, religious, and cultural groups and their contributions to the national heritage and world community.

INSTRUCTIONAL RESOURCES
INSTRUCTIONAL MATERIALS

EFA
(LOCAL)

5. Provide a wide range of background information that will enable students to make intelligent judgments in their daily lives.
6. Provide for research-based and/or review of a content specialist.

SELECTION CRITERIA

In the selection of instructional resources, especially library acquisitions and supplemental materials for classroom use, professional staff shall ensure that materials:

1. Support and are consistent with the general educational goals of the state and District and the aims and objectives of individual schools and specific courses consistent with the District and campus improvement plans.
2. Meet high standards in presentation, format, readability, content, accuracy, artistic or literary quality, and educational significance.
3. Are appropriate for the subject and for the age, ability level, learning styles, and social and emotional development of the students for whom they are selected.
4. Are designed to create an environment that results in students examining their own attitudes and behavior, understanding their rights, duties, and responsibilities as citizens, and making informed judgments in their daily lives.

~~An appropriate staff member shall prepare a supporting document (curriculum and instruction product review form) whenever the proposed acquisition of such materials is presented to the Board for approval.~~

Recommendations for library acquisitions shall involve administrators, teachers, other District personnel, and community representatives, as appropriate. Gifts of instructional resources shall be evaluated according to these criteria and accepted or rejected accordingly.

Selection of materials is an ongoing process that includes the removal of resources no longer appropriate and the periodic replacement or repair of materials still of educational value.

CONTROVERSIAL
ISSUES

The selection of library acquisitions on controversial issues shall endeavor to maintain a balanced collection representing various views. Library materials shall be chosen to clarify historical and contemporary forces by presenting and analyzing intergroup tension and conflict objectively, placing emphasis on recognizing and understanding social and economic problems. [See also EMB re-

INSTRUCTIONAL RESOURCES
INSTRUCTIONAL MATERIALS

EFA
(LOCAL)

	garding instruction about controversial issues and EHAA regarding human sexuality instruction]
PARENTAL ACCESS	A parent is entitled to review all teaching materials, instructional resources, and other teaching aids used in the classroom of his or her own child. The District shall make instructional resources readily available for parental review and may specify reasonable hours for such review. [See EF(LEGAL)]
CHALLENGED MATERIALS	A parent of a District student, any employee, or any District resident may formally challenge an instructional resource used in the District's educational program on the basis of appropriateness.
INFORMAL RECONSIDERATION	<p>The school receiving a complaint about the appropriateness of an instructional resource shall try to resolve the matter informally using the following procedure:</p> <ol style="list-style-type: none">1. The principal or designee shall explain the school's selection process, the criteria for selection, and the qualifications of the professional staff who selected the questioned material.2. The principal or designee shall explain the role the questioned material plays in the educational program, its intended educational usefulness, and any additional information regarding its use.3. The principal or designee may offer a concerned parent other instructional material to be used by that parent's child in place of the challenged material.4. If the complainant wishes to make a formal challenge, the principal or designee shall provide the complainant a copy of this policy and a Request for Reconsideration of Instructional Materials form [see EFA(EXHIBIT)].
FORMAL RECONSIDERATION	<p>All formal objections to instructional resources shall be made on the Request for Reconsideration of Instructional Materials form. The form shall be completed and signed by the complainant and submitted to the principal or designee. Upon receipt of the request, the principal shall appoint a reconsideration committee.</p> <p>The reconsideration committee shall include at least one member of the instructional staff who either has experience teaching the challenged material or is familiar with the challenged material. Other members of the committee may include District-level staff, library staff, secondary-level students, parents, and others deemed appropriate by the principal.</p> <p>All members of the committee shall review the challenged material in its entirety. As soon as reasonably possible, the committee shall</p>

meet and determine whether the challenged material conforms to the principles of selection set out in this policy. The committee shall then prepare a written report. Copies of the report shall be provided to the principal, the Superintendent or designee, and the complainant.

APPEAL

The complainant may appeal the decision of the reconsideration committee in accordance with appropriate complaint policies, starting with the appropriate administrator. [See DGBA, FNG, and GF] The appeal shall contain documentation of the informal reconsideration process, if any, the Request for Reconsideration of Instructional Materials form, the reconsideration committee's report, and dates of conferences with the principal or designee.

GUIDING PRINCIPLES

The following principles shall guide the Board and staff in responding to challenges of instructional resources:

1. A complainant may raise an objection to an instructional resource used in a school's educational program, **despite the fact that the professional staff selecting the resources were qualified to make the selection, followed the proper procedure, and adhered to the objectives and criteria for instructional resources set out in this policy.**
2. A parent's ability to exercise control over reading, listening, or viewing matter extends only to his or her own children.
3. When instructional resources are challenged, the principles of the freedom to read, listen, and view must be defended as well.
4. Access to challenged material shall not be restricted during the reconsideration process.

The major criterion for the final decision on challenged materials is the appropriateness of the material for its intended educational use. No challenged library material shall be removed solely because of the ideas expressed therein.

DELETE POLICY

LIBRARY SYSTEM

The District shall provide and maintain library media programs as integral parts of the District's instructional resources, in compliance with State Board standards. Materials shall be selected from all forms of media in accordance with EFA(LOCAL), taking into consideration the interests, vocabulary, maturity, and ability levels of all students within the school served.

The Superintendent may contract with the Regional Educational Service Center or other agencies offering similar services for the provision of media services and supplies.

The Superintendent or designee shall develop rules, regulations, and procedures to ensure the systematic maintenance of libraries as current resources for teachers and students. Principals, with input from the campus librarian, shall ensure the effective use of the libraries within schools and shall establish library hours and procedures that best serve the needs of the students.

BUDGET

Adequate funding for library media programs shall be made through the annual budget. Funds for the purchase of library materials shall be allocated on an equitable basis to the various schools.

PROPOSED REVISIONS

PHYSICAL ACTIVITY IN MIDDLE SCHOOL	Physical activity for students in grades 6–8 is part of the school day instructional program. Students may fulfill the District’s requirement for physical activity by completing:
PHYSICAL EDUCATION	1. One semester of physical education per middle school grade and a total of three semesters of a sequential physical education program matching the state standards, taught by a certified physical education teacher; and
HEALTH EDUCATION	2. One semester of coordinated school health education in grade 6, one semester of coordinated school health education in grade 7, and a total of two semesters of coordinated school health matching the state standards taught by a certified health educator. The coordinated school health program shall have a physical activity component. This may be included in a campus’s health and physical education block.
PHYSICAL ACTIVITY	Each campus shall ensure that students receive 30 minutes per day of moderate to vigorous physical activity for a minimum of four semesters. The District may, as an alternative, require a student enrolled in a grade level for which the District uses block scheduling to participate in moderate or vigorous physical activity for at least 225 minutes during each period of two school weeks [see EHAC(LEGAL)].

DELETE POLICY

Provisions regarding the District's special education program are included in the publication *Special Education Operational Guidelines*.

For provisions regarding discipline, such as suspension, removal, or expulsion, of a special education student, refer to the policies in the FO series and the Student Code of Conduct.

MEDIATION

If the parent and District request mediation following the filing of a due process complaint with the Texas Education Agency, a representative approved by the Superintendent shall participate in the mediation and have authority to approve expenditures up to \$5,000 for attorney fees of opposing counsel and \$10,000 for payment of services for the student, over and above the amount approved by the ARD committee.

PARENTAL CONSENT FOR ASSESSMENT

Parental permission shall be obtained for all psychological evaluations, in accordance with statutory provisions. [See EHBA (LEGAL)]

PROPOSED POLICY

NOMINATION / REFERRAL	Students may be nominated/referred for the gifted and talented program at any time by teachers, counselors, parents, or other interested persons.
SCREENING AND IDENTIFICATION PROCESS	The District shall provide assessment opportunities to complete the screening and identification process for nominated/referred students at least once per school year.
PARENTAL CONSENT	The District shall obtain written parental consent before any special testing or individual assessment is conducted as part of the screening and identification process. All student information collected during the screening and identification process shall be an educational record, subject to the protections set out in policies at FL.
IDENTIFICATION CRITERIA	The Board-approved program for the gifted and talented shall establish criteria to identify gifted and talented students. The criteria shall be specific to the state definition of gifted and talented and shall ensure the fair assessment of students with special needs, such as the culturally different, the economically disadvantaged, and students with disabilities.
ASSESSMENTS	Data collected through both objective and subjective assessments shall be measured against the criteria approved by the Board to determine individual eligibility for the program. Assessment tools may include, but are not limited to, the following: cumulative grade average, achievement tests, intelligence tests, creativity tests, behavioral checklists completed by teachers and parents, student/parent conferences, and available student work products.
SELECTION	A selection committee shall evaluate each nominated/referred student according to the established criteria and shall identify those students for whom placement in the gifted and talented program is the most appropriate educational setting. The committee shall be composed of at least three professional educators who have received training in the nature and needs of gifted students, as required by law, and shall be established at each campus.
NOTIFICATION	The District shall provide written notification to parents of students who qualify for services through the District's gifted and talented program. Participation in any program or services provided for gifted students shall be voluntary, and the District shall obtain written permission from the parents before placing a student in a gifted program.
NO REASSESSMENT	The District shall not perform routine reassessments.

TRANSFER STUDENTS

INTERDISTRICT

MILITARY
FAMILIES

A student identified as gifted by a previous school district and has a military parent or guardian who is stationed in the District, shall be placed in the District's program for gifted and talented students.

NON-MILITARY
FAMILIES

For all other students, when a student identified as gifted by a previous school district enrolls in the District, the selection committee shall review the student's records to determine if placement in the District's program for gifted and talented students is appropriate.

The selection committee shall make a determination within 30 calendar days of the student's enrollment in the District and shall base the decision on the transferred records, observation reports of District teachers who instruct the student, and student and parent conferences.

If the student is not placed in the District's program for the gifted and talented students and the parents requests, the District shall assess the student during the next annual screening period using the District's established identification criteria.

[See FDD(LEGAL) for information regarding transfer students and the Interstate Compact on Educational Opportunities for Military Children]

INTRADISTRICT

A student who transfers from one campus in the District to the same grade level at another District campus shall continue to receive services in the District's gifted and talented program.

FURLOUGHS

The District may place on a furlough any student who is unable to maintain satisfactory performance or whose educational needs are not being met within the structure of the gifted and talented program. A furlough may be initiated by the District, the parent, or the student.

In accordance with administrative regulations, a furlough shall be granted for specified reasons and for a specified period of time. At the end of a furlough, the student may reenter the gifted program, be placed on another furlough, or be exited from the program.

EXIT PROVISIONS

The District shall monitor student performance in the program. If at any time the selection committee determines it is in the best interest of the student and his or her educational needs, the committee may exit a student from the program. If a student or parent requests removal from the program, the selection committee shall meet with the parent and student before honoring the request.

SPECIAL PROGRAMS
GIFTED AND TALENTED STUDENTS

EHBB
(LOCAL)

APPEALS

A parent or student may appeal any final decision of the selection committee regarding selection for or exit from the gifted program. Appeals shall be made first to the selection committee. Any subsequent appeals shall be made in accordance with FNG(LOCAL) beginning at Level Two.

PROGRAM
EVALUATION

The District shall annually evaluate the effectiveness of the District's gifted program, and the results of the evaluation shall be used to modify and update the District and campus improvement plans. The District shall include parents in the evaluation process and shall share the information with Board members, administrators, teachers, counselors, students in the gifted and talented program, and the community.

COMMUNITY
AWARENESS

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

PROPOSED REVISIONS

STUDENT IDENTIFICATION

Students at all grade levels who have been identified as being at risk of dropping out of school, who are not performing at grade level, or who did not perform satisfactorily on a state-~~administered~~ **mandated** assessment ~~instrument~~ shall be provided accelerated and/or compensatory educational services **based on needs assessment**. The principal shall ensure that each identified student is ~~receiving-offered~~ services.

The services provided ~~to~~ each student shall be consistent with the goals and strategies established in the District and campus improvement plans and shall be reviewed for effectiveness at the close of each grading period. Parents shall be encouraged to participate in the planning of educational services for their child and shall be kept informed regarding the child's progress toward educational goals.

ACCELERATED INSTRUCTION

~~Accelerated instruction options include:~~

- ~~1. Extended day;~~
- ~~2. Extended week; and~~
- ~~3. Extended year programs, including instructional services as described in EHBC(LEGAL).~~

CREDIT RECOVERY

~~Credit recovery options include:~~

- ~~1. Taking credit by examination [see EHDB and EHDC];~~
- ~~2. Retaking the course during a regular semester or during summer school; and~~
- ~~3. Enrolling in a computer-assisted instruction (CAI) or distance learning course [see EHDE].~~

~~A description of recommended programs and services is provided in EHBC(EXHIBIT).~~

Parents of students who are not successful in meeting requirements for promotion shall be informed of any available options, such as an extended year program or summer school. **[See EIE]**

~~[See also policies at EHBC(LEGAL), EHBD, EIE, EI Series and FB, as well as the Texas Education Code (TEC) and Texas Administrative Code (TAC) references as presented in EHBC(EXHIBIT)]~~

LOCAL ELIGIBILITY CRITERIA

~~A student identified by the District as "dyslexic" shall meet the local eligibility criteria for inclusion in the definition of "at-risk student." Such students shall also be provided appropriate instructional services as described in EHBC(LEGAL).~~

PROPOSED REVISIONS

COMPARABILITY OF SERVICES

The ~~District~~**Board** shall ensure ~~comparability~~**equity** in services among ~~school~~**campus** programs and shall maintain appropriate records reflecting ~~comparability~~**equity**.

As reflected in District records, ~~comparability~~**equity** shall be maintained Districtwide ~~as reflected by at least~~**in** one of the following ~~tests used by TEA~~**areas**:

1. Expenditures of money per student from state and local funds;
2. Instructional salaries per student from state and local funds; or
3. ~~Nonfederal instructional~~**Instructional** staff/student ratios.

In special programs, such as special education and bilingual education, a lower ratio may be maintained and more money may be spent as necessary to fulfill other legal requirements. [See DEA]

DISTRICT RESPONSIBILITIES

~~The District shall provide coordination, training, and technical assistance in planning, implementing, and evaluating school-parent engagement. Results of the program's practices shall be presented and community input obtained annually.~~

~~The District shall, as part of its annual evaluation of its parental engagement policy in improving the academic quality of the schools served under Title I, Part A, identify barriers to greater participation by parents in activities authorized by federal law (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background); and use the findings of such evaluation to design strategies for more effective parental involvement, and to revise, if necessary, its parental involvement policies. 20 U.S.C. 6318(a)(2)(e)~~

~~If the plan to be submitted by the District to TEA under Title I is not satisfactory to the parents of participating children, the District shall submit any parent comments with such plan when it submits the plan to TEA. 20 U.S.C. 6318(b)(4)~~

SCHOOL RESPONSIBILITIES

~~The school shall forge a partnership with all families of special populations and mainstream students by encouraging volunteer participation from parents and the community at large. The principal and other school administrators shall actively promote the philosophy of partnership with all families. The Campus Improvement Team (CIT) in collaboration with parents and community members will develop and implement at the beginning of each school year:~~

~~1.— A school parental engagement policy consistent with the District's parental engagement program objective; and~~

~~2.— A school-parent compact.~~

~~The school's parent engagement design shall be incorporated into the campus improvement plan. [See BQ(LOCAL)] The principal shall supervise the coordination of the parental engagement program.~~

~~Under the provisions of NCLB, each school receiving Title I, Part A funds shall address parental engagement at the school. A school must:~~

~~1.— Meet with parents to explain Title I, Part A requirements;~~

~~2.— Offer a flexible number of meetings and involve parents in the planning, review, and improvement of Title I, Part A programs, including the parental involvement policy;~~

~~3.— Provide parents of participating children information about Title I, Part A programs, the curriculum used at the school, forms of academic assessment, and proficiency levels that students are expected to meet; and~~

~~4.— If the school-wide program plan is not satisfactory to the parents of participating children, submit parent comments on the plan to the Superintendent when the school submits the plan.~~

SCHOOL-PARENT
COMPACT

~~The compact shall be written as an understanding of shared responsibilities that defines the goals and expectations of school and parents as partners, and shall be developed with input from parents of the students enrolled. The school-parent compact outlines how parents, the entire school staff, and students work together and build a partnership designed to increase the sharing of responsibility between families and schools for the high performance of students. The school-parent compact must describe:~~

~~1.— A school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment;~~

~~2.— The ways in which parents will be responsible for supporting their children's learning; and~~

~~3.— The student's responsibilities for academic achievement.~~

~~Each compact shall include the following statement: "This compact is an understanding of cooperation and not a legal contract."~~

~~[See EHBD(LEGAL) for additional requirements concerning school-parent compacts at Title I schools]~~

~~DISTRICT AND
SCHOOL
RESPONSIBILITIES~~

~~The compact shall be aspirational in nature only, and shall not create a legal duty or cause of action on the part of anyone, and shall include within it the following statement: "This compact is aspirational in nature only, and does not create a legal duty or cause of action on the part of anyone."~~

~~Under the provisions of NCLB (Title I, Part A), the District and each school shall provide:~~

- ~~1. Program information for parents — the District and each school shall provide assistance to parents of participating Title I children in understanding such topics as the state's academic content and achievement standards, the assessments being used, the requirements of Title I, Part A, and how to monitor their children's progress and work with educators to improve their achievement;~~
- ~~2. Materials and training — the District and each school shall provide materials and training, such as literacy training and training on how to use technology, as appropriate, to help parents work with their children to improve achievement;~~
- ~~3. Educate educators — the District and each school shall educate teachers, pupil services personnel, principals and other staff, with the assistance of parents, in the value and utility of contributions of parents, and on how to reach out to, communicate with, and work with parents as equal partners, implement and coordinate parent programs, and build ties between parents and the school;~~
- ~~4. Preschool coordination — the District and each school shall, to the extent feasible and appropriate, coordinate and integrate parental engagement programs with Head Start, Even Start, and other preschool programs, and conduct other activities, such as parent resource centers, that encourage and support parents in more fully participating in the education of their children;~~
- ~~5. Understandable communication — the District and each school shall ensure that information related to school and parent programs, meetings, and other activities is sent to parents of participating children in a format and medium, to the extent practicable, and in a language the parents can understand; and~~

~~Other activities — the District and each school shall provide such other reasonable support for parental involvement activities calculated to improve student academic achievement as parents may request.~~

PROPOSED REVISIONS

LANGUAGE
PROFICIENCY
ASSESSMENT
COMMITTEES

The professional staff members of the LPAC(s) shall be assigned those duties by the principal. Selection of parent members of LPAC(s) shall be made after soliciting volunteers and upon the recommendation of professionals involved in the bilingual/ESL programs.

~~Each campus principal or designated administrator is responsible for establishing and maintaining a Language Proficiency Assessment Committee (LPAC) as per Texas Education Code 21.462(b); 19 TAC 89.5(a-d).~~

~~Each LPAC will be composed of the principal or designated administrator, two elementary bilingual education teachers, or two English as a Second Language (ESL/Content) teachers (grades 6-12), and at least one parent (not a District employee) of a limited English proficient student enrolled in bilingual education or ESL. Additional educators or parents may be included at the discretion of the committee as non-voting members.~~

~~The purpose of the LPAC is to review each student's home language survey, language proficiency test scores in English and the primary language, standardized achievement test scores, mastery of essential elements, academic achievement, and all pertinent information to identify Limited English Proficient (LEP) students and recommend their instructional placement.~~

~~Based on this review, the LPAC will:~~

- ~~1. Identify LEP students upon initial entry and recommend their instructional placement in the elementary bilingual education program or the ESL programs for middle or secondary school students within two weeks of initial enrollment.~~
- ~~2. Conduct an end-of-the-year annual review of each LEP student's progress to determine the appropriate program level for the following school year.~~
- ~~3. Reclassify the student as "EXITED" when program exit criteria are met.~~
- ~~4. Monitor the progress of students, formally classified as LEP, for two years after they have been exited from the bilingual or ESL program.~~

TRAINING

The District shall provide orientation and training for all members of the ~~LPACs~~, **LPAC(s)**, which shall include a discussion of the committee's duties and a thorough explanation and review of all laws and rules governing the confidentiality of information regarding in-

dividual students. In performing their duties, committee members shall be acting for the District and shall observe requirements regarding confidentiality of student records. [See FL] ~~This training is mandatory for all LPAC members.~~

~~ELEMENTARY
BILINGUAL~~

~~The goal of bilingual education (grades PreK-5) is to facilitate high academic achievement in two languages, high self-esteem, and multicultural understanding. Elementary school administrators and their faculties shall implement the District bilingual education philosophy, its corresponding curriculum, and grade level learner outcomes as delineated in the District curriculum guide for grades PreK-8 and the bilingual education handbook.~~

~~ESOL PROGRAM
IMPLEMENTATION
AND TRAINING~~

~~The goal of the ESOL programs for grades 6-12 is to facilitate the acquisition of English and the successful transition into the mainstream academic program. Middle and secondary school administrators and their faculties shall implement the District curriculum for ESOL in grades 6-12. Mathematics, science, social studies, and English teachers assigned to sheltered/REACH classes are required to meet the District's ESL training requirements.~~

PROPOSED REVISIONS

The principal or designee or the attendance committee, as applicable, shall have authority to offer a secondary student the opportunity to earn course credit by examination when the student has had prior instruction in a course and when:

1. The student is enrolling in the District from a nonaccredited school [see FD];
2. The student has failed a ~~secondary~~ course; or
3. The student has earned a passing grade in a ~~secondary~~ course but has failed to earn credit because of excessive absences [see FEC].

Examinations shall assess the student's mastery of the ~~Texas Essential Knowledge and Skills (TEKS)~~ and shall be administered according to established District procedures.

~~The Superintendent or designee shall award course credit or approve acceleration on the basis of an examination for acceleration, in accordance with State Board rules [see EHDB(LEGAL)].~~

~~The District shall not charge for examinations for acceleration. If a parent requests an alternative examination, the District may administer and recognize results of a test purchased by the parent or student from Texas Tech University or the University of Texas at Austin. [See EHBC(LEGAL)]~~

Prior to offering a student an opportunity to demonstrate mastery or earn credit by this method, ~~an appropriate District employee~~ **the counselor and administrator in guidance and instruction** shall review the student's educational records to determine whether the student has had prior instruction in the subject or course.

PROPOSED REVISIONS

CERTIFICATE OF COURSEWORK COMPLETION | The District shall issue a certificate of coursework completion to a student who has successfully completed state and local credit requirements for graduation but has failed to meet all applicable state testing requirements. [See EIF, FMH]

PARTIAL CREDIT | When a student earns a passing grade in only one semester of a two-semester course and the combined grade for the two semesters is lower than 70, the District shall award the student credit for the semester with the passing grade. The student shall be required to retake only the semester in which he or she earned the failing grade.

FULL CREDIT COURSE GRADE AVERAGING | When ~~determining the~~ awarding ~~of~~ credits for 'year-long' courses (for example: English 1A/English 1B) taken within the same academic school year, credit shall be awarded for both parts of the course if a student scores ~~between at least a 60 and 69~~ in either the first semester or the second semester of the course, and the average of the grades for the first semester and the second semester is 70 or higher. All such averaging must occur by the end of June of the school year in which the course was taken.

Parts of courses not taken during the same academic school year, ~~including summer school courses~~, shall not be subject to this averaging procedure.

~~Such a~~For courses not taken for high school credit, ~~a~~veraging shall not be ~~offered-permitted in for students taking dual credit~~, Pre-Advanced Placement, ~~Advanced Placement, Pre-International Baccalaureate, and International Baccalaureate~~ courses. ~~Such a~~veraging ~~also~~ shall ~~also~~ not be ~~offered-permitted~~ for students who ~~initially~~ enroll in these courses and ~~then~~ subsequently withdraw from these courses to enroll in standard courses during the same school year.

WITHDRAWAL OR LATE ENROLLMENT | Any student, including a migrant or homeless student, who enrolls after the first day of instruction or who withdraws early shall be provided opportunities to achieve mastery of the essential knowledge and skills to meet course requirements. Teachers and counselors shall consider the student's particular circumstances in determining appropriate opportunities, which may include, but are not limited to:

1. Individualized work;
2. Tutorial sessions;
3. Testing to verify mastery of the essential knowledge and skills; and

4. Early final examinations.

PROPOSED REVISIONS

RELATION TO
ESSENTIAL
KNOWLEDGE AND
SKILLS

The District shall establish instructional objectives that relate to and are ~~congruent~~ **consistent** with the essential knowledge and skills for grade-level subjects or courses. These objectives shall address the skills needed for successful performance in the next grade or next course in a sequence of courses.

Assignments, tests, projects, classroom activities, and other instructional activities shall be designed so that each student's performance indicates the level of mastery of the designated District objectives.

GUIDELINES FOR
GRADING

The Superintendent or designee shall ensure that each campus or instructional level develops guidelines for teachers to follow in determining grades for students. These guidelines shall ensure that grading reflects a student's relative mastery of an assignment and that a sufficient number of grades are taken to support the grade **average** assigned. Guidelines for grading shall be clearly communicated to students and parents **or** legal guardians.

The District shall permit a student who meets the criteria detailed in the grading guidelines a reasonable opportunity to redo an assignment or retake a test for which the student received a failing grade. Makeup or redo opportunities shall not be provided to the extent that the failing grade was due to the student's academic dishonesty.

The Superintendent shall be authorized to develop administrative regulations and guidelines, defining additional circumstances under which a student shall be provided remediation opportunities, including making up or redoing assignments and examinations for which the student received a failing grade, and in further support of these policy provisions, as deemed necessary. A student may be eligible for accelerated instruction and a plan for success [see EHBC]. Services should be coordinated in order to avoid unnecessary duplication of effort.

Students shall be notified of all ~~numerical scores~~ **grades** recorded by the teachers. Papers for which ~~numerical scores~~ **grades** have been recorded ~~must~~ **shall** be returned to the students for review.

**MINIMUM NUMBER
OF GRADES**

Each week a minimum of two grades shall be recorded for each student in a class or course for grades 2–12.

**NINE-WEEK
~~EXAMINATIONS~~ **ASSESSMENTS****

If given, the nine-week ~~examination~~ **assessment** shall count for no more than ten percent of each student's total nine-week grade.

ACADEMIC ACHIEVEMENT
GRADING/PROGRESS REPORTS TO PARENTS

EIA
(LOCAL)

SEMESTER AVERAGES	<p>The weight given to each nine-week grade in determining the final semester grade shall be as follows:</p> <ul style="list-style-type: none">• First nine-week grade = 45 percent of the semester grade.• Second nine-week grade = 45 percent of the semester grade. <p>The semester final examination shall count as ten percent of the final semester grade.</p> <p>If a student does not take the semester comprehensive examination because he or she has a campus exemption, [see EIAA(LOCAL)], then the weight given to each nine-week grade in determining the final semester grade shall be as follows:</p> <ul style="list-style-type: none">• First nine-week grade = 50 percent of the semester grade.• Second nine-week grade = 50 percent of the semester grade. <p>A student who is not exempt from the final examination and does not take the semester comprehensive final examination due to an unexcused absence shall receive a zero for that examination.</p>
REPORT CARDS	<p>Report cards giving notice to a parent or legal guardian [see EIA(LEGAL)] of a student's performance in each class or subject. shall be issued in accordance with the dates specified in the District's instructional school calendar. The District shall issue report cards every nine weeks on a form approved by the Superintendent or designee.</p>
PROGRESS REPORTING	<p>Progress reports shall be issued to a parent or legal guardian [see EIA(LEGAL)] in accordance with District policy. For students receiving report cards on a nine-week basis, the progress report shall be issued in the fourth week of the grading period. For elementary students, progress reports shall be issued to all students after the fourth week of each grading period. For secondary students, progress reports shall be issued to all students every three weeks. The progress report, signed by the parent or legal guardian, shall be returned to the appropriate teacher. [See EIA(LEGAL)]</p> <p>Performance shall be measured in accordance with this policy and the standards established in EIE.</p>
PREKINDERGARTEN, KINDERGARTEN, AND GRADE 1	<p>Achievement or progress in prekindergarten, kindergarten, and grade 1 shall be reported on the appropriate progress report form for each grade-level continuum.</p>
GRADES 2–12	<p>In grades 2–12, the District shall report progress to the parent or legal guardian as numerical scores.</p>

ACADEMIC ACHIEVEMENT
GRADING/PROGRESS REPORTS TO PARENTS

EIA
(LOCAL)

CONFERENCES

At least one parent/teacher conference day shall be included in the District's instructional school calendar wherein guidelines for grading may be an item of discussion. In addition to conferences scheduled on the campus calendar, conferences may be requested by a teacher or parent or legal guardian as needed.

ACADEMIC
DISHONESTY

A student found to have engaged in academic dishonesty shall be subject to grade penalties on assignments or tests and disciplinary penalties in accordance with the Student Code of Conduct. Academic dishonesty includes cheating or copying the work of another student, plagiarism, and unauthorized communication between students during an examination. The determination that a student has engaged in academic dishonesty shall be based on the judgment of the classroom teacher or another supervising professional employee, taking into consideration written materials, observation, and/or information from students. [See also FNC and FNG(LOCAL)]

PROPOSED REVISIONS

Every course taught in grades 9–12 shall have a semester comprehensive final examination. At a minimum, the examination shall measure the students' level of mastery of the ~~Texas Essential Knowledge and Skills (TEKS)~~essential knowledge and skills.

A copy of the semester comprehensive final examination shall be on file in the principal's office or in the office of the principal's designee.

EXAM EXEMPTIONS

Upon the recommendation of the campus improvement team, the campus principal shall exempt students from taking the semester comprehensive final examination. ~~A campus decision to permit exam exemptions shall be submitted to the appropriate area superintendent. Any student enrolled in a course on a campus permitting exemptions who must~~ meets the following criteria:

1. ~~After completing the fall semester, the student has~~ as an average of at least 90 or above in the course;
 2. ~~,~~ has passed all required state-mandated assessments;
 3. ~~,~~ is passing all courses in which state-mandated assessments are required; ~~,~~ and
 4. ~~has~~ three or fewer excused and/or unexcused absences, ~~except for religious holidays, school activities, and two college visits preapproved by the principal or designee.~~
2. ~~After completing the spring semester, the student has an average of 90 or above in the course, has passed all state assessments, is passing all courses in which state assessments are required, and has three or fewer excused and/or unexcused absences, except for religious holidays, school activities, and two college visits preapproved by the principal or designee.~~

For purposes of this policy, absences related to religious holidays, school-related activities, and principal or principal designee approved visits to institutions of higher education [see FEA(LOCAL)] shall not be counted as an absence.

A student who is not exempt from the final examination and does not take the semester comprehensive final examination shall receive a zero for the examination.

A student may voluntarily elect to take the semester comprehensive final examination, even if the student is not required to do so.

[See EIA(LOCAL) for the weight given to the semester comprehensive final examination grade. ~~See EIAB(LOCAL) for makeup by a student who misses the semester comprehensive final examination]~~

~~A copy of the semester comprehensive final examination shall be on file in the principal's office or in the office of the principal's designee.~~

DELETE POLICY

ASSIGNMENTS OR
TESTS

Make-up assignments or tests shall be made available to students after any absence except for unexcused absences (truancy).

A student with an excused absence shall have at least one school day, and may have more at the discretion of the teacher, to make up work for each day the student is absent.

For any class missed, the teacher may assign the student make-up assignments 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 shall be responsible for obtaining and completing the make-up work in a satisfactory manner and within the time specified by the teacher.

LATE PROJECTS /
ASSIGNMENTS

Teachers may assign a late penalty to any project or assignment turned in after the due date in accordance with previously established guidelines approved by the principal and disseminated to students. This provision does not apply to unexcused absences.

TESTS

Students shall be permitted to take tests administered in any class missed because of an excused absence.

SUSPENSION

A grade penalty shall not be imposed for make-up work after an absence because of suspension.

PROPOSED REVISIONS

GUIDANCE AND COUNSELING SERVICES

The District's guidance and counseling services shall be designed primarily to provide ongoing assistance to enhance the educational development of all students and shall be included in and monitored through the District and campus planning process. [See BQ series]

AREAS OF STUDENT NEED

The services may assist individuals or groups of students in:

1. Improving academic achievement.
2. Improving school attendance.
3. Improving school attitudes ~~and responsible behavior, and promoting a desire to achieve.~~
4. Developing self-confidence.
5. Developing healthy interpersonal relationships.
6. Developing life ~~long learning skills~~ **satisfaction.**
7. Obtaining information to assist in choosing a potential career.

Guidance services shall be coordinated with the regular instructional program so that they contribute to a unified educational program. Guidance services shall operate with central coordination and shall be a cooperative project of the entire professional staff. Teachers shall use opportunities in the classroom, in extracurricular activities, and in contacts with parents to achieve guidance objectives. Qualified counselors shall provide personal, academic, and career guidance to students who need such services and may assist with the standardized testing program. [See FFE]

PROPOSED REVISIONS

TEXAS ASSESSMENT OF KNOWLEDGE AND SKILLS PROCEDURES

~~For Texas Assessment of Knowledge and Skills (TAKS) testing purposes, the following procedures shall be used:~~

- ~~1. Students shall be tested at their enrolled grade level each year.~~
- ~~2. If a student is retained, he or she must continue to test in the subject that matches the enrolled grade level.~~
- ~~3. Starting in the spring semester of their junior year, students shall take the grade 11 exit-level test. Students shall be tested every year thereafter using the exit-level retest exam until they pass all parts of the exit-level examination.~~

~~**Note:** TAKS testing changes reflect the language of Chapter 39 of the Texas Education Code and Chapter 101 of the Texas Administrative Code. It also reflects TEA policy as published in the District and campus coordinator manuals, test administrator manuals, and test security supplement.~~

TEST SECURITY

All test security measures specified by the Texas Education Agency (TEA) shall be followed. This information is found in the District and campus coordinator manual, test administrator manuals, and the test security supplement published by TEA. These documents shall be updated each year to reflect any changes and current practice.

All test booklets, answer sheets, and other secure testing materials shall be secured in a locked storage area, with limited access. Trained, certified personnel and/or their trained designees shall be the only individuals authorized to have access to test materials. All secured items must be properly monitored and accounted for before, during, and after testing and must be kept in locked storage when not in use. An accurate inventory of all test materials must be maintained at all times.

Security measures specified by TEA and the director of assessment of the testing center for the receipt, distribution, and return of test booklets shall be followed.

Test booklets may not be copied or reproduced in any way. Any incident that might compromise the validity of the test results must be reported to the director of assessment of the testing center, who shall report all incidents to the TEA student assessment division according to state guidelines. A report of all missing test materials must be completed and sent to the testing center office.

Damaged test booklets must be reported to the director of assessment of the testing center, who shall determine proper procedures for handling/replacing damaged booklets.

~~COLLEGE ENTRANCE
EXAMINATIONS~~

~~College entrance examinations shall be coordinated and administered at the campus level.~~

PROPOSED REVISIONS

	<p>The District shall address controversial topics in an impartial and objective manner. Teachers shall not use the classroom to indoctrinate students with their transmit personal beliefs regarding political or sectarian issues. Students and educators shall ensure that, to the extent possible, discussions are conducted fairly and courteously.</p>
SELECTION OF TOPICS	<p>A teacher selecting topics for discussion in the classroom shall be adequately informed about the issue and capable of providing instruction on the subject, free from personal bias. In addition, the teacher shall be certain that:</p> <ol style="list-style-type: none">1. The issue in question is within the range, knowledge, maturity, and comprehension of the students.2. The issue is current and educationally significant.3. The consideration of the issue does not interfere with required instruction.4. Sufficient relevant information on all aspects of the issue is provided. <p>If a teacher is unsure about a topic of discussion or about the methods to employ, the teacher may discuss the issue with the principal.</p>
CLASSROOM DISCUSSION	<p>In guiding classroom discussion of controversial issues, teachers shall:</p> <ol style="list-style-type: none">1. Foster students' critical thinking skills.2. Encourage discussion based on rational analysis.3. Create an atmosphere in which students learn to respect others' opinions and disagree courteously.4. Ensure that multiple viewpoints about the issue are presented by introducing an unexpressed viewpoint when necessary.5. Avoid any attempt to coerce or persuade students to adopt the teacher's point of view.
STUDENT OR PARENT CONCERNS	<p>A student or parent with concerns regarding instruction about controversial issues shall be directed to the complaint policy at FNG.</p>

PROPOSED REVISIONS

No animals, except those used in the instructional program or used as service animals, shall be allowed in ~~school~~**District** buildings, on ~~campus~~**District** premises (such as playgrounds, walkways, parking lots, and the like), or at any athletic event. This policy in no way regulates the use or presence of trained law enforcement dogs.

If a teacher or student wishes to use a live animal for instructional purposes in a ~~school building~~**District facility** or on a campus, the teacher or student shall request prior approval from the ~~campus administrator~~**principal**. [~~See Curriculum and Instruction Bulletin 4 Live Material Center~~]

No animals, except for service animals, shall be transported on school buses.

[See FBA(LEGAL) Equal Educational Opportunity: Service Animals]

PROPOSED REVISIONS

TITLE IX
COORDINATOR

The District designates the ~~compliance officer~~**following person** to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended:

~~Position: Title IX Compliance Officer~~

~~Address: 6531 Boeing Drive, El Paso, TX 79925~~

~~Telephone: (915) 881-2649 or (915) 230-2033~~

Name: Patricia Cortez

Position: Director of Employee Relations

Address: 6531 Boeing Drive, El Paso, TX 79925

Telephone: (915) 230-2033

ADA / SECTION 504
COORDINATOR

Reports of discrimination based on disability may be directed to the ADA/Section 504 coordinator. The District designates the following ~~compliance officer~~**person** to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973, as amended:

~~Position: ADA/Section 504 Compliance Officer~~

~~Address: 6531 Boeing Drive, El Paso, TX 79925~~

~~Telephone: (915) 881-2527 or (915) 230-2836~~

~~[See FB(REGULATION) for the name of the Title IX coordinator and the ADA/Section 504 coordinator]~~

Name: Verna Ball

Position: Special Education Division Specialist

Address: 6531 Boeing Drive, El Paso, TX 79925

Telephone: (915) 230-2829

SUPERINTENDENT

The Superintendent shall serve as coordinator for purposes of District compliance with all other antidiscrimination laws.

COMPLAINTS

Allegations of unlawful discrimination, prohibited harassment, including sexual harassment, or retaliation shall be made according to FFH(LOCAL).

**RECORDS
RETENTION**

Copies of reports alleging discrimination, prohibited harassment, including sexual harassment, and retaliation; investigation reports; and related records shall be maintained by the

	<p>District for a period of at least three years. If the person alleged to have experienced discrimination, prohibited harassment, or retaliation was a minor, the records shall be maintained until the person reaches the age of 21.</p>
SECTION 504 COMMITTEE	<p>The Section 504 coordinator and members of the Section 504 Committeecommittee shall receive training in the procedures and requirements for identifying and providing educational and related services to those students who have disabilities, but who are not in need of special education in accordance with the Individuals with Disabilities Education Act (IDEA). [See EHBA]</p> <p>The Section 504 Committeecommittee shall be composed of at least two persons, including persons knowledgeable about the student, the meaning of the evaluation data, the placement options, and the legal requirements regarding least restrictive environment and comparable facilities for students with disabilities.</p>
REFERRALS	<p>StudentsA student may be referred by parents, teachers, counselors, administrators, or any other District employeesemployee for evaluation to determine if they havethe student has disabilities and areis in need of special instruction or services.</p>
PREPLACEMENT EVALUATION	<p>An evaluation shall be conducted before any action is taken to place a disabled student or make a significant change in placement in an instructional program. The evaluation shall include consideration of adaptive behavior. Adaptive behavior is the effectiveness with which the individual meets the standards of personal independence and social responsibility expected of his or her age and cultural group.</p>
PARENTAL CONSENT NOTICE TO PARENTS	<p>The Section 504 coordinator shall notify parents prior to any individual evaluation conducted to determine if their child has disabilities or to determine what educational or related services should be provided to the student. Parental consent shall be obtained before the initial student evaluation procedures for the identification, diagnosis, and prescription of specific education services.</p>
NOTICE TO PARENTS	<p>Parents shall also be given written notice of the District's refusal to evaluate a student or to provide specific aids and services the parents have requested.</p>
PREPLACEMENT EVALUATION	<p>The results of the evaluation shall be considered before any action is taken to place a student with disabilities or make a significant change in placement in an instructional program. <u>The evaluation shall include consideration of adaptive behavior. Adaptive behavior is the effectiveness with which the individual</u></p>

EQUAL EDUCATIONAL OPPORTUNITY

FB
(LOCAL)

meets the standards of personal independence and social responsibility expected of his or her age and cultural group.

IMPARTIAL
HEARING

Parents shall be given written notice of their due process right to an impartial hearing if they have a concern or complaint about the District's actions regarding the identification, evaluation, or educational placement of a student with disabilities. The impartial hearing shall be conducted by a person who is knowledgeable about the issues involved in Section 504 and who is not employed by the District or related to a member of the Board in a degree that would be prohibited under the nepotism statute [see DBE]. The impartial hearing officer is not required to be an attorney.

STATE-MANDATED
ASSESSMENTS

Accommodations in taking the state-mandated assessments may be made for a Section 504 student when the accommodations have been determined not to destroy the validity of the test, are necessary for the student to take the test, are consistent with accommodations provided the student in the classroom, and are approved by TEA. [See EKB]

~~'NO PASS, NO PLAY'~~
~~EXEMPTIONS~~

~~When a Section 504 student cannot meet the regular academic standards of the "no pass, no play" law, the District may follow TEA procedures to determine continued eligibility for extracurricular activities.~~

PROPOSED REVISIONS

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

STATEMENT OF NONDISCRIMINATION

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

DISCRIMINATION

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

PROHIBITED HARASSMENT

Prohibited harassment of a student is defined as physical, verbal, or nonverbal conduct based on the student's race, color, religion, gender, national origin, disability, gender stereotyping and perceived sexuality, or any other basis prohibited by law that is so severe, persistent, or pervasive that the conduct:

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

Prohibited harassment includes dating violence as defined by this policy.

EXAMPLES

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

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stereotypes; or other kinds of aggressive conduct such as theft or damage to property.

SEXUAL HARASSMENT
BY AN EMPLOYEE

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

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

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

BY OTHERS

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

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

EXAMPLES

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

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

GENDER-BASED
HARASSMENT

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

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

EXAMPLES

Examples of gender-based harassment directed against a student, regardless of the student's or the harasser's actual or perceived sexual orientation or gender identity, may include offensive jokes, name-calling, slurs, or rumors; physical aggression or assault; threatening or intimidating conduct; or other kinds of aggressive conduct such as theft or damage to property.

DATING VIOLENCE

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

For purposes of this policy, dating violence is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct:

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

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3. Otherwise adversely affects the student's educational opportunities.

EXAMPLES	Examples of dating violence against a student may include physical or sexual assaults; name-calling; put-downs; or threats directed at the student, the student's family members, or members of the student's household. Additional examples may include destroying property belonging to the student, threatening to commit suicide or homicide if the student ends the relationship, attempting to isolate the student from friends and family, stalking, threatening a student's spouse or current dating partner, or encouraging others to engage in these behaviors.
RETALIATION	The District prohibits retaliation by a student or District employee against a student alleged to have experienced discrimination or harassment, including dating violence, or another student who, in good faith, makes a report of harassment or discrimination, serves as a witness, or participates in an investigation.
EXAMPLES	Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.
FALSE CLAIM	A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding discrimination or harassment, including dating violence, shall be subject to appropriate disciplinary action.
PROHIBITED CONDUCT	In this policy, the term "prohibited conduct" includes discrimination, harassment, dating violence, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.
REPORTING PROCEDURES	Any student who believes that he or she has experienced prohibited conduct or believes that another student has experienced prohibited conduct should immediately report the alleged acts to a teacher, counselor, principal, other District employee, or the appropriate District official listed in this policy.
STUDENT REPORT	
EMPLOYEE REPORT	Any District employee who suspects or receives notice that a student or group of students has or may have experienced prohibited conduct shall immediately notify the appropriate District official listed in this policy and take any other steps required by this policy.
DEFINITION OF DISTRICT OFFICIALS	For the purposes of this policy, District officials are the Title IX coordinator, the ADA/Section 504 coordinator, and the Superintendent.

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TITLE IX COORDINATOR	Reports of discrimination based on sex, including sexual harassment or gender-based harassment, may be directed to the Title IX coordinator. The District designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended: Name: Patricia Cortez Position: Director of Employee Relations Address: 6531 Boeing Drive, El Paso, TX 79925 Telephone: (915) 230-2033
ADA/ SECTION 504 COORDINATOR	Reports of discrimination based on disability may be directed to the ADA/Section 504 coordinator. The District designates the following compliance officer to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973, as amended: Name: Cecelia Whitman Verna Ball Position: Division Specialist Special Education Division Specialist Address: 6531 Boeing Drive, El Paso, TX 79925 Telephone: (915) 230-20332829 [See FFH(REGULATION) for the names of the Title IX coordinator and the ADA/Section 504 coordinator]
SUPERINTENDENT	The Superintendent shall serve as coordinator for purposes of District compliance with all other antidiscrimination laws.
ALTERNATIVE REPORTING PROCEDURES	A student shall not be required to report prohibited conduct to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the Title IX coordinator or ADA/Section 504 coordinator, may be directed to the Superintendent. A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board President shall appoint an appropriate person to conduct an investigation.
TIMELY REPORTING	Reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the District's ability to investigate and address the prohibited conduct.

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NOTICE TO PARENTS	The District official or designee shall promptly notify the parents of any student alleged to have experienced prohibited conduct by a District employee or another adult.
INVESTIGATION OF THE REPORT	The District may request, but shall not require, a written report. If a report is made orally, the District official shall transcribe the report to written form.
INITIAL ASSESSMENT	<p>Upon receipt or notice of a report, the District official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the District shall immediately undertake an investigation, except as provided below at CRIMINAL INVESTIGATION.</p> <p>If the District official determines that the allegations, if proven, would not constitute prohibited conduct as defined by this policy, the District official shall refer the complaint for consideration under FFI.</p>
INTERIM ACTION	If appropriate and regardless of whether a criminal or regulatory investigation regarding the alleged conduct is pending, the District shall promptly take interim action calculated to address prohibited conduct or bullying prior to the completion of the District's investigation.
DISTRICT INVESTIGATION	<p>The investigation may be conducted by the District official or a designee, such as the principal, or by a third party designated by the District, such as an attorney. When appropriate, the principal shall be involved in or informed of the investigation.</p> <p>The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.</p>
CRIMINAL INVESTIGATION	If a law enforcement or regulatory agency notifies the District that a criminal or regulatory investigation has been initiated, the District shall confer with the agency to determine if the District investigation would impede the criminal or regulatory investigation. The District shall proceed with its investigation only to the extent that it does not impede the ongoing criminal or regulatory investigation. After the law enforcement or regulatory agency has finished gathering its evidence, the District shall promptly resume its investigation.
CONCLUDING THE INVESTIGATION	Absent extenuating circumstances, such as a request by a law enforcement or regulatory agency for the District to delay its investigation, the investigation should be completed within ten District business days from the date of the report; however, the investiga-

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

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FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

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Retention of records shall be in accordance with FB(LOCAL) and CPC(LOCAL).

ACCESS TO POLICY
AND PROCEDURES

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

PROPOSED REVISIONS

ATTENDANCE ZONES

~~Attendance zones are established based on the District's philosophy that children should attend the schools closest to their homes. This applies to all attendance zones other than those campuses under federal court order for integration purposes.~~

Attendance zones for the various District schools are **provided on the District's website** ~~described in the current *Street Boundary File - By Street*~~. Attendance zone boundaries may be modified only by action of the Board.

PROPOSED REVISIONS

PERSONS AGE 21 AND OVER

The District ~~shall~~**may not** admit **persons between 21 and 26 years of age for the purpose of completing the requirements for a high school diploma**~~into its public schools any person age 21 or over unless otherwise required by law.~~

REGISTRATION FORMS

~~Before a minor student may be officially admitted to the District,~~**The** student's parent, legal guardian, or other person having lawful control shall complete and sign registration forms. A student who has reached age 18 shall be permitted to complete and sign these forms.

MINOR LIVING APART PERSON STANDING IN PARENTAL RELATION

A minor student residing in the District but whose parent, guardian, or other person having lawful control under a court order does not reside in the District shall present a power of attorney or an authorization agreement as provided in Chapter 34 of the Family Code assigning responsibility for the student in all school-related matters to an adult resident of the District.

RESIDENCY REVIEW

The Superintendent shall determine whether a minor student residing in the District separate and apart from a parent, guardian, or other person having lawful control under a court order has established a separate residence for school attendance purposes. In making this determination, the following shall be considered:

1. The present intention of the minor student to remain at a place of residence in the District.
2. The relationship between the minor student and the ~~person~~**adult resident** with whom he or she is living.
3. The terms and provisions of any power of attorney or authorization agreement executed by the parent or guardian assigning responsibility for the student in all school-related matters to an adult resident of the District.

~~However, under no circumstances shall a minor student be determined to have established a separate residence in the District for school attendance purposes when the student's presence in the District is for the primary purpose of participating in extracurricular activities.~~

MISCONDUCT

A minor student living apart who has engaged in misconduct that results in any of the consequences found in Education Code 25.001(d) shall not be permitted to attend a District school.

EXCEPTIONS

Based on an individual student's circumstance, the Superintendent shall have authority to grant exceptions to the requirement for a

power of attorney or authorization agreement and to the exclusion for misconduct.

**EXTRACURRICULAR
ACTIVITIES**

The Superintendent shall determine whether a minor student living apart is present in the District for the primary purpose of participating in extracurricular activities.

**NONRESIDENT
STUDENT IN
GRANDPARENT'S
AFTER-SCHOOL CARE**

The parent and grandparent of a nonresident student requesting admission under Education Code 25.001(b)(9) shall provide to the Superintendent the required information on the grandparent's residency and complete a form provided by the District describing the extent of after-school care to be provided by the grandparent.

The Superintendent or designee shall have authority to approve or deny such admissions requests when the grandparent provides a substantial amount of after-school care. A substantial amount of after-school care shall consist of at least two hours per school day for five days during the regular school week.

This policy shall be applicable to a student 12 years old and younger. ~~The age of the student and any~~ Any special needs or circumstances shall also be considered. The student may continue enrollment as long as the grandparent provides this level of care.

APPEALS

The Superintendent's or the **Superintendent's** designee's determinations regarding residency and admissions may be appealed to the Board under Board policy FNG, beginning at Level Two.

**PLACEMENT
ACCREDITED
SCHOOLS**

The parent, guardian, or other person having lawful control of a student enrolling in a District school from an accredited public, private, or parochial school shall provide evidence of the prior schooling outside the District. The student shall be placed initially at the grade level reached elsewhere, pending observation by the classroom teacher, guidance personnel, and the principal. On the basis of these observations and results of tests that may be administered by appropriate District personnel, the principal shall determine the final grade placement.

For the purposes of this policy, "accredited" shall be defined as accreditation by TEA, an equivalent agency from another state, or an accrediting association recognized by the Commissioner.

**NONPUBLIC / AND
NONACCREDITED /
OUT-OF-COUNTRY
SCHOOLS**

A student enrolling in a District school ~~from an out-of-country school (including foreign exchange students) or~~ from a nonaccredited public, private, or parochial school, including home-school, shall be placed initially at the discretion of the principal, pending observation by classroom teachers, guidance personnel, and the principal. Criteria for placement may include:

1. Scores on achievement tests, which may be administered by appropriate District personnel.
2. Recommendation of the sending school.
3. Prior academic record.
4. Chronological age and social and emotional development of the student.
5. District-developed assessment instruments.
6. Other criteria deemed appropriate by the principal.

TRANSFER
CREDIT

Before granting credit, the District shall validate by testing or other evidence, that any course taken by a student at a nonaccredited public, private, or parochial school meets State Board requirements. [See EHDB]

Upon admission, the student ~~should~~**shall** be placed initially at the grade level reached in the ~~home country~~**previous school**, pending final transcript credit analysis by the guidance services department. ~~Within 20 school days, the student's final grade placement shall be adjusted to reflect the completed transcript credit analysis.~~

A preliminary transcript evaluation and intake shall be performed at the campus while awaiting completion of the transcript analysis by the guidance services department. **The counselor shall post the draft to the career and college readiness planner (CCRP).**

Within ten days of the return of the credit audit form from guidance services, the counselor shall adjust the student's transcript and final grade placement to reflect the completed transcript credit analysis. Upon receipt of the completed transcript analysis, the counselor shall finalize the review in CCRP and the registrar shall post to AAR/CUM.

Additional time may be required if the District will require a translator for language or dialects in which District personnel are unfamiliar.

Counselors shall provide to parents the grade level notification form advising them of the grade-level placement of their child and the process to follow to submit questions or concerns. Students and parent complaints may be presented in accordance with FNG(LOCAL).

~~The registrar shall document the date the transcript is received and audited by the counselor on the District transcript. The 20-day period may be extended if the District will require a translator for languages/dialects in which District personnel are not versed. Parents~~

~~shall be advised of the grade-level placement of their child and shall have the opportunity to voice any questions or concerns. Student and parent complaints may be presented in accordance with FNG(LOCAL).~~

~~The Superintendent is authorized to implement this policy through more detailed regulations.~~

STUDENTS ~~IN~~ **FROM**
CHARTER, HOME,
PAROCHIAL, AND
PRIVATE SCHOOLS

A student in grades 9–12 who attends a charter, home, parochial, or private school and whose parents reside in the District may, upon request, be approved to attend the District high school serving the attendance zone in which the student lives in order to enroll for subjects not available to the student in the other school setting.
[See FC]

The student must be enrolled for a minimum of two hours each day, which qualifies him or her as “in membership” for one-half day. After enrolling at the high school serving the attendance zone of the student’s residence, the student may then enroll for courses offered by the Center for Career and Technology Education or other specialized campuses.

A student who does not reside in the District shall be considered for such concurrent enrollment ~~on a space-available basis and shall be charged tuition at the appropriate rate~~ **in accordance with the District’s interdistrict transfer policies.** [See FDA]

WITHDRAWAL

A parent or guardian wishing to withdraw a minor student shall present a signed request for the withdrawal or sign the campus withdrawal form. A minor student wishing to withdraw must be accompanied by the parent or guardian. A student who is 18 or older may request withdrawal without a parent’s or guardian’s signature.

All requests for withdrawal must state a reason based on one of the exemptions listed in FEA(LEGAL).

[For District withdrawal of students no longer in attendance, see FEA(LOCAL)]

DELETE POLICY

LIAISON FOR
HOMELESS
STUDENTS

The Superintendent shall appoint an appropriate staff person as the District liaison for homeless students. [See FFC]

ADMISSIONS

The principal shall notify the homeless liaison or the director for pupil services within one school day of admission of a homeless student.

ENROLLMENT IN
SCHOOL OF ORIGIN

In determining feasibility of educating a homeless student in his or her school of origin, the District shall consider the best interests of the student with regard to such relevant factors as:

1. Continuity of instruction
2. Age and grade placement of the student
3. Distance of the commute and its impact on the student's education or special needs
4. Personal safety of the student
5. Student's need for special instruction, such as Section 504 or special education and related services
6. Length of anticipated stay in a temporary shelter or other temporary location
7. Likely area of the family's or youth's future housing
8. Time remaining in the school year
9. School placement of siblings

Services, including transportation, that the District is required to provide shall not be considered in determining feasibility.

CONTINUATION OF
TRANSPORTATION

The District shall provide transportation to a homeless student assigned to attend the school of origin, as provided by law. If such a student ceases to be homeless, the District shall evaluate the need to continue to provide transportation on an individual basis. [See CNA]

DISPUTE RESOLUTION
PROCESS

In the event that a homeless student, or his or her parent or guardian, has a complaint about admission, placement, or services provided by the District, that person shall use the complaint resolution procedures set out in FNG(LOCAL), beginning at Level Two.

When the principal becomes aware of a complaint, he or she shall notify the liaison for homeless students within one school day. At all times the liaison for homeless students or designee shall accompany and assist the student, parent, or guardian in the dispute

resolution process. Throughout the dispute resolution process, the homeless student shall be permitted to attend classes, receive the requested services, and participate fully in school activities.

PROPOSED REVISIONS

SAFE SCHOOLS DATA	<p>The Superintendent or designee shall ensure that the District complies with TEA guidelines for the collection and maintenance of data regarding:</p> <ol style="list-style-type: none">1. Mandatory expellable offenses committed at school or at a school-related or school-sponsored activity, on or off school property [see FOD], and2. Any student who becomes a victim of one of the following violent criminal offenses, as defined by the Penal Code, while in or on the grounds of the school the student attends:<ol style="list-style-type: none">a. Attempted murder;b. Indecency with a child;c. Aggravated kidnapping;d. Assault resulting in bodily injury or aggravated assault;e. Sexual assault or aggravated sexual assault; orf. Aggravated robbery.
SCHOOL SAFETY TRANSFERS	<p>The parent of a student who becomes a victim of a violent criminal offense as described above or who is assigned to a campus identified by TEA as persistently dangerous shall be offered a transfer to a safe public or charter school within the District.</p> <p>For each transfer requested, the District shall explore transfer options, as appropriate. Options may include a transfer agreement with another school district.</p>
FROM A PERSISTENTLY DANGEROUS SCHOOL	<p>The parent of a student attending a school identified as persistently dangerous shall be provided notification of his or her right to request a transfer. Notification shall occur at least 14 days prior to the start of the school year or, for a student enrolling subsequently, upon the student's enrollment.</p> <p>The parent must submit to the Superintendent or designee an application for transfer. The Superintendent or designee shall complete the transfer prior to the beginning of the school year, if applicable, or within 14 calendar days of the request for a subsequently enrolling student.</p> <p>Any transfer arranged for a student from a campus identified by TEA as persistently dangerous shall be renewed so long as the campus from which the student transferred retains that designation.</p>

The District shall maintain, in accordance with the District's record retention schedule, documentation of notification to parents of the transfer option, transfer applications submitted, and action taken.

FOR A VICTIM OF A
VIOLENT CRIMINAL
OFFENSE

~~Immediately~~ **Within 14 calendar days** after receiving notification of a violent criminal offense described above occurring in or on the grounds of the school the student attends ~~(but in no event more than 14 calendar days thereafter),~~ the District shall notify the parent of a student who is a victim of the offense of the parent's right to request a transfer. The parent must submit to the Superintendent or designee an application for transfer. The Superintendent or designee shall approve or disapprove the request within 14 calendar days of its submission.

Any transfer arranged for a student who was a victim of a violent crime as described above shall be renewed so long as the threat to the student exists at the campus to which the student would typically be assigned.

For each offense, the District shall maintain for at least five years documentation of the nature and date of the offense, notification to the parent of the transfer option, transfer applications submitted, action taken, and other relevant information regarding the offense.

ADDITIONAL
TRANSFER OPTIONS

In circumstances described by Education Code 25.0341, a parent of a student who has been the victim of **a any** sexual assault, ~~or aggravated sexual assault,~~ regardless of whether the offense occurred on or off school property, may request a transfer of the parent's child or the student assailant from the same campus. [See also FDA and FDB ~~and the Student Code of Conduct~~]

PROPOSED REVISIONS

ATTENDANCE
OFFICER

~~The Board has designated the director for pupil services as the attendance officer for the District.~~

Students in violation of the compulsory attendance law shall be reported to the District attendance officer who shall institute court action as required by law.

The Board has designated the director for pupil services as the attendance officer for the District.

STUDENTS AGE 18
AND OVER

A student who voluntarily attends school after the student's 18th birthday shall be required to attend school until the end of the school year.

HIGHER EDUCATION
VISITS

The District shall excuse a student for up to two days during the student's junior year and up to two days during the student's senior year to visit an accredited institution of higher education. A student shall be required to submit verification of such visits in accordance with administrative regulations.

EARLY VOTING OR
ELECTION CLERK

The District shall excuse a student for up to two days per school year to serve as an early voting or election clerk. A student shall be required to submit verification of service in accordance with administrative regulations.

WITHDRAWAL FOR
NONATTENDANCE

The District may initiate withdrawal of a student **under the age of 18** for nonattendance under the following conditions:

1. The student has been absent ten consecutive school days; and
2. Repeated efforts by the attendance officer and/or principal to locate the student have been unsuccessful.

For withdrawal of students 18 or older, see FEA(LEGAL).

After consultation with law enforcement officials, the attendance officer and principal shall determine, based on all available information, whether the student no longer resides within the District. A student who is reported as a "runaway" with a case number shall be withdrawn effective the date of the police report.

~~STUDENTS 18
YEARS OLD OR
OLDER~~

~~A student 18 or older who has accumulated five consecutive absences in a semester may be dropped as of the sixth absence if repeated efforts by the attendance officer and/or principal to locate the student have been unsuccessful. Such a student shall be withdrawn retroactively to the last day of attendance and may be considered a dropout for accountability purposes. [See FEA(LEGAL)]~~

ATTENDANCE
COMPULSORY ATTENDANCE

FEA
(LOCAL)

STUDENTS IN
HOMESCHOOLS

When the District becomes aware that a student is being or will be homeschooled, the Superintendent or designee may request in writing a letter of notification from the parents of their intention to homeschool using a curriculum designed to meet basic education goals of reading, spelling, grammar, mathematics, and a study of good citizenship.

If the parents refuse to submit a letter of notification or if the District has evidence that the school-age child is not being homeschooled within legal requirements, the District may investigate further and, if warranted, shall pursue legal action to enforce the compulsory attendance law.

The Superintendent or designee shall inform the parent of the District's policy regarding placement of students who enroll from unaccredited schools and shall advise the parent that such policy will be followed at any time the student enrolls or reenrolls in District schools. [See FD~~A(LOCAL)~~]

PROPOSED REVISIONS

ATTENDANCE REVIEW COMMITTEES	<p>Each campus shall have one or more attendance review committees that shall function as necessary for the efficient implementation of Education Code 25.092. Classroom teachers shall comprise a majority of the members of each committee.</p> <p>The Superintendent or designee shall make the specific appointments in accordance with legal requirements.</p>
PARENTAL NOTICE OF EXCESSIVE ABSENCES	<p>A student and the student's parent or guardian shall be given written notice prior to and at such time when a student's attendance in any class drops below 90 percent of the days the class is offered.</p>
METHODS FOR REGAINING CREDIT OR AWARDING A FINAL GRADE	<p>When a student's attendance drops below 90 percent but remains at least at 75 percent of the days the class is offered, the student may earn credit or a final grade in a class for kindergarten through grade 12 by completing a plan approved by the principal. This plan must provide for the student to meet the instructional requirements of the class as determined by the principal.</p> <p>Petitions for credit or a final grade may be filed with the attendance review committee at any time the student receives notice, but in any event no later than 30 days after the date of the first letter notifying of the loss of credit or inability to receive a final grade. For students who are recovered dropouts, the 30-day requirement for petitions to the attendance review committee shall not apply.</p> <p>The attendance review committee may review the records of all students whose attendance drops below 90 percent of the days the class is offered, whether or not a petition is filed.</p> <p>Students who have lost credit or have not received a final grade because of excessive absences may regain credit or be awarded a final grade by fulfilling the requirements established by the attendance review committee. [See FEC(REGULATION)]</p>
PERSONAL ILLNESS	<p>When a student's absence for personal illness exceeds five consecutive days, the principal or attendance review committee may shall require that the student present a statement from a physician or health clinic verifying the illness or condition that caused the student's extended absence from school as a condition of classifying the absence as one for which there is-are extenuating circumstances.</p> <p>If a student has established a questionable pattern of absences, the principal or attendance review committee may require that a student present a physician's or clinic's statement of illness after a single day's absence as a condition of classifying the absence as one for which there is-are extenuating circumstances.</p>

GUIDELINES ON
EXTENUATING
CIRCUMSTANCES

The attendance review committee shall adhere to the following guidelines to determine attendance for award of credit or a final grade:

DAYS OF
ATTENDANCE

1. Verified absences not in excess of 25 percent of the days the class is offered shall be considered in determining whether a student has attended the required percentage of days. If makeup work is completed satisfactorily, excused absences that are allowed under compulsory attendance requirements shall be considered days of attendance for this purpose. Verified excused absences in excess of 25 percent of the days the class is offered shall not be considered an extenuating circumstance [See FEA(LEGAL) at EXCUSED ABSENCES FOR COMPULSORY ATTENDANCE DETERMINATIONS]

TRANSFERS /
MIGRANT
STUDENTS

2. A transfer or migrant student incurs absences only after his or her enrollment in the District.

BEST INTEREST
STANDARD

3. In reaching consensus regarding a student's absences, the attendance review committee shall attempt to ensure that its decision is in the best interest of the student. The Superintendent or designee shall develop administrative regulations addressing the attendance review committee's documentation of the decision.

DOCUMENTATION

4. The attendance review committee shall consider the acceptability and authenticity of documented reasons for the student's absences.

CONSIDERATION OF
CONTROL

5. The attendance review committee shall consider whether the absences were for reasons out of the student's or parent's control.

STUDENT'S
ACADEMIC RECORD

6. The attendance review committee shall consider whether or not the student has completed assignments, mastered the essential knowledge and skills, and maintained passing grades in the course or subject.

INFORMATION
FROM STUDENT OR
PARENT

7. The student or parent shall be given an opportunity to present any information to the attendance review committee about the absences and to discuss ways to ~~earn the final grade or~~ regain credit **or be awarded a final grade**.

IMPOSING
CONDITIONS FOR
AWARDING CREDIT
OR A FINAL GRADE

The attendance review committee may impose any of the following conditions for **students with excessive absences to regain re-**~~ceiving~~ credit or **be awarded a**the final grade ~~lost because of ex-~~
~~cessive absences:~~

ATTENDANCE
ATTENDANCE FOR CREDIT

FEC
(LOCAL)

1. Completing additional assignments, as specified by the attendance review committee or teacher;
2. Attending tutorial sessions as scheduled, which may include Saturday classes or before- and after-school programs;
3. Maintaining the attendance standards for the rest of the semester;
4. Taking an examination to earn credit [see EHDB];
5. Attending a flexible school day program; and
6. Attending summer school.

In all cases, the student must also earn a passing grade in order to receive credit.

APPEAL PROCESS

A parent or student may appeal the decision of the attendance committee in accordance with FNG(LOCAL) beginning at Level Two.

~~If the attendance review committee denies a student credit or a final grade, the student may appeal the decision in accordance with FNG(LOCAL) beginning at Level Three, provided, however, that the Superintendent or designee review the appeal to ensure that provisions in the Texas Education Code and District policy have been followed prior to presentation to the Board.~~

~~The Board's decision may be appealed to the District court of the county in which the District's central administrative office is located.~~

DELETE POLICY

The Board has designated the director for pupil services as the attendance officer for the District.

PROPOSED REVISIONS

	<p>Students shall not be released from school at times other than regular dismissal hours except with the permission of the principal of the school. The teacher shall determine that such permission has been granted before allowing the student to leave. See FEB (LOCAL)}</p>
PRIVATE LESSONS	<p>Students shall not be excused during school hours for private lessons of any nature.</p> <p>Private teachers shall not be allowed to use public school buildings for private lessons at any time.</p>
CHILDREN OF DIVORCED PARENTS PARENTAL RIGHTS	<p>Divorced parents Parents who have not been granted custody may shall not be denied access to their children unless a court order denying such access has been presented to the principal. Parents may be allowed to see or talk to their children in the school office or other place not isolated from administrative observation and must be limited to noninstructional time hours.</p> <p>Letters received by principals involving legal technicalities relative to divorced parents child custody issues, names under which children are enrolled, duplicate report cards, and various other semi-legal requests may be referred to the appropriate division superintendent for schools. area superintendent.</p>
RELEASING A STUDENT TO A DIVORCED PARENT	<p>A student shall not be released to a divorced parent unless under the current court order that parent has the right to possession of the child at the time of release been granted custody of the child at the time of release, or the person having the legal right to possession legal custody consents to releasing the child to the other parent.</p>

PROPOSED REVISIONS

UIL PARTICIPATION	A student desiring to participate in the UIL athletic program shall submit annually a statement from a health care provider authorized under UIL rules indicating that the student has been examined and is physically able to participate in the athletic program. This examination is required annually, dated on or after the last Friday in May of the current year.
JUNIOR RESERVE OFFICER TRAINING CORPS (JROTC)	For each student enrolling in JROTC, the student's parents or guardians shall complete a medical statement attesting to the physical condition of their sons, daughters, or wards student .
ALL GRADES	Medical examinations may be requested by the principal, based on a recommendation by the school nurse, for any student who has had excessive absences for health reasons, or excessive excuses from physical education classes, as well as for students whose emergency information record card [see FFAC(LOCAL)] or health history indicates a need for medical assessment. All students without a regular health care provider may be referred to the Wainwright Family Resource Center, the school-based health center located on the Wainwright Elementary campus. [See FFAE]
ADDITIONAL SCREENING	The District may provide additional screening as District and community resources permit.
REFERRALS	Parents of students identified through any screening programs as needing treatment or further examination shall be advised of the need and referred to appropriate health agencies.

PROPOSED REVISIONS

STUDENT ILLNESS	<p>The Procedures shall be established by the administration shall establish procedures in accordance with the Health Services Guide to ensure appropriate care that proper attention is given to any student who becomes ill during the course of the a school day. The school nurse shall inform the parent/guardian of the illness and request that the child be removed from school if symptoms warrant.</p>
STUDENT ACCIDENTS INVOLVING STUDENTS	<p>The Emergency procedures shall be established by the admin- istration shall establish procedures in accordance with the Health Services Guide to ensure appropriate care to proper attention for any student injured at school. Records shall be maintained on all accidents that potentially require evaluation and treatment by a physician or dentist. The school nurse shall notify the parent/guardian of an accident the attention of a medical doctor.</p>
CONSENT EMERGENCY TREATMENT FORMS	<p>Each year within 30 days of the enrollment date, students and par- ents shall complete and sign a form that provides emergency in- formation and authorizes District school officials to obtain emer- gency medical treatment, as provided by law.</p>
<u>DOCTOR'S REQUEST</u>	<p><u>In addition to legal requirements, the District also requires a doc- tor's written request to administer medication and/or perform treatments/procedures specifically designated by a physician for a student.</u></p>
PURCHASING MEDICATION	<p>The District shall not purchase nonprescription medication to ad- minister to a student and/or employee.</p>
ADMINISTERING MEDICATION	<p>All medication shall be administered through the school health of- fice nurse or, under the direction of the principal, by a designee, except for self-administration of asthma or anaphylaxis medicine in accordance with legal requirements [see FFAC(LEGAL)]. Designee- es shall be District employees and shall annually receive medica- tion administration training from the school nurse, as well as, com- plete online training for Unlicensed Diabetic Care Assistant (UDCA), Unlicensed Assistive Personnel (UAP) and Medication Administration, and any additional training that may be required will also be completed by the designee and school nurse. Medication administration may be performed by private duty nurses once li- cense verification has been confirmed by the Health Services De- partment according to the Texas Board of Nurse Examiners; Nurs- ing Practice Act, Tex. Occupations Code 301.251, License Required, and corresponding rule, 22 Administrative Code 217.11(1)(V). Medication administration, procedures, and/or treat- ments performed by private duty nurses shall be done in the cam- pus health services office.</p>

No employee shall give any student prescription medication, nonprescription medication, herbal substances, anabolic steroids, or dietary supplements of any type, except as provided below.

Employees authorized by the Superintendent or designee and who have received annual District training may administer to students:

**PROVIDED BY
PARENT**

- 1. Prescription medication in accordance with legal requirements. [See FFAC(LEGAL)] A written request by a private-duty nurse or physician or other health-care professional with authority to write prescriptions shall be required to administer this medication.**
- 2. Nonprescription medication, upon a parent's written request and the written request by a private duty nurse or physician or other health-care professional, when properly labeled and in the original container.**
- 3. Herbal substances or dietary supplements provided by the parent and only if required by the individualized education program or Section 504 plan of a student with disabilities.**

PSYCHOTROPICS

Except as permitted by Education Code 38.016, an employee shall not:

1. Recommend to a student or a parent that the student use a psychotropic drug;
2. Suggest a particular diagnosis; or
3. Exclude the student from a class or a school-related activity because of the parent's refusal to consent to psychiatric evaluation or examination or treatment of the student.

DOCTOR'S REQUEST

~~In addition to legal requirements, the District also requires a doctor's written request to administer medication(s) and/or perform treatments/procedures specifically designated by a physician for a student.~~

REFUSAL TO
ADMINISTER
MEDICATION

In accordance with the standards of professional nursing practice ~~promulgated pursuant to the Nurse Practice Act, Title 22 of the Administrative Code, Section 217.11~~ **pursuant to state law and state rules**, the school nurse has the responsibility and authority to refuse to administer medications that, in the nurse's professional judgment, are inaccurate, nonefficacious, or contraindicated. The school nurse shall notify the parents and physician of any such refusal, as well as the principal and the ~~Health Services Department.~~

District Health Services Department.

PSYCHOTROPICS

~~Except as permitted by Education Code 38.016, an employee shall not:~~

- ~~1. Recommend to a student or a parent that the student use a psychotropic drug;~~
- ~~2. Suggest a particular diagnosis; or~~

~~Exclude the student from a class or a school related activity because of the parent's refusal to consent to psychiatric evaluation or examination or treatment of the student.~~

DELETE POLICY

UNIVERSAL PRECAUTIONS

The following procedures shall be followed for all accidents or injuries involving the spilling of blood or body fluids:

1. Gloves shall be worn while caring for students and during cleanup of surfaces.
2. Articles or sharps soiled with blood or body fluids are to be disposed of in biohazard containers in the school health office.
3. Surfaces should be disinfected with a ten percent solution of chlorine bleach or equivalent.
4. Hand washing after contact with any blood or body fluid is mandatory, even if gloves are worn.
5. Blood or body fluids of a child known to have HIV infection/AIDS should be treated especially cautiously, but the above procedures should be followed with all students and individuals.
6. Any student or employee coming into direct contact with another individual's blood or body fluids should consult the school nurse immediately.

BLOODBORNE PATHOGENS EXPOSURE CONTROL PLAN

The Superintendent shall develop and implement a Bloodborne Pathogens Exposure Control Plan pursuant to Subchapter H of Chapter 81 of the Texas Health and Safety Code and the rules promulgated there under by the Department of State Health Services. [See DBB(REGULATION)]

PROPOSED REVISIONS

CRISIS MANAGEMENT PLAN

The District ~~administration should be~~ **shall be** prepared to address crisis situations that could impact the District, such as:

1. Natural disasters, including tornadoes, floods, and the like.
2. Accident-related events, including bus or auto injury, deaths, ~~drownings~~ **drowning**, and the like.
3. Illness-related events, including AIDS, cancer, or other terminal illness.
4. Bizarre and unusual events, including deaths due to snipers, homicides, sudden deaths, hostage situations, and the like.
5. Drug-related deaths.
6. Suicides.
7. Catastrophic events, including fires, explosions, a building collapse, chemical spills, and the like.

~~Consequently, a~~ **The Superintendent shall develop a** crisis management plan ~~in compliance~~ **that complies** with federal, state, and local laws ~~shall be developed and approved by the Superintendent.~~ The Superintendent shall be responsible for the annual review and updating of the plan.

The plan shall ~~contain:~~ **an outline of responsibilities, including**

1. ~~designation~~ **Designate** of the **a** District crisis management team;
2. **Provide the** functional responsibilities of the team;
3. **Include** community emergency telephone numbers;
4. **Provide** general guidelines regarding communication about the crisis, and appropriate responses by the faculty, guidance office, and appropriate administrators.

The plan shall **also** specify ~~approved the~~ individuals **who shall** ~~to~~ act as spokespersons to the news media **[see GBBA]**, discuss possible issues to be considered in the event of a memorial service, and provide a ~~resource~~ directory containing names and telephone numbers of community resources.

~~An annual~~ **A** review and staff development training on the crisis plan and procedures shall be conducted **on an annual basis.** ~~The training shall include~~ **ing** review of confidentiality issues applicable to District employees.

A working relationship with the community emergency system and agencies shall be maintained.

SUICIDE

When ~~school~~**District** personnel become aware of a suicide by a student in their building, the principal shall be notified, and the crisis plan shall be initiated.

When ~~school~~**District** personnel become aware of a threatened, ~~or attempted,~~ or actual suicide by a student off campus, the principal on the campus shall be notified, and the crisis management plan shall be initiated.

SUICIDE THREAT

No suicide threat shall be ignored. A suicide threat is defined as any spoken, written, or behavioral indication of self-destructive tendencies with the intent of taking one's own life.

Each campus shall provide personnel trained in crisis intervention and suicide prevention, intervention and post-care for students in crisis situations. These trained personnel shall be designated as primary caregivers on behalf of the campus.

~~No suicide threat shall be ignored. A suicide threat is defined as any spoken, written, or behavioral indication of self-destructive tendencies with the intent of taking one's own life.~~

~~School~~**District** personnel shall not be expected to accept responsibility for making a decision regarding the sincerity of the student's intent or likelihood that the threat will be carried out. The campus counselor, however, in consultation with the parents, shall proceed with providing the student with immediate counseling to determine if additional interventions are required. Specific procedures regarding suicide threats shall be a part of the crisis plan.

SUICIDE ATTEMPT

Any attempted suicide shall be treated initially as a medical emergency. A suicide attempt ~~is~~**shall be** defined as any life-threatening behavior or gesture on the part of a student with the intent of taking his or her life. It is not left to the discretion of ~~school~~**District** personnel to determine the seriousness of the attempt or threat. Specific procedures for management of cases involving attempted suicide shall be a part of the crisis plan.

NOTICE TO PARENT /
GUARDIAN

When the campus liaison receives a report that a student is possibly in need of mental health intervention or is at risk of committing suicide, the campus liaison shall notify the student's parent/guardian and provide information about available counseling options.

MEDICAL
SCREENINGS

Only a student's parent ~~or~~ /guardian may consent to a medical screening. Unless a student's parent ~~or~~ /guardian has provided prior consent, no medical screening shall be used as part of the

process of identifying whether a student is possibly in need of intervention or is at risk of committing suicide.

ADD POLICY

LIAISON FOR
HOMELESS
STUDENTS

The District has designated the following staff person as the liaison for homeless students:

Name: Olivia Narvaez

Position: Social Worker Homeless

Address: 6531 Boeing Drive, El Paso, TX 79925

Telephone: (915) 230-2383

PROPOSED REVISIONS

~~VOLUNTARY PROGRAM~~

~~The District shall cooperate in a program to offer low-cost accident insurance for students. Students or parents shall pay the premium for the coverage, if they choose to participate. By declining the insurance offer, the parents/guardian are accepting full responsibility for costs associated with their student's injury or injuries.~~

~~The District is not responsible for costs of treating injuries and can not assume liability for any other costs associated with an injury.~~

~~All claims and payments will be handled by the parent and the insurance company.~~

~~OUT-OF-DISTRICT TRIPS FOR~~**DISTRICT TRAVEL AND** ATHLETIC EXTRACURRICULAR ACTIVITIES

Before participating in a school-sponsored trip outside the District or in **any** school-sponsored athletic extracurricular activities, **a** students shall either have purchased the basic student accident insurance or shall present a waiver **to the District**, signed by the parent or guardian, acknowledging rejection of the **option to purchase** insurance ~~offer~~ and accepting full responsibility for medical costs of any injury that may result **on the trip or in the activity**.

~~Student athletes unable to pay the student accident insurance premium, but desiring coverage, may apply to the principal for waiver of the fee under the provisions in FP(LOCAL).~~

Notice of Employee Responsibilities for Reporting Child Abuse and Neglect

What are the District's policies addressing child abuse or neglect and my responsibilities for reporting suspected child abuse or neglect?

The applicable District policies—FFG(LEGAL), GRA(LEGAL) and (LOCAL), and DH(LOCAL) and (EXHIBIT)—are enclosed in this packet. This distribution is required by state law. At regular intervals, these policies will be addressed in staff development as well. If you have any questions about these policies, please contact ~~the director of health services~~ **guidance services department** at (915) **230-2381** ~~887-6709~~.

What are my legal responsibilities for reporting if I suspect that a child has been or may be abused or neglected?

Anyone who suspects that a child has been or may be abused or neglected has a legal responsibility, under state law, for reporting the suspected abuse or neglect to law enforcement or to Child Protective Services (CPS).

Any District employee, agent, or contractor has an additional legal obligation to submit the oral or written report within 48 hours of learning of the facts giving rise to the suspicion.

An employee shall make a report if the employee has cause to believe that an adult was a victim of abuse or neglect as a child and the employee determines in good faith that disclosure of the information is necessary to protect the health and safety of another child or an elderly or disabled person.

Are there any restrictions on reporting?

Under state law, an employee is prohibited from using or threatening to use a parent's refusal to consent to administration of a psychotropic drug or to any other psychiatric or psychological testing or treatment of a child as the sole basis for making a report of neglect, unless the employee has cause to believe that the refusal:

- Presents a substantial risk of death, disfigurement, or bodily injury to the child; or
- Has resulted in an observable and material impairment to the growth, development, or functioning of the child.

To whom do I make a report?

Reports may be made to any of the following:

- The local law enforcement agency: **the El Paso Police Department** ~~for~~ Crimes Against Children, at (915) 838-0049;

- The Child Protective Services (CPS) division of the Texas Department of Family and Protective Services (800)-252-5400 or on the Web at www.txabusehotline.org; or
- If applicable, the state agency operating, licensing, certifying, or registering the facility in which the suspected abuse or neglect occurred.

However, if the suspected abuse or neglect involves a person responsible for the care, custody, or welfare of the child, the report must be made to CPS, unless the report is to the state agency that operates, licenses, certifies, or registers the facility where the suspected abuse or neglect took place; or the report is to the Texas Juvenile Justice Department as a report of suspected abuse or neglect in a juvenile justice program or facility.

Reporting your suspicion to a school counselor, a principal, or another school staff member **does NOT** fulfill your responsibilities under the law. Furthermore, the District cannot require you to report your suspicion first to a school administrator.

Will my report be kept confidential?

State law requires that the identity of a person making a report of suspected child abuse or neglect be kept confidential.

Will I be liable in any way for making a report?

A person who in good faith reports or assists in the investigation of a report of child abuse or neglect is immune from civil or criminal liability.

What will happen if I don't report suspected child abuse or neglect?

By failing to report a suspicion of child abuse or neglect:

- You may be placing a child at risk of continued abuse or neglect;
- You are violating the law and may be subject to legal penalties, including criminal sanctions;
- You are violating Board policy and may be subject to disciplinary action, including possible termination of your employment; and
- Your certification from the State Board for Educator Certification may be suspended, revoked, or canceled.

What are my responsibilities regarding investigations of abuse or neglect?

State law specifically prohibits school officials from:

- Denying an investigator's request to interview a child at school in connection with an investigation of child abuse or neglect; or
- Requiring that a parent or school employee be present during the interview.

School personnel must cooperate fully and may not interfere with an investigation of reported child abuse or neglect.

PROPOSED REVISIONS

ACADEMIC AWARDS

Outstanding scholastic achievement shall be recognized by awarding a letter or jacket or sweater to the top five students academically in the freshman, sophomore, junior, and senior classes. Colors of the sweaters or jackets ~~will~~ **shall** be the same as the school colors and are to be the same type as those used for other awards. Students who earn more than one academic award in succeeding years shall be recognized by the awarding of a letter with appropriate markings.

A student may receive both an academic and athletic award in the same year.

Academic award winners ~~are~~ **shall** ~~to~~ be featured in the school yearbook and newspaper. ~~Names are to be submitted to the immediate supervisor(s) for school principals or designee, who will forward them to the Superintendent for release and submission to the news media in accordance with directory information requirements. [See FL(LEGAL) and (EXHIBIT)]~~ The Board ~~will~~ **shall** recognize students who are among the top five of their class and earned academic award recognition all four years of high school.

PREREQUISITES

To be eligible for academic awards, a student shall:

1. Be in attendance in a ~~secondary school of the~~ District **high school** during the first 15 days of the school year and remain in attendance for the remainder of the year.
2. Have satisfactory ~~citizenship~~ **conduct** grades.
- ~~3.—Be enrolled in regular, honors, or accelerated classes.~~
- 4.3.** Earn a minimum of five credits, two of which must be in the areas of English, mathematics, science, and/or social studies.

Students' grade point averages, ~~to be~~ determined in accordance with ~~provisions at~~ EIC(LOCAL), shall be used for selecting academic award winners.

ATHLETIC AWARDS

Each head athletic coach shall establish or distribute definite criteria for lettering standards. Students shall be informed **in writing** of the lettering standards prior to the competitive season.

Awards shall be given to students in accordance with administrative regulations [see FG(REGULATION)].

PROPOSED REVISIONS

SCHOOL-
SPONSORED

Fund-raising activities by student groups and/or for school-sponsored projects shall be allowed, with prior administration approval and under the supervision of the project sponsor, for students in all grades.

All fund-raising projects shall **comply with** ~~be subject to~~ the guidelines ~~illustrated~~ in the Campus Accounting Manual **and shall be subject to the approval of the principal. Fund-raising activities involving cash collection jars or raffles shall not be permitted.**

Student participation in approved fund-raising activities shall not interfere with the regular instructional program. [See EC] Funds raised shall be received, deposited, and disbursed in accordance with CFD(LOCAL).

FOR OUTSIDE
ORGANIZATIONS

Students representing their school may participate in charitable institution and community drives. Such participation, which shall be on a strictly voluntary basis and shall not disrupt the regular school day, shall be open to students in all grades.

~~Students shall be permitted to participate in fund drives for nonschool charitable organizations as official representatives of their school-approved club.~~ School-approved clubs shall be permitted to hold their own fund-raising ~~drives-projects~~ for the benefit of nonschool charitable organizations or nonprofit entities **[see policy CFD]. Students are also permitted to conduct** non-monetary drives (i.e.: canned food, toys). ~~carried out by students shall be permitted. However, monetary drives shall be permitted only if they fall within the guidelines of CFD(LOCAL) and those illustrated in the Campus Accounting Manual and approved by the principal; provided, however, that monetary fund-raising drives involving cash collection jars and/or raffles are not permitted.~~

BY OUTSIDE
ORGANIZATIONS

No outside organizations of any sort may solicit contributions of any type from students, within the schools.

LOSS OF CLASS TIME

The collection of monies that takes the time of the students or teachers during school hours is strictly forbidden, unless the monies collected represent payment for school lunches, monies that will benefit the school or its students, or other authorized fees. [See also FP]

The Board shall regularly be informed of approved fund-raising projects and shall periodically review the effect of such activity on the student body, the instructional program, and the community.

PROPOSED REVISIONS

EXTRACURRICULAR
ACTIVITY ABSENCES

The District shall make no distinction between absences for UIL activities and absences for other extracurricular activities approved by the Board. ~~In a school year, a~~ student shall be allowed **in a school year** a maximum of 12 extracurricular 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.

USE OF DISTRICT
FACILITIES

School-sponsored student groups may use District facilities with prior approval of the appropriate administrator. Other student groups may use District facilities in accordance with policy FNAB.

DELETE POLICY

School activities shall conform to the purposes of the instructional program. Any social or other activity that is not part of the instructional program under the direction of District personnel shall be planned for, and limited to, nonschool hours.

District social activities shall be controlled by the following guidelines:

1. All activities shall have prior approval of the principal and shall be placed on the school calendar.
2. All school-sponsored social events shall have faculty supervision.
3. Rules of conduct applicable to regular school hours shall be applicable to all school-sponsored social activities.

Regulations concerning supervision, parental participation, refreshments, curfew, visitor participation, and other matters essential to the proper handling of such events shall be developed and implemented by principals, who shall work in conjunction with parents and student leaders in their formulation.

DANCES

School-sponsored dances may be held on school property.

PROPOSED REVISIONS

UIL ACTIVITIES

State Board and UIL rules shall govern interscholastic activities; however, Board policies and District rules may supplement State Board and UIL rules.

No event shall be scheduled and no student allowed to participate in any UIL event unless all pertinent rules and regulations are strictly enforced. The Superintendent or designee shall maintain all necessary records and reports. Sponsors and coaches are responsible for knowledge of and compliance with rules for eligibility and participation. [See FM]

ATHLETIC PROGRAM

A well-rounded program of interscholastic athletics shall be maintained in the District secondary schools. The operation of the total program, including the starting and ending dates for each sport, shall be in accordance with regulations set by the UIL and the Board. For additional information refer to *The Athletic Program Handbook*, available at the athletic program office.

Supervision of the program shall be the responsibility of the Superintendent, but certain responsibilities may be delegated to other staff members. In each school, the principal shall have direct responsibility to maintain the athletic program as an integral part of the educational program of that school.

Interscholar competitive athletics shall not be part of the elementary grades' program. To the extent practicable, a program of intra-school sports activities for elementary students shall be maintained as part of the physical education program.

NON-UIL ACTIVITIES

Contests and competitive activities that are sponsored by outside organizations shall not be recommended to students unless the activities supplement and do not interfere with the regular school program. Contests and competitive activities shall have the prior approval of the Superintendent or designee, who shall develop the necessary rules and regulations to implement this policy. [See FM]

CHEERLEADING SAFETY

~~Beginning in the 2001-02 school year, cheerleader stunting shall be permitted to allow District high school cheerleading squads to be competitive with other high school cheerleading squads. The stunting shall be subject to the safety guidelines endorsed by the American Association of Cheerleading Coaches and Advisors, and any further guidelines as may be implemented by the administration.~~

EVENTS SCHEDULED ON SUNDAYS

Athletics and other school functions shall not be scheduled under school supervision on Sundays.

STUDENT ACTIVITIES
CONTESTS AND COMPETITION

FMF
(LOCAL)

OVERNIGHT TRIPS

Students involved in UIL competition that requires an overnight trip shall have their expenses paid by the District. [See also FM, FMG]

PROPOSED POLICY

TRANSPORTATION
FOR STUDENT
TRAVEL

Students who participate in school-sponsored trips shall be required to use transportation provided by the school to and from the event. Exception may be made only if the student's parent makes a written request that the student be released to the parent or to another adult designated by the parent. The District shall not be liable for any injuries that occur to students using transportation that is not provided by the school.

OVERNIGHT TRIPS

The area superintendent shall have authority to approve in-state overnight trips by student organizations and other student groups.

OUT-OF-STATE TRIPS

Any out-of-state trips by student organizations or other student groups shall require approval from the area superintendent.

PROPOSED REVISIONS

COMMENCEMENT EXERCISES

A student who has satisfactorily completed all coursework requirements for graduation but has failed to meet applicable state testing requirements shall be allowed to participate in commencement activities and ceremonies if he or she signs a summer performance contract prepared by the District. [See EI, EIF]

PARTICIPATION IN GRADUATION EXERCISES

~~A student who fulfills all of TEA's and the District's academic requirements, including passing all applicable state testing, may participate in graduation ceremonies and receive a diploma.~~

~~A student who has satisfied all graduation requirements, except for required state testing, and who signs a summer performance contract prepared by the administration may participate in graduation ceremonies with students receiving high school diplomas; however, the student shall not receive a diploma until meeting applicable requirements. Such a student shall receive a certificate of attendance, may only be permitted to participate in only one graduation ceremony, and may shall receive a diploma only after meeting all applicable graduation requirements.~~

~~Foreign exchange students who have been classified as members of the senior class but are not receiving diplomas shall be recognized at graduation ceremonies in a manner that distinguishes them from graduating seniors who are receiving diplomas but still allows them to walk across the stage.~~

CONDUCT

A senior eligible to participate in ~~the graduation ceremony-~~ commencement activities and ceremonies and in Project Graduation may not be excluded unless he or she has committed an offense that violates the Student Code of Conduct.

Any disciplinary action not addressed in the Student Code of Conduct which, when imposed on a senior student, might that would prevent the student's participation in the graduation ceremony, may be appealed immediately to the Superintendent or designee. [See FNG(LOCAL)]

CAP AND GOWN

All seniors participating in graduation exercises shall wear caps and gowns in colors and designs approved for their respective campuses. However, a graduating senior who is already a member of any branch of the military services shall have his or her active status as a member of the Armed Forces (including Reserves and National Guard) recognized at graduation exercises if the student:

1. Possesses a valid United States Armed Forces Common Access Card or a CAC card; and

2. Submits a request in writing no later than 60 days prior to graduation to receive this recognition.

The District's ROTC program shall develop a suitable ceremony to be performed by these students in uniform in conjunction with the posting of the national colors that allows for such recognition.

At the conclusion of this recognition ceremony, the graduating senior must change out of his or her uniform into the appropriate cap and gown, be seated, and then walk to the stage with his or her peers in caps and gowns to receive his or her diploma.

[For information on student speakers at graduation ceremonies, see FNA(LOCAL)]

**COMMUNITY SERVICE
ACKNOWLEDGEMENT**

Beginning with students who enter grade 9 in the 2014–15 school year, the District shall acknowledge at commencement exercises all students who have completed at least 15 hours of community service each semester during his or her attendance at a District high school.

BACCALAUREATE
SERVICE

Formal religious services shall not be sponsored by the District either on or off school properties. It remains within the province of individual churches and synagogues or groups of churches and synagogues to conduct such services at their own discretion within their own houses of worship or other places. Upon the occasion of the baccalaureate service, all of the religious denominations will be encouraged to arrange such formal religious services, as they shall determine to commemorate the importance of high school graduation to their members and friends.

PROPOSED REVISIONS

Each student is expected to respect the rights and privileges of other students, teachers, and District staff. All teachers, administrators, and other District personnel are expected to respect the rights and privileges of students. [See DH series]

STUDENT HANDBOOK	The Superintendent or designee shall develop a student handbooks, with information on curriculum, grading, extracurricular activities, and other such topics that students and parents are likely to need during the school year. Campus policy and procedures may be added to the student handbook. The Superintendent or designee shall ensure that no student handbook information is in conflict with policy or the Student Code of Conduct. In case of conflict between a Board policy or the Student Code of Conduct and provisions of the student handbook, the policy and/or the Student Code of Conduct shall prevail.
NO BOARD ACTION	The student handbook Student handbooks are subject to Board review but shall not be adopted by the Board.
DISTRIBUTION	The student handbook Student handbooks shall be made available on the District's Web site at the beginning of the school year; a hard copy shall be provided upon request. Amendments to the handbook shall be communicated promptly to students and parents. [For provisions on the Student Code of Conduct, see FO]
FUNCTIONAL LOCKER USE	A school's campus improvement team (CIT) is responsible for recommending the students' use of functional lockers. Functional lockers are those lockers identified as lockers in good condition for use. The CIT may recommend full use, limited use, or nonuse of the lockers. The school's CIT, in determining the procedure for use of the lockers, shall consider specific conditions or situations such as availability of functional lockers, student behavior in the locker area, input from the community, review of information developed by the District's Health Services unit, and other related issues. The degree of use of lockers will be determined by the beginning of the school year.
WAIVER	A process shall be identified by the CIT to waive the established restrictions on use of lockers in its school for students with special needs or conditions, on a case-by-case basis. A report of the school's use of lockers and its waiver process shall be filed in the respective division head's office. Appeals of the campus policy shall be directed to the respective division head. The decision of

STUDENT RIGHTS AND RESPONSIBILITIES

FN
(LOCAL)

the respective division head may be appealed to the Board. [See
FNG(LOCAL)]

PROPOSED REVISIONS

SECONDARY SCHOOLS

For purposes of the Equal Access Act, the District has established a limited open forum for secondary school students enrolled in the District. For a campus that includes both elementary and secondary students, ~~noncurriculum-related student groups will be available~~ **a limited open forum shall be established** only for the secondary students (grades 6-8) on that campus. Each District secondary school campus shall offer an opportunity for noncurriculum-related student groups to meet on school premises during noninstructional time, with the exception of campuses whose operations are designated as disciplinary alternative education program facilities.

ELEMENTARY SCHOOLS

The District has not established a limited public forum for elementary school students to meet as noncurriculum-related student groups on school premises during noninstructional time. [See GKD for community access]

SPONSORSHIP

Noncurriculum-related student groups shall not be sponsored by the District and shall in no way imply to students or to the public that they are school-sponsored. All letterheads, flyers, posters, or other communications that identify the group shall contain a disclaimer of such sponsorship.

District personnel shall not promote, lead, or participate in the meetings of noncurriculum-related student groups.

[For student activities sponsored by the District and having subject matter and purposes directly related to the school's curriculum, see FM]

REQUESTS

To receive permission to meet on school premises during noninstructional time, interested students shall file a written request with the ~~campus principal. That request shall contain a brief statement of the group's purposes and goals, a list of the group's members, and a schedule of its proposed meeting times. Notices of meetings may be posted in a manner determined by the principal~~ **on a form provided by the District.**

The students making the request shall indicate that they have read and understand the policies and rules governing nonsponsored, noncurriculum-related student groups and that the group will abide by those rules.

APPROVAL

~~The campus principal~~ **The principal** shall approve or reject the request within seven school days, subject to the availability of suitable meeting space and without regard to the religious, political, philosophical, or other content of the speech likely to be associated

STUDENT EXPRESSION
USE OF SCHOOL FACILITIES FOR NONSCHOOL PURPOSES

FNAB
(LOCAL)

	<p>with the group's meetings provided, however, that the District retains the right to prohibit student expression that violates the requirements of FNAA(LEGAL) and (LOCAL).</p> <p>Approval to meet as a nonsponsored, noncurriculum-related group shall be granted for one school year at a time, subject to the provisions of this policy.</p>
MEETINGS	<p>The campus principalThe principal shall designate noninstructional time for meetings of nonsponsored, noncurriculum-related student groups and shall assign each approved group an appropriate location and time.</p>
EMPLOYEE MONITOR	<p>The principal shall assign a District employee to attend and monitor each student group meeting. Monitors shall be present at meetings and activities in a nonparticipatory capacity, as needed, and may establish reasonable written guidelines for the conduct of the meetings, provide for the well-being of students at these meetings, to maintain order and protect school property, and maintain order and discipline. [See FNAB(LEGAL) for restrictions on staff participation intended to provide a fair opportunity for noncurriculum-related student groups to conduct meetings].</p> <p>No employee shall be required to monitor meetings at which the content of the speech would be objectionable to the employee.</p>
ANNOUNCEMENTS AND PUBLICITY	<p>All nonsponsored, noncurriculum-related student groups shall be given access on the same basis for making announcements and publicizing their meetings and activities, in accordance with guidelines developed by the campus principal.</p> <p>[For distribution of nonschool materials, see FNAA]</p>
VIOLATIONS	<p>Failure of a student group to comply with applicable rules may result in loss of the right to meet on school premises.</p> <p>In addition, students who violate applicable rules are subject to disciplinary action in accordance with the Student Code of Conduct.</p>
APPEALS	<p>Decisions made by the administration in accordance with this policy may be appealed in accordance with FNG(LOCAL).</p>

PROPOSED REVISIONS

INTERROGATIONS BY SCHOOL OFFICIALS	Administrators, teachers, and other professional personnel may question a student regarding the student's own conduct or the conduct of other students. In the context of school discipline, students have no claim to the right not to incriminate themselves.
BY POLICE OR OTHER AUTHORITIES	For provisions pertaining to student questioning by law enforcement officials or other lawful authorities, see GRA(LOCAL).
LOCKERS AND VEHICLES	<p>Students have full responsibility for the security of their lockers, and for vehicles parked on school property-. It is the student's responsibility to ensure that lockers and vehicles are locked and that the keys and combination combinations are not given to others. Students shall not place, keep, or maintain any article or material that is forbidden by District policy in lockers or in vehicles parked on school property-that is forbidden by District policy.</p> <p>School officials may search lockers or vehicles parked on school property if there is reasonable cause to believe that they contain articles or materials prohibited by District policy. Students shall be responsible for any prohibited items found in their lockers or in vehicles parked on school property.</p> <p>If a vehicle subject to search is locked, the student shall be asked to unlock the vehicle. If the student refuses, the District shall contact the student's parents. If the parents cannot be reached or if they also refuse to permit a search of the vehicle, the District may turn the matter over to local law enforcement officials.</p>
USE OF TRAINED DOGS	<p>The District shall use specially trained nonaggressive dogs to sniff out and alert officials to the possiblecurrent presence of concealed prohibited items, illicit substances defined in FNCF(LEGAL), and alcohol. This program is implemented in response to drug- and alcohol-related problems in District schools, with the objective of maintaining a safe school environment conducive to education.</p> <p>Such visits to schools shall be unannounced. The dogs shall be used to survey the air insniff vacant classrooms, vacant common areas, the areas around student lockers, and the areas around vehicles parked on school property. The dogs shall not be used with students. If a dog alerts to a locker, a vehicle, or an item in a classroom, it may be searched by school officials. Searches of vehicles shall be conducted as described above.</p>
NOTICE	At the beginning of the school year, the District shall inform students of the District's policy on searches, as outlined above, and shall specifically notify students that:

STUDENT RIGHTS AND RESPONSIBILITIES
INTERROGATIONS AND SEARCHES

FNF
(LOCAL)

1. Lockers may be **surveyed**sniffed by trained dogs at any time.
2. Vehicles parked on school property may be **surveyed**sniffed by trained dogs at any time.
3. Classrooms and other common areas may be **surveyed**sniffed by trained dogs at any time when students are not present.
4. If contraband of any kind is found, the possessing student shall be subject to appropriate disciplinary action in accordance with the Student Code of Conduct.

PARENT
NOTIFICATION

The student's parent or guardian shall be notified if any prohibited articles or materials are found in a student's locker, in a student's vehicle parked on school property, or on the student's person, as a result of a search conducted in accordance with this policy.

USE OF HAND-HELD
METAL DETECTORS

The Board authorizes the use of hand-held metal detectors by school administrators **at the off-campus DAEP** when there is reasonable cause to believe that weapons or dangerous metal objects are in the possession of a student. Students shall be informed of the use of hand-held metal detectors for searches through the Student Code of Conduct and by signs posted throughout school campuses. Searches shall be systematic, shall not discriminate on the basis of race, gender, or ethnicity and shall be done in compliance with the following procedures:

1. The hand-held metal detector search shall be conducted by the principal or assistant principal in the presence of another adult witness, preferably in a private location.
2. If the detector used on a student registers the presence of a metal object, the student shall be asked to remove all metal objects from his or her possession and shall be checked again.
3. If after removal of all metal objects, the detector continues to register the presence of metal, the student shall be taken to an area out of view from other students for a "pat-down" search.
4. The "pat-down" search shall be conducted by school personnel of the same gender as the student and shall be limited to the students clothing, bags, parcels, and any other containers capable of containing a weapon.
5. If the school personnel conducting a "pat-down" search feels an object which may have activated the metal detecting device, the student will be asked to remove such object. If the

STUDENT RIGHTS AND RESPONSIBILITIES
INTERROGATIONS AND SEARCHES

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student declines to remove the object, it may then be removed by school personnel.

6. If the object removed from the student could have activated the metal detector, the school personnel will cease performing the "pat-down" search. In such an event, the student will again be scanned with a hand-held metal detector and the "pat-down" search will continue only if the device again yields a positive reading.
7. All property removed from the student as a result of the above procedure that may legitimately be brought onto school premises, must be returned to the student.
8. Property removed from the student, possession of which is a violation of the policy on discipline and student rights, shall be confiscated and the student shall be disciplined in accordance with the student code of conduct.

Students who fail to cooperate with school personnel performing their duties under these procedures may be subject to disciplinary action in accordance with the Student Code of Conduct.

PROPOSED REVISIONS

COMPLAINTS	In this policy, the terms “complaint” and “grievance” shall have the same meaning.
OTHER COMPLAINT PROCESSES	<p>Student or parent complaints shall be filed in accordance with this policy, except as provided below:</p> <ol style="list-style-type: none">1. Complaints alleging discrimination or harassment based on race, color, religion, gender, national origin, disability, gender stereotyping, perceived sexuality, or any other basis prohibited by law shall be submitted in accordance with FFH.2. Complaints concerning dating violence shall be submitted in accordance with FFH.3. Complaints concerning retaliation related to discrimination and harassment shall be submitted in accordance with FFH.4. Complaints concerning bullying or retaliation related to bullying shall be submitted in accordance with FFI.5. Complaints concerning loss of credit on the basis of attendance shall be submitted in accordance with FEC.6. Complaints concerning removal to a disciplinary alternative education program (DAEP) shall be submitted in accordance with FOC and the Student Code of Conduct.7. Complaints concerning expulsion shall be submitted in accordance with FOD and the Student Code of Conduct.8. Complaints concerning any final decisions of the gifted and talented selection committee regarding selection for or exit from the gifted and talented program shall be submitted in accordance with EHBB.9. Complaints concerning identification, evaluation, or educational placement of a student with a disability within the scope of Section 504 shall be submitted in accordance with FB and the procedural safeguards handbook.10. Complaints concerning identification, evaluation, educational placement, or discipline of a student with a disability within the scope of the Individuals with Disabilities Education Act shall be submitted in accordance with EHBAE, FOF, and the procedural safeguards handbook provided to parents of all students referred to special education.11. Complaints concerning instructional materials shall be submitted in accordance with EFA.

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

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12. Complaints concerning a commissioned peace officer who is an employee of the District shall be submitted in accordance with CKE.
13. Complaints concerning intradistrict transfers or campus assignment shall be submitted in accordance with FDB.
14. Complaints concerning admission, placement, or services provided for a homeless student shall be submitted in accordance with FDC.

NOTICE TO STUDENTS
AND PARENTS

The District ~~administration~~ shall inform students and parents of this policy.

~~GUIDING PRINCIPLES~~

~~The purpose of this policy is to secure, at the lowest possible administrative level, prompt and equitable resolution of student or parent complaints. Except as provided below, all student or parent complaints shall be presented in accordance with this policy.~~

~~INFORMAL
PROCESS~~

The Board encourages students and parents to discuss their concerns and complaints through informal conferences with the appropriate teacher, principal, or other campus administrator.

GUIDING PRINCIPLES

INFORMAL
PROCESS

Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

FORMAL PROCESS

If an informal conference regarding a complaint fails to reach the outcome requested by the student or parent, the student or parent may initiate the formal process described below by timely filing a written complaint form.

Even after initiating the formal complaint process, students and parents are encouraged to seek informal resolution of their concerns. -A student or parent whose concerns are resolved may withdraw a formal complaint at any time.

The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, ~~or~~ to require a full evidentiary hearing or "mini-trial" at any level ~~of the process~~.

FREEDOM FROM
RETALIATION

Neither the Board nor any District employee shall unlawfully retaliate against any student or parent for bringing a concern or complaint.

~~GENERAL
PROVISIONS~~

~~Unless otherwise provided by a policy referenced above, students or parents shall be entitled to informal conferences with administrators to resolve their complaints. In most circumstances in which a complaint involves a problem with a teacher, the student or parent~~

<p>FILING GENERAL PROVISIONS FILING</p>	<p>is strongly encouraged to discuss the matter with the teacher before requesting a conference with the principal at Level One.</p> <p>Complaint forms and appeal notices may be filed by hand-delivery, fax, or U.S. Mail. Hand-delivered and fax filings shall be timely filed and date stamped if received by the appropriate administrator or designee by the close of business on the deadline. <u>Filings Fax filings shall be timely filed if they are received on or before the deadline, as indicated by the date/time shown on the fax copy.</u> <u>Mail filings</u> shall be timely filed if they are postmarked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.</p>
<p>RESPONSE</p>	<p>At Levels One and Two, “response” shall mean a written communication to the student or parent from the appropriate administrator. Responses may be hand-delivered or sent by U.S. Mail on or before the deadline. <u>Announcement of a decision into the student’s or parent’s presence mailing address of record. Mailed responses shall constitute communication of the decision but oral decisions should be confirmed in writing as provided below timely if they are postmarked by U.S. Mail on or before the deadline.</u></p>
<p>DAYS</p>	<p>“Days” shall mean District business days. In calculating time lines under this policy, the day a document is filed is “day zero.” The following business day is “day one.”</p>
<p>REPRESENTATIVE</p>	<p>“Representative” shall mean any person who or organization that is designated by the student or parent to represent the student or parent in the complaint process. A student may be represented by an adult at any level of the complaint.</p> <p>The student or parent may designate a representative through written notice to the District at any level of the<u>this</u> process. If the student or parent designates a representative other than the student’s parent with fewer than three days’ notice to the District before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date, if desired, in order to include the District’s counsel. The District may be represented by counsel at any level of the process.</p>
<p>CONSOLIDATING COMPLAINTS</p>	<p>Complaints arising out of an event or <u>a</u> series of related events shall be addressed in one complaint. A student or parent shall not bring separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.</p>
<p>UNTIMELY FILINGS</p>	<p>All time limits shall be strictly followed unless modified by mutual written consent.</p>

	<p>If a complaint form or appeal notice is not filed timely <u>filed</u>, the complaint may be dismissed, on written notice to the student or parent, at any point during the complaint process. The student or parent may appeal the dismissal by seeking review in writing within ten days from the date of the written dismissal notice, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.</p>
COSTS INCURRED	Each party shall pay its own costs incurred in the course of the complaint.
COMPLAINT FORM	<p>Complaints under this policy shall be submitted in writing on a form provided by the District.</p> <p>Copies of any documents that support the complaint should be attached to the complaint form. If the student or parent does not have copies of these documents, copies may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the student or parent unless the student or parent did not know the documents existed before the Level One conference.</p> <p>A complaint form that is incomplete in any material aspect may be dismissed, but may be refiled with all the required information if the refiling is within the designated time frame for filing a complaint.</p>
LEVEL ONE	<p>Complaint forms must be filed:</p> <ol style="list-style-type: none">1. Within 15 days of the date the student or parent first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and2. With the lowest level administrator who has the authority to remedy the alleged problem. <p>In most circumstances, students and parents shall file Level One complaints with the campus principal.</p> <p>If the only administrator who has authority to remedy the alleged problem is the Superintendent or designee, or if it may be remedied only by action of the Board, the complaint may begin at Level Two following the procedure, including deadlines, for filing the complaint form at Level One.</p> <p>If the complaint is not filed with the appropriate administrator, the receiving administrator must note the date and time the complaint form was received and immediately forward the complaint form to the appropriate administrator.</p> <p>The appropriate administrator shall investigate as necessary and hold a conference with the student or parent within ten days after</p>

LEVEL TWO

receipt of the written complaint. The administrator may set reasonable time limits for the conference.

The administrator shall provide the student or parent a written response within ten days following the conference. In reaching a decision, the administrator may consider information provided at the Level One conference and any other relevant documents or information the administrator believes will help resolve the complaint.

If the student or parent did not receive the relief requested at Level One or if the time for ~~the~~ response has expired, the student or parent may request a conference with the Superintendent or designee to appeal the Level One decision.

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level One response or, if no response was received, within ten days of the Level One response deadline.

After receiving notice of the appeal, the Level One administrator shall prepare and forward a record of the Level One complaint to the Level Two administrator. The student or parent may request a copy of the Level One record.

The Level One record shall include:

1. The original complaint form and any attachments.
2. All other documents submitted by the student or parent at Level One.
3. The written response issued at Level One and any attachments.
4. All other documents relied upon by the Level One administrator in reaching the Level One decision.

The Superintendent or designee shall hold a conference within ten days after the appeal notice is filed. The conference shall be limited to the issues presented by the student or parent at Level One and identified in the Level Two appeal notice. At the conference, the student or parent may provide information concerning any documents or information relied upon by the administration for the Level One decision. The Superintendent or designee may set reasonable time limits for the conference.

The Superintendent or designee shall provide the student or parent a written response within ten days following the conference. In reaching a decision, the Superintendent or designee may consider the Level One record, information provided at the Level Two conference, and any other relevant ~~document~~documents or information

the Superintendent or designee believes will help resolve the complaint.

Recordings of the Level One and Level Two ~~conference conferences~~, if any, shall be maintained with the Level One and Level Two records. ~~If the complaint alleges a violation of state or federal law, then the Level Two conference should be recorded by the Superintendent or designee.~~

LEVEL THREE

If the student or parent did not receive the relief requested at Level Two or if the time for a response has expired, the student or parent may appeal the decision to the Board.

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level Two response or, if no response was received, within ten days of the Level Two response deadline.

The Superintendent or designee shall inform the student or parent of the date, time, and place of the Board meeting at which the complaint will be on the agenda for presentation to the Board.

The Superintendent or designee shall provide the Board the record of the Level Two appeal. The student or parent may request a copy of the Level Two record.

The Level Two record shall include:

1. The Level One record.
2. The notice of appeal from Level One to Level Two.
3. The written response issued at Level Two and any attachments.
4. All other documents relied upon by the administration in reaching the Level Two decision.

~~5. Any recording made of the Level One and/or Level Two conferences.~~

~~The Board shall consider only those issues and documents presented at the preceding levels.~~

~~The Board~~ If at the Level Three hearing the administration intends to rely on evidence not included in the Level Two record, the administration shall provide the student or parent notice of the nature of the evidence at least three days before the hearing.

The District shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable ~~laws~~ law. [See BE]

The presiding officer may set reasonable time limits and guidelines for the presentation, including an opportunity for the student or parent and administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board. The Board shall hear the complaint and may request that the administration provide an explanation for the decisions at the preceding levels.

In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the Level Three presentation. The Level Three presentation, including the presentation by the student or parent or the student's representative, any presentation from the administration, and questions from the Board with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

The Board shall then consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two.

PROPOSED REVISIONS

GENERAL GUIDELINES A District employee shall adhere to the following general guidelines when imposing discipline:

1. A student shall be disciplined when necessary to improve the student's behavior, to maintain order, or to protect other students, school employees, or property.
2. A student shall be treated fairly and equitably. Discipline shall be based on an assessment of the circumstances of each case [see FO(LEGAL)]. Factors to consider shall include:
 - a. The seriousness of the offense;
 - b. The student's age;
 - c. The frequency of misconduct;
 - d. The student's attitude;
 - e. The potential effect of the misconduct on the school environment;
 - f. Whether the behavior was in self-defense;
 - g. The intent or lack of intent at the time the student engaged in the conduct;
 - h. The student's disciplinary history;
 - i. Any disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct;
 - j. Requirements of Chapter 37 of the Education Code; and
 - k. The Student Code of Conduct adopted by the Board.
3. Before a student under 18 is assigned to detention outside regular school hours, notice shall be given to the student's parent to inform him or her of the reason for the detention and permit arrangements for necessary transportation.

[For provisions regarding students with disabilities, see FOF(LEGAL) and sections in the Student Code of Conduct dealing with discipline of students with disabilities (IDEA) and discipline under Section 504 of the Rehabilitation Act of 1973]

STUDENT CODE OF
CONDUCT

~~The director of pupil services, under the direction of the assistant superintendent of secondary and priority schools division,~~ **The deputy superintendent, operations and administration** shall be

STUDENT DISCIPLINE

FO
(LOCAL)

responsible for preparing, revising, and distributing the Student Code of Conduct.

At the beginning of the school year and throughout the school year as necessary, the Student Code of Conduct shall be:

1. Posted and prominently displayed at each campus or made available for review in the principal's office, as required by law; and
2. Made available on the District's Web site and/or as hard copy to students, parents, teachers, administrators, and to others on request.

~~The office for public relations shall announce the distribution of the Student Code of Conduct through the use of the media, such as public television, newspapers, and/or the District's Web site.~~

REVISIONS

Revisions to the Student Code of Conduct approved by the Board during the year shall be made available, as soon as feasible after Board adoption, to students and parents, teachers, administrators, and others.

'PARENT' DEFINED

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

CORPORAL
PUNISHMENT

The Board prohibits the use of corporal punishment in the District. Students shall not be spanked, paddled, or subjected to other physical force as a means of discipline for violations of the Student Code of Conduct.

PHYSICAL RESTRAINT

Within the scope of an employee's duties, a District employee may physically restrain a student if the employee reasonably believes restraint is necessary in order to:

1. Protect a person, including the person using physical restraint, from physical injury.
2. Obtain possession of a weapon (such as a firearm, knife, explosive or other weapon defined at FNCG) or other dangerous object.
3. Remove a student refusing a lawful command of a school employee from a specific location, including a classroom or other school property, in order to restore order or to impose disciplinary measures.
4. Control an irrational student.
5. Protect property from serious damage.

STUDENT DISCIPLINE

FO
(LOCAL)

EXTRACURRICULAR
STANDARDS OF
BEHAVIOR

With the approval of the principal and the ~~principal's immediate supervisor or designee of the immediate supervisor~~ **appropriate area superintendent**, sponsors and coaches of extracurricular activities may develop and enforce standards of behavior that are higher than the District-developed Student Code of Conduct and may condition membership or participation in the activity on adherence to those standards. Extracurricular standards of behavior may take into consideration conduct that occurs at any time, on or off school property. Extracurricular behavioral standards shall not have the effect of discriminating on the basis of gender, race, color, disability, religion, ethnicity, or national origin.

An opportunity for parental input in the development of extracurricular standards of behavior shall be available at each campus.

A student shall be informed of any extracurricular behavior standards at the beginning of each school year or when the student first begins participation in the activity. A student and his or her parent shall sign and return to the sponsor or coach a statement that they have read the extracurricular behavior standards and consent to them as a condition of participation in the activity.

VIOLATIONS

Standards of behavior for an extracurricular activity are independent of the Student Code of Conduct. Violations of these standards of behavior that are also violations of the Student Code of Conduct may result in independent disciplinary actions.

A student may be removed from participation in extracurricular activities or may be excluded from school honors for violation of extracurricular standards of behavior for an activity or for violation of the Student Code of Conduct.

**VIDEO AND AUDIO
MONITORING**

Video and audio recording equipment shall be used for safety purposes to monitor student behavior on District property.

The District shall post signs notifying students and parents about the District's use of video and audio recording equipment. Students shall not be notified when the equipment is turned on.

**USE OF
RECORDINGS**

The principal shall review recordings as needed, and evidence of student misconduct shall be documented. A student found to be in violation of the District's Student Code of Conduct shall be subject to appropriate discipline.

**ACCESS TO
RECORDINGS**

Recordings shall remain in the custody of the campus principal and shall be maintained as required by law. A parent or student who wishes to view a recording in response to disciplinary action taken against the student may request such access under the procedures set out by law. [See FL(LLEGAL)]

DELETE POLICY

CONFERENCE
REQUIRED

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

Three-day suspensions and lesser disciplinary consequences are campus-level decisions and may not be appealed above the campus principal level.

MAXIMUM LENGTH

The number of days of a student's suspension shall be determined by the appropriate administrator but shall not exceed three school days. *Education Code 37.005*

NOTIFICATION

The principal or assistant principal shall notify a student's parent by phone or in writing of any violation that may result in an out-of-school suspension. Notification shall be made and confirmed within 24 hours after the administrator becomes aware of the violation.

STUDENTS WITH
DISABILITIES

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) shall be subject to the provisions of those laws. [See FOF]

DELETE POLICY

CAMPUS DISCIPLINARY ALTERNATIVE EDUCATION PROGRAM GRADES 6–12	Each middle and high school shall provide a disciplinary alternative education program (DAEP) on its campus. Each DAEP must meet the criteria specified in FOCA(LEGAL). This is a self-contained program for students in grades 6–12. Students are assigned by campus administrators, pursuant to the requirements and procedures stated in the Student Code of Conduct.
ELEMENTARY ALTERNATIVE EDUCATION SETTING GRADES 1–5	<p>Project About Face is the elementary program designed to address the needs of students (from age 6 through grade 5) who have failed to respond to the classroom/campus interventions, including in-school suspension, as outlined in the Student Code of Conduct. The program utilizes developmentally appropriate practices so that students will modify their behaviors and return to the home campuses and succeed academically and socially.</p> <p>Students younger than six years of age may not be removed from class and placed in a DAEP. [See FOCA(LEGAL)]</p> <p>When a student under the age of ten engages in behavior that is expellable behavior, the student shall not be expelled but shall be placed in a DAEP. A student under the age of six shall not be placed in a DAEP unless the student commits a federal firearms offense.</p>
SECONDARY DAEP GRADES 6–12	Secondary school students who engage in serious or persistent misbehavior that violates the District's Student Code of Conduct, or who otherwise engage in misbehavior for which such a placement is permitted by the Student Code of Conduct, and who are not placed in the juvenile justice alternative education program (JJAEP) shall be placed at the campus DAEP or an off-campus DAEP.
LOCATION	<p>The DAEP shall be provided in a setting other than the student's regular classroom. It may be located on or off a regular school campus.</p> <p>Students who are assigned to the DAEP shall be separated from the regular school program.</p>

DELETE POLICY

The District's Juvenile Justice Alternative Education Program (JJAEP) is located at the Raymond Telles Academy campus, pursuant to a memorandum of understanding (interlocal agreement) between the District and the El Paso County Juvenile Board. This is a daily, seven-hour, self-contained program. Students who are expelled may continue their education in the JJAEP in accordance with the memorandum of understanding between the District and the El Paso County Juvenile Board. [See FODA(LEGAL)]

PROPOSED REVISIONS

NEWS RELEASES

News releases concerning political or controversial issues or the overall operation of District schools, or involving more than one campus, shall be made only by Superintendent or designee.

Other news releases concerning athletic events, programs, and activities at an individual campus shall be made by principal or designee.

COMMUNICATIONS DURING A CRISIS

In any crisis situation affecting the District or an individual campus, the deputy superintendent, operations and administration shall be the official District spokesperson and shall be responsible for all communication with the news media.

INDIVIDUAL BOARD MEMBER INTERVIEWS

Nothing in this policy shall be construed to restrict or limit individual Board members from granting interviews to the media. Board members shall identify the statements as his or her opinions and shall not represent the opinions of any other Board member or the Board.

PRESS RELEASES

~~All press releases related to the official position of the District on any issue shall be made only by the Board President, the Superintendent, or the executive director for communications.~~

CURRENT POLICY

PARENTAL ENGAGEMENT PROGRAM

~~It is within the mission of the District to develop strong partnerships with the home. Parents and schools working as partners increase student achievement and develop positive attitudes about self and school. A parental engagement program will be implemented at each elementary, middle, and high school campus. The major objective of the program is to create a process to:~~

- ~~1. Facilitate communication and cooperation among the community, parents, and schools;~~
- ~~2. Establish active parent participation at various levels of the education process; and~~

~~Empower parents to become decision makers in the education of their children in an effort to improve their academic success.~~

PARENTAL PARTICIPATION IN ACTIVITIES

~~The District shall encourage full participation and involvement of parents in the education of their children through the following activities:~~

- ~~1. Continuously projecting and delivering the message that parents are always welcome in the District's schools.~~
- ~~2. Encouraging administrators and teachers to continuously communicate with parents by means of report cards, progress reports, copies of test papers, notices of concern, copies of test scores, open houses, telephone calls, the District's truant officer, and other appropriate methods. [See EIAB(LOCAL)]~~
- ~~3. Encouraging formation of an active participation in advisory councils and groups for the different special population programs. [See EHB(LEGAL) and EHBA(LOCAL)]~~
- ~~4. Ensuring that District and campus committees and councils have broad parent representation. [See BQA and BQB(LOCAL)]~~
- ~~5. Holding public hearings for program proposals and AEIS reports.~~
- ~~6. Supporting the PTA and other parent/booster organizations.~~
- ~~7. Including in all regular Board meeting agendas a specified period of time for public comment. [See BED]~~
- ~~8. Allowing and encouraging administrators and teachers to involve parents in other appropriate ways.~~

RELATIONS WITH PARENT ORGANIZATIONS

GE
(LOCAL)

~~PARENT-TEACHER
ORGANIZATIONS~~

~~Citizens are encouraged to participate in determining educational goals and objectives that will meet the needs of students in the community. The Board recognizes parent-teacher organizations as a medium through which District personnel, parents, and other citizens may discuss educational concerns and problems and work together toward solutions.~~

OTHER PARENT
GROUPS

Clubs operating within the schools with connections to parent organizations shall operate within the general regulations for local groups, subject to approval of the Superintendent.

BOOSTER CLUBS

Booster clubs may be organized to assist and support school activities and to support curricular and cocurricular initiatives; to this end, the Board recognizes that booster clubs can offer invaluable services to the District schools.

The majority of activities supported by booster clubs are related to UIL activities governed by the UIL constitution and contest rules, which contain regulations concerning procedures and eligibility for the District, the schools, and the students. In order to ensure that booster clubs operate within the UIL rules, state law, and District policy, all booster clubs shall be approved by the Superintendent or designee who does not coach or direct a UIL contest and shall conform to the requirements of this policy.

The Superintendent or designee may recognize one official parent/booster organization for each student club or student organization per campus. The recognition of a parent/booster club shall be predicated on the booster club's adoption of a constitution and by-laws in conformity with this policy.

The recognition of a parent/booster club by the Superintendent or designee does not grant the booster club authority to bind the District or any of its employees to a third party with whom the booster club may conduct business.

SUPERINTENDENT'S
REPRESENTATIVE

The Superintendent's designee for purposes of this policy is the principal of each campus.

The Superintendent or designee shall be an ex officio member of all booster organizations.

BOOSTER CLUB
FUNDS

Accounting procedures established by the financial services department for the District shall be followed by all booster clubs for all booster club financial transactions, and may be subject to District audit as directed by the Board or the Superintendent.

Periodic (at minimum, two times per year) financial statements itemizing all receipts and expenditures shall be made to the general club membership.

RELATIONS WITH PARENT ORGANIZATIONS

GE
(LOCAL)

Year-end financial statements should be submitted to the principal.

Money given to the school may not be earmarked for any particular request. The booster club may suggest or recommend how it would like the money spent, but it shall not require the Superintendent or principal to spend the money in any specific way. A gift of cash or other valuable consideration shall be given to the school for use at its discretion. Items purchased from such funds shall be subject to District policies.

The booster club may not give a coach or sponsor a petty cash fund or miscellaneous fund to use at his or her discretion. In addition, booster clubs may not provide a coach or sponsor with a debit/check or credit card.

Booster clubs may not use locally raised funds to employ an additional coach to supplement positions established by the Board.

FUND-RAISING
PROJECTS

Fund-raising projects are subject to state law just as PTA and other school-related organizations must meet legal requirements. Non-profit status may be obtained from the Internal Revenue Service.

SALES CAMPAIGNS

Communitywide sales campaigns shall be cleared through the Superintendent or principal to minimize conflicts among various organizations, such as the yearbook staff, senior class, drama club, and the like, that might be selling merchandise at the same time. Sales campaigns shall be carefully planned by booster clubs with input from the principal. Fund-raising activities held on the campus must be approved by the principal and documented on the District's forms.

SPONSORED
PROJECTS

Sponsored projects, such as money-making activities and non-UIL contests, shall support the educational goals and philosophy of the school and shall not become a means for exploiting students. All such contests shall be carefully investigated before committing the school's support. Booster clubs and the campus principal are encouraged to seek advice from the UIL staff wherever practicable.

PURCHASES FOR
THE SCHOOL

Before parent groups or other groups working with the school purchase supplies and/or equipment for the schools, including computer hardware and software and/or other products, they shall obtain approval from the principal for their plans. The principal shall consult with the business office to determine the type or brand of equipment and/or other products to buy in order to ensure compatibility with current District equipment and/or other products. All such purchases shall become the property of the District upon presentation to the schools.

GIFTS / AWARDS

It is contrary to UIL rules for a booster club or any other organization to give a coach, music director, or sponsor of any UIL event

RELATIONS WITH PARENT ORGANIZATIONS

GE
(LOCAL)

more than the maximum allowed by UIL per calendar year as any type of gift.

Before giving any presents, meals, and other presentations to show appreciation to coaches, sponsors, and/or students, booster clubs shall discuss the matter with the Superintendent or principal in order to ensure that any UIL rule, to include the "amateur rule" as defined by UIL, is not violated.

MINUTES
MAINTAINED

Minutes of booster club meetings shall be taken at each meeting, and a copy shall be kept on file in the office of the appropriate campus principal.

CAMPUS
INFORMATION

All booster club meetings shall be open to the public. The principal of each campus shall keep booster clubs up to date with information concerning current activities.

BOOSTER CLUB
WRITTEN POLICIES

Booster clubs shall develop a written constitution and bylaws to cover the following areas, which shall be approved by the Superintendent or designee:

1. Planning, publicizing, and holding effective meetings.
2. Managing finances:
 - a. Methods of financing the club.
 - b. Compliance with state and federal tax laws.
 - c. Development and amendment of an annual budget.
 - d. Administration of funds.
 - e. Method of bookkeeping.
3. Electing officers and their duties.
4. Taking, distributing, and filing minutes.
5. Issuing press releases and developing other techniques for effective communication.
6. Interacting properly with directors, coaches, and sponsors through the lines of authority as established by the Board.
7. Following a sportsmanship code governing behavior of booster club members and fans at contests, and treatment of guests, judges, and officials.
8. Working in the best educational interest of the students and their overall development in a range of activities.
9. Prohibiting awards from booster clubs to UIL participants.

RELATIONS WITH PARENT ORGANIZATIONS

GE
(LOCAL)

10. Formulating plans to support the school through both good and bad seasons.

SCHOOL
PROGRAMS /
PERSONNEL

Booster clubs have no authority to direct the duties of a coach, music director, or sponsor. The schedule of contests, the rules for participation, the method of earning letters, and all other criteria dealing with the interschool programs shall remain under the jurisdiction of the Board and/or administration.

USE OF DISTRICT
FACILITIES

District-affiliated school-support or booster organizations may use District facilities with prior approval of the appropriate site administrator, who shall coordinate the facility use with the associate superintendent for operations. Other parent groups may use District facilities in accordance with policy GKD.

TASB RECOMMENDED POLICY LANGUAGE

District-affiliated school-support or booster organizations shall organize and function in a way that is consistent with the District's philosophy and objectives, within adopted Board policies, in accordance with applicable UIL guidelines and financial and audit regulations. [See also CFD]

USE OF DISTRICT
FACILITIES

District-affiliated school-support or booster organizations may use District facilities with prior approval of the appropriate administrator. Other parent groups may use District facilities in accordance with policy GKD.

PURCHASES FOR THE
SCHOOL

Before parent groups or other groups working with the school purchase equipment for the schools, including computer hardware and software, they shall notify the principal of their plans. In consultation with the Superintendent or designee, the principal shall determine the type or brand of equipment to buy to ensure compatibility with current District equipment.

PROPOSED REVISIONS

COMPLAINTS	In this policy, the terms “complaint” and “grievance” shall have the same meaning.
OTHER COMPLAINT PROCESSES	Complaints by members of the public shall be filed in accordance with this policy, except as provided below: <ol style="list-style-type: none">1. Complaints concerning instructional materials shall be filed in accordance with EFA.2. Complaints concerning a commissioned peace officer who is an employee of the District shall be filed in accordance with CKE.
GUIDING PRINCIPLES	The Board encourages the public to discuss concerns and complaints through informal conferences with the appropriate administrator.
INFORMAL PROCESS	Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.
FORMAL PROCESS	<p>If an informal conference regarding a complaint fails to reach the outcome requested by an individual, he or she may initiate the formal process described below by timely filing a written complaint form.</p> <p>Even after initiating the formal complaint process, individuals are encouraged to seek informal resolution of their concerns. An individual whose concerns are resolved may withdraw a formal complaint at any time.</p> <p>The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or “mini-trial” at any level.</p>
FREEDOM FROM RETALIATION	Neither the Board nor any District employee shall unlawfully retaliate against any individual for bringing a concern or complaint.
GENERAL PROVISIONS	Complaint forms and appeal notices may be filed by hand-delivery, fax, or U.S. Mail. Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Fax filings shall be timely filed if they are received on or before the deadline, as indicated by the date/time shown on the fax copy. Mail filings shall be timely filed if they are postmarked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.
FILING	
RESPONSE	

At Levels One and Two, “response” shall mean a written communication to the individual from the appropriate administrator. Responses may be hand-delivered or sent by U.S. Mail to the individual’s mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.

DAYS

“Days” shall mean ~~calendar~~ District business days. In calculating time lines under this policy, the day a document is filed is “day zero.” The following business day is “day one.”

REPRESENTATIVE

“Representative” shall mean any person who or organization that is designated by an individual to represent the individual in the complaint process.

The individual may designate a representative through written notice to the District at any level of this process. If the individual designates a representative with fewer than three days’ notice to the District before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date, if desired, in order to include the District’s counsel. The District may be represented by counsel at any level of the process.

CONSOLIDATING COMPLAINTS

Complaints arising out of an event or a series of related events shall be addressed in one complaint. An individual shall not bring separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.

UNTIMELY FILINGS

All time limits shall be strictly followed unless modified by mutual written consent.

If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the individual, at any point during the complaint process. The individual may appeal the dismissal by seeking review in writing within ~~seven~~ten days from the date of the written dismissal notice, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.

COSTS INCURRED

Each party shall pay its own costs incurred in the course of the complaint.

COMPLAINT FORM

Complaints under this policy shall be submitted in writing on a form provided by the District.

Copies of any documents that support the complaint should be attached to the complaint form. If the individual does not have copies of these documents, they may be presented at the Level One conference. After the Level One conference, no new documents

may be submitted by the individual unless the individual did not know the documents existed before the Level One conference.

A complaint form that is incomplete in any material aspect may be dismissed, but may be refiled with all the required information if the refiling is within the designated time for filing a complaint.

LEVEL ONE

Complaint forms must be filed:

1. Within 15 days of the date the individual first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and
2. With the lowest level administrator who has the authority to remedy the alleged problem.

If the only administrator who has authority to remedy the alleged problem is the Superintendent or designee, the complaint may begin at Level Two following the procedure, including deadlines, for filing the complaint form at Level One.

If the complaint is not filed with the appropriate administrator, the receiving administrator must note the date and time the complaint form was received and immediately forward the complaint form to the appropriate administrator.

The appropriate administrator shall investigate as necessary and hold a conference with the individual within ~~seven~~ten days after receipt of the written complaint. The administrator may set reasonable time limits for the conference.

The administrator shall provide the individual a written response within ~~seven~~ten days following the conference. In reaching a decision, the administrator may consider information provided at the Level One conference and any other relevant documents or information the administrator believes will help resolve the complaint.

LEVEL TWO

If the individual did not receive the relief requested at Level One or if the time for a response has expired, he or she may request a conference with the Superintendent or designee to appeal the Level One decision.

The appeal notice must be filed in writing, on a form provided by the District, within ~~seven~~ten days of the date of the written Level One response or, if no response was received, within ~~seven~~ten days of the Level One response deadline.

After receiving notice of the appeal, the Level One administrator shall prepare and forward a record of the Level One complaint to the Level Two administrator. The individual may request a copy of the Level One record.

The Level One record shall include:

1. The original complaint form and any attachments.
2. All other documents submitted by the individual at Level One.
3. The written response issued at Level One and any attachments.
4. All other documents relied upon by the Level One administrator in reaching the Level One decision.

The Superintendent or designee shall hold a conference within **seventen** days after the appeal notice is filed. The conference shall be limited to the issues presented by the individual at Level One and identified in the Level Two appeal notice. At the conference, the individual may provide information concerning any documents or information relied upon by the administration for the Level One decision. The Superintendent or designee may set reasonable time limits for the conference.

The Superintendent or designee shall provide the individual a written response within **seventen** days following the conference. In reaching a decision, the Superintendent or designee may consider the Level One record, information provided at the Level Two conference, and any other relevant documents or information the Superintendent or designee believes will help resolve the complaint.

Recordings of the Level One and Level Two conferences, if any, shall be maintained with the Level One and Level Two records.

LEVEL THREE

If the individual did not receive the relief requested at Level Two or if the time for a response has expired, he or she may appeal the decision to the Board.

The appeal notice must be filed in writing, on a form provided by the District, within **seventen** days of the date of the written Level Two response or, if no response was received, within **seventen** days of the Level Two response deadline.

The Superintendent or designee shall inform the individual of the date, time, and place of the Board meeting at which the complaint will be on the agenda for presentation to the Board.

The Superintendent or designee shall provide the Board the record of the Level Two appeal. The individual may request a copy of the Level Two record.

The Level Two record shall include:

1. The Level One record.

2. The notice of appeal from Level One to Level Two.
3. The written response issued at Level Two and any attachments.
4. All other documents relied upon by the administration in reaching the Level Two decision.

If at the Level Three hearing the administration intends to rely on evidence not included in the Level Two record, the administration shall provide the individual notice of the nature of the evidence at least three days before the hearing.

The District shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BE]

The presiding officer may set reasonable time limits and guidelines for the presentation, including an opportunity for the individual and administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board. The Board shall hear the complaint and may request that the administration provide an explanation for the decisions at the preceding levels.

In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the Level Three presentation. The Level Three presentation, including the presentation by the individual or his or her representative, any presentation from the administration, and questions from the Board with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

The Board shall then consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two.

PROPOSED POLICY

SCOPE OF USE	<p>The District shall permit nonschool use of designated District facilities for educational, recreational, civic, or social activities when these activities do not conflict with school use or with this policy.</p> <p>Approval shall not be granted for any purpose that would damage school property or to any group that has damaged District property.</p> <hr/> <p>Note: See the following policies for other information regarding facilities use:</p> <ul style="list-style-type: none">• Use by employee professional organizations: DGA• Use of facilities for school-sponsored and school-related activities: FM• Use by noncurriculum-related student groups: FNAB• Use by District-affiliated school-support organizations: GE <hr/>
NONPROFIT FUND-RAISING	<p>The District shall permit nonprofit organizations to conduct fundraising events on District property when these activities do not conflict with school use or with this policy.</p>
FOR-PROFIT USE	<p>The District shall permit individuals and for-profit organizations to use its facilities for financial gain when these activities do not conflict with school use or with this policy.</p>
SCHEDULING	<p>Requests for nonschool use of District facilities shall be considered on a first-come, first-served basis.</p> <p>Academic and extracurricular activities sponsored by the District shall always have priority when any use is scheduled. [See FM] The principal shall have authority to cancel a scheduled non-school use if an unexpected conflict arises with a District activity.</p>
APPROVAL OF USE	<p>The Superintendent or designee is authorized to approve use of any District facility.</p>
EXCEPTION	<p>No approval shall be required for nonschool-related recreational use of the District's unlocked, outdoor recreational facilities, such as the track, playgrounds, tennis courts, and the like, when the facilities are not in use by the District or for a scheduled nonschool purpose.</p>

COMMUNITY RELATIONS
NONSCHOOL USE OF SCHOOL FACILITIES

GKD
(LOCAL)

EMERGENCY USE	In case of emergencies or disasters, the Superintendent or designee may authorize the use of school facilities by civil defense, health, or emergency service authorities.
USE AGREEMENT	Any organization or individual approved for a nonschool use of District facilities shall be required to complete a written agreement indicating receipt and understanding of this policy and any applicable administrative regulations, and acknowledging that the District is not liable for any personal injury or damages to personal property related to the nonschool use.
INSURANCE	When deemed necessary by the deputy superintendent, operations and administration, an organization or individual approved for a nonschool use of District facilities shall furnish general liability and/or casualty insurance. The amount of the required coverage shall be determined by the deputy superintendent, operations and administration. The insurance shall cover all participants and District property associated with the scheduled facility use. Certificates of insurance must be on file with the District prior to the use of District facilities. All insurance supplied must meet the minimum requirements determined by the District.
FEES FOR USE	<p>Nonschool users shall be charged a fee for the use of designated facilities.</p> <p>The Superintendent or designee shall establish and publish a schedule of fees based on the cost of the physical operation of the facilities, as well as any applicable personnel costs for supervision, custodial services, food services, security, and technology services.</p> <p>The Board may waive fees for an organization or individual approved for a nonschool use of District facilities.</p>
EXCEPTIONS	<p>Fees shall not be charged for nonschool uses scheduled during the two hours following the end of the instructional day.</p> <p>Fees shall not be charged when school buildings are used for public meetings sponsored by state or local governmental agencies or by District employee professional organizations [see DGA].</p>
REQUIRED CONDUCT	<p>Persons or groups using school facilities shall:</p> <ol style="list-style-type: none">1. Conduct business in an orderly manner.2. Abide by all laws and policies, including but not limited to those prohibiting the use, sale, or possession of alcoholic beverages, illegal drugs, and firearms, and the use of tobacco products on school property. [See GKA]

3. Make no alteration, temporary or permanent, to school property without prior written consent from the Superintendent.

All groups using school facilities shall be responsible for the cost of repairing any damages incurred during use and shall be required to indemnify the District for the cost of any such repairs.

PROPOSED REVISIONS

DISTRIBUTION OF NONSCHOOL LITERATURE PERMITTED

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 shall 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 in accordance with this policy.

The District shall not be responsible for, nor shall the District endorse, the contents of any nonschool literature distributed on any District premises.

[See CPAB regarding use of the District's internal mail system and FNAA regarding distribution of nonschool literature by students]

LIMITATIONS ON CONTENT

Nonschool literature shall not be distributed on District property if:

1. The materials are obscene, vulgar, or otherwise inappropriate for the age and maturity of the audience.
2. The materials endorse actions endangering the health or safety of students.
3. The materials promote illegal use of drugs, alcohol, or other controlled substances.
4. The distribution of such materials would violate the intellectual property rights, privacy rights, or other rights of another person.
5. The materials contain defamatory statements about public figures or others.
6. The materials advocate imminent lawless or disruptive action and are likely to incite or produce such action.
7. The materials are hate literature or similar publications that scurrilously attack ethnic, religious, or racial groups or contain content aimed at creating hostility and violence, and the materials would materially and substantially interfere with school activities or the rights of others.
8. There is reasonable cause to believe that distribution of the nonschool literature would result in material and substantial interference with school activities or the rights of others.

PRIOR REVIEW

All nonschool literature intended for distribution on school campuses or other District premises under this policy shall be submitted to the Superintendent or designee for prior review in accordance with the following:

NONSCHOOL USE OF SCHOOL FACILITIES
DISTRIBUTION OF NONSCHOOL LITERATURE

GKDA
(LOCAL)

1. Materials shall include the name of the person or organization sponsoring the distribution.
2. Using the standards found in this policy at LIMITATIONS ON CONTENT, the Superintendent or designee shall approve or reject submitted materials within two school days of the time the materials were received.

EXCEPTIONS TO
PRIOR REVIEW

Prior review shall not be required for distribution of nonschool literature in the following circumstances:

1. Distribution of materials by an attendee to other attendees at a school-sponsored meeting intended for adults and held after school hours;
2. Distribution of materials by an attendee to other attendees at a community group meeting held in accordance with GKD(LOCAL) or a noncurriculum-related student group meeting held in accordance with FNAB(LOCAL); or
3. Distribution for electioneering purposes during the time a school facility is being used as a polling place in accordance with state law [see BBB].

All nonschool literature distributed under these exceptions shall be removed from District property immediately following the event at which the materials were distributed.

Even when prior review is not required, all other provisions of this policy shall apply.

TIME, PLACE,
AND MANNER
RESTRICTIONS

Each campus principal shall designate times, locations, and means by which nonschool literature that is appropriate for distribution, as provided in this policy, may be made available or distributed to students or others at the principal's campus ~~in accordance with the time, place, and manner restrictions developed and approved by the principal, which shall be neither unreasonable nor unduly restrictive.~~

The Superintendent or designee shall designate times, locations, and means for distribution of nonschool literature at District facilities other than school campuses, in accordance with this policy.

VIOLATIONS OF
POLICY

Failure to comply with this policy regarding distribution of nonschool literature shall result in appropriate administrative action, including but not limited to confiscation of nonconforming materials and/or suspension of use of District facilities. Appropriate law enforcement officials may be called if a person refuses to comply with this policy or fails to leave the premises when asked. [See GKA]

NONSCHOOL USE OF SCHOOL FACILITIES
DISTRIBUTION OF NONSCHOOL LITERATURE

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APPEALS

Decisions made by the administration in accordance with this policy may be appealed in accordance with the appropriate District complaint policy. [See DGBA or GF]

PROPOSED REVISIONS

VOLUNTEERS IN
PUBLIC SCHOOLS /
PARTNERSHIPS IN
EDUCATION (VIPS /
PIE)

VIPS/PIE are school-sponsored programs designed to afford members of the community an opportunity to become active participants in the educational programs offered by the District.

VIPS/PIE may work in both elementary and secondary schools in order to relieve teachers of routine and clerical matters as tutors; classroom assistants; and clerical, library, playground, and cafeteria aides. They may also offer special enrichment skills in art, music, computer use, and career education to supplement the teacher's work.

QUALIFICATIONS

Since volunteers' qualifications vary with the needs of individual ~~schools~~ **campuses**, the Superintendent shall establish guidelines to ensure ~~they~~ **volunteers** are placed in areas **that** they can serve best.

VIPS/PIE ~~are~~ **shall be** required to attend a brief training program. Application forms and other information can be secured from the ~~Community and Governmental Relations Department~~ **administrative offices**.

AUTHORITY

Volunteers in the school shall ~~work directly under~~ **be under the direct** the supervision of the principal ~~in on whose the campus to which~~ **building** they are assigned, ~~in accordance with approved procedures~~.

CRIMINAL HISTORY
RECORD CHECK

The District shall obtain the criminal history record of prospective school volunteers. ~~The District~~ **and** shall inform volunteers when their services are to begin.

HOURLY
EMPLOYEES

Nonexempt or hourly District employees ~~who are not exempt from the overtime provisions of the Fair Labor Standards Act (i.e. "nonexempt" or hourly employees)~~ **shall be** ~~are~~ prohibited from volunteering any services to the District under any circumstances.

Nonexempt or hourly **District** employees ~~are also~~ **shall be** prohibited from volunteering services to a PTA, booster club, or similar organization supporting a District school or program, except under the following circumstances:

1. The employee has a child or grandchild attending the school supported by the organization for which the employee will be providing volunteer services;
2. The employee does not provide the same type of services to the organization as provided by the employee to the District during the employee's workday; and

COMMUNITY RELATIONS
SCHOOL VOLUNTEER PROGRAM

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3. The employee is volunteering services to the organization in the sole capacity of a parent or grandparent and not as a District employee.

FAILURE TO
COMPLY ~~WITH~~
~~HOURLY~~
~~EMPLOYEES~~
~~SECTION OF THIS~~
~~POLICY~~

Failure by a nonexempt employee to comply with the above-stated requirement will result in administrative action up to and including termination of employment.

~~SITE~~
~~ADMINISTRATIVE~~
~~EMPLOYEES~~

Site administrators who ~~allow~~ **permit** nonexempt employees to volunteer services to the District in violation of this policy ~~will~~ **shall** be subject to administrative action that ~~could~~ **includes** termination or nonrenewal of employment.