

**HISD REGULAR MEETING OF THE BOARD OF  
TRUSTEES CONSENT AGENDA: AUGUST 9, 2016**

**CONSENT      INDIVIDUAL                      GOVERNANCE CONSIDERATIONS**

<input type="checkbox"/>	<input type="checkbox"/>	<b>A. Proposed Changes to TASB Policy DNA (LOCAL)</b>
<input type="checkbox"/>	<input type="checkbox"/>	<b>B. Proposed Changes to TASB Policy DNB (LOCAL)</b>
<input type="checkbox"/>	<input type="checkbox"/>	<b>C. TASB Policy Update 104</b>
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	

**SUPERINTENDENT'S DIVISION REPORTS, CONSIDERATIONS AND PURCHASES**

<input type="checkbox"/>	<input type="checkbox"/>	<b>A. District of Innovation Plan</b>
<input type="checkbox"/>	<input type="checkbox"/>	<b>B. 2016-2017 Procurement of Legal Services</b>
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	

**LEARNING DIVISION REPORTS, CONSIDERATIONS AND PURCHASES**

<input type="checkbox"/>	<input type="checkbox"/>	<b>B. Optional Flexible School Day Program (OFSCP)</b>
<input type="checkbox"/>	<input type="checkbox"/>	<b>C. Dual Credit Attendance Application</b>
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	

**FINANCIAL SERVICES DIVISION REPORTS, CONSIDERATIONS AND PURCHASES**

<input type="checkbox"/>	<input type="checkbox"/>	<b>A. Tax Refunds</b>
<input type="checkbox"/>	<input type="checkbox"/>	<b>B. Waiver of P &amp; I</b>
<input type="checkbox"/>	<input type="checkbox"/>	<b>C. Budgetary Amendments</b>
<input type="checkbox"/>	<input type="checkbox"/>	<b>D. Investment Pool Authorized Representatives</b>
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	

**HUMAN RESOURCES REPORTS, CONSIDERATION AND PURCHASES**

<input type="checkbox"/>	<input type="checkbox"/>	<b>NO ITEMS FOR THIS DIVISION</b>
<input type="checkbox"/>	<input type="checkbox"/>	

**SUPPORT SERVICES DIVISION REPORTS, CONSIDERATIONS AND PURCHASES**

<input type="checkbox"/>	<input type="checkbox"/>	<b>A. Partial Release of Easement for Drainage Ditch Located on Will Clayton Parkway</b>
<input type="checkbox"/>	<input type="checkbox"/>	<b>B. Utility Easement for Elementary 28 and Middle School 9 Property</b>
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	

<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	

**DISTRICT-WIDE REPORTS, CONSIDERATIONS AND PURCHASES**

<input type="checkbox"/>	<input type="checkbox"/>	<b>A. Goods, Professional Services and Non-Construction Services Exceeding \$50,000 in the Aggregate or \$25,000 Individually</b>
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	

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**BOARD REPORTS, CONSIDERATIONS AND PURCHASES**

<input type="checkbox"/>	<input type="checkbox"/>	<b>A. Endorsement of Klein ISD Board Member, Georgan Reitmeier candidacy for the District 4A Position on the Texas Association of School Boards Board of Directors</b>
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	

**HUMBLE INDEPENDENT SCHOOL DISTRICT  
“FOCUS ON LEARNING”  
REGULAR MEETING OF THE BOARD OF TRUSTEES**

Notice is hereby given that a regular meeting of the Board of Trustees will be held on **Tuesday, August 9, 2016 at 6:00 p.m.** The meeting will be held in the Board Room at 20200 Eastway Village, Humble, Texas. The subjects to be discussed or considered or upon which any formal action might be taken are as follows:

**Call to order – 6:00 p.m.**

**Adjourn to Closed Session**

Section 551.074 Personnel – Deliberate appointment, employment, evaluation, re-assignment, duties, discipline or dismissal of a public employee.

Brief Trustees regarding *Morgan v. Humble ISD*, Civil Action no. 4:16-cv-0141 and related pending litigation issues

Section 551.071 Consultation with Attorney for legal advice, opinion and recommendations.

If, during the course of the meeting covered by this notice, the Board should determine that a closed session of the Board should be held or is required in relation to any item included in this notice, then such closed session as authorized by Section 551.001 et. seq. of the Texas Government Code (the Open Meetings Act) will be held by the Board at that date, hour and place given in this notice or as soon after the commencement of the meeting covered by this notice as the Board may conveniently meet in such closed session concerning any and all subjects and for any and all purposes permitted by Sections 551.071 – 551.084, inclusive, of the Open Meetings Act

**Reconvene Regular Session – 7:00 p.m.**

- Welcome and introduction of Board and administration
- Pledge of Allegiance
- Salute to the Texas flag
- Moment of Silence
- Commendations and Recognitions
- Questions and comments by patrons or employees of the district regarding agenda items or any other matters

- **Comments by individual Board Members**  
(may include, but are not limited to, expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; reminders about an upcoming event organized or sponsored by the District; and/or information regarding a social, ceremonial, or community event that was attended or is scheduled to be attended by a Trustee or a member of the District)
- **Comments by the Administration**
  - Superintendent regarding student issues, staff issues, facilities issues, funding issues, safe and secure campus issues and Board and district events

## BOARD ACTION AGENDA

### Action: Closed Session

Consideration of and action on items addressed in Closed Session

- a) Approval of personnel recommendations
- b) Consideration of Morgan v. Humble ISD, Civil Action No. 4:16-cv-0141 and related pending litigation issues.

### Action: Minutes

Consideration of minutes for the regular Board meeting held on July 12, 2016.

### Update: Board Associations and Committees

- Audit Committee
- Board and Superintendent Evaluation Process & Goals Committee
- Building and Planning Committee
- Education Foundation
- Finance Committee
- Kingwood Super Neighborhood Council
- Legislative Committee
- Program Committee
- Technology and Data Governance Committee

### Action: Consent Agenda

Consideration of items placed on the consent agenda.

#### 1. GOVERNANCE REPORTS AND CONSIDERATIONS:

##### A. Action: Proposed Changes to TASB Policy DNA (LOCAL)

###### ADMINISTRATION RECOMMENDATION

The Superintendent recommends that the Board of Trustees approve the Proposed Changes to TASB Policy DNA (LOCAL).

##### B. Action: Proposed Changes to TASB Policy DNB (LOCAL)

###### ADMINISTRATION RECOMMENDATION

The Superintendent recommends that the Board of Trustees approve the Proposed Changes to TASB Policy DNB (LOCAL).

**C. Action: TASB Policy Update 104**

**ADMINISTRATION RECOMMENDATION**

The Superintendent recommends that the Board of Trustees approve TASB Policy Update 104 except for FB (EXHIBIT) which was revised and presented to the Board for information purposes in July.

**D. Information: 2016-2017 Humble ISD Parent/Student Handbook**

**E. Information: Proposed Revision to TASB Policy DGBA (LOCAL)**

**F. Information: Proposed Revision to TASB Policy DIA (EXHIBIT)**

**G. Information: Proposed Revision to TASB Policy EIC (LOCAL)**

**H. Information: Proposed Revision to TASB Policy FNG (LOCAL)**

**I. Information: Proposed Revision to TASB Policy FOD (LOCAL)**

**J. Information: Proposed Revision to TASB Policy FNF (LOCAL)**

**K. Information: Proposed Revision to TASB Policy BKA (REGULATION)**

**L. Information: New District Policy Exhibit – FO (LOCAL)  
(REGULATION)**

**M. Information: Proposed Revisions to Policy BQA (LOCAL) and BQB  
(LOCAL)**

**2. SUPERINTENDENT’S DIVISION REPORTS, CONSIDERATIONS AND PURCHASES:**

**A. Action: District of Innovation Plan**

**ADMINISTRATION RECOMMENDATION**

The Superintendent recommends that the Board of Trustees approve the District of Innovation Plan.

**B. Action: 2016-2017 Procurement of Legal Services**

**ADMINISTRATION RECOMMENDATION**

The Superintendent recommends that the Board of Trustees approve the General Counsel's selection of outside counsel to represent the District for the current school calendar year.

**3. LEARNING DIVISION REPORTS, CONSIDERATIONS AND PURCHASES:**

**A. Information: Public Hearing on Adoption of Optional Flexible School Day Program**

**B. Action: Optional Flexible School Day Program (OFSDP)**

**ADMINISTRATION RECOMMENDATION**

The Superintendent recommends that the Board of Trustees approve the application for Optional Flexible School Day Program for the 2016-17 school year for certain programs.

**C. Action: Dual Credit Attendance Application**

**ADMINISTRATION RECOMMENDATION**

The Superintendent recommends that the Board of Trustees approve the application for dual credit attendance reporting using an alternate calendar for Quest Early College seniors.

**4. FINANCIAL SERVICES DIVISION REPORTS, CONSIDERATIONS AND PURCHASES:**

**A. Action: Tax Refunds**

**ADMINISTRATION RECOMMENDATION**

The Superintendent recommends that the Board of Trustees approve the the petitions for tax refunds

**B. Action: Waiver of P & I**

**ADMINISTRATION RECOMMENDATION**

The Superintendent recommends that the Board of Trustees approve the waiver of penalty and interest.

**C. Action: Budgetary Amendments**

**ADMINISTRATION RECOMMENDATION**

The Superintendent recommends that the Board of Trustees approve the budgetary amendments.

**D. Action: Investment Pool Authorized Representatives**

**ADMINISTRATION RECOMMENDATION**

The Superintendent recommends that the Board of Trustees approve the Resolutions to amend the District's authorized representatives for transacting business with TexPool and Lone Star Investment Pools.

**E. Information: Financial Services Reports**

- Tax Collection Report

**5. HUMAN RESOURCES REPORTS, CONSIDERATIONS AND PURCHASES:**

There are no items for this title this month.

**6. SUPPORT SERVICES DIVISION REPORTS, CONSIDERATIONS AND PURCHASES:**

**A. Action: Partial Release of Easement for Drainage Ditch Located on Will Clayton Parkway**

**ADMINISTRATION RECOMMENDATION**

The Superintendent recommends that the Board of Trustees approve s Partial Release of Easement across a 2.46 acre tract on Will Clayton Parkway.

**B. Action: Utility Easement for Elementary 28 and Middle School 9 Property**

**ADMINISTRATION RECOMMENDATION**

The Superintendent recommends that the Board of Trustees approve two (2) Storm Sewer Easements, and one (1) Water Line Easement out of the District 45.14 acre property along the future Madera Run Parkway.

**7. DISTRICT-WIDE REPORTS, CONSIDERATIONS AND PURCHASES:**

**A. Action: Goods, Professional Services and Non-Construction Services Exceeding \$50,000 in the Aggregate or \$25,000 Individually**



## ADMINISTRATION RECOMMENDATION

The Superintendent recommends that the Board of Trustees approve the listing of vendors and related estimated total annual costs for contract awards and renewals from which the District will purchase goods, professional services and/or non-construction services that are estimated to exceed \$50,000 in the aggregate or \$25,000 individually for the 2016-17 fiscal year.

### 8. BOARD REPORTS, CONSIDERATIONS AND PURCHASES

**A. Action:**           **Endorsement of Klein ISD Board Member, Georgan Reitmeier candidacy for the District 4A Position on the Texas Association of School Boards Board of Trustees**

#### **B. Future Board Business**

##### **Consideration of and action on topics for future Board business:**

- a) Posted agenda items requiring Board action
- b) Posted agenda items for information, with no action required
- c) Written reports, with no posting or discussion planned
- d) Appointment of Board committees or representatives

- Adjournment

This notice is given pursuant to Section 551.001 et.seq.of the Government Code.  
Dated: August 4, 2016

S/

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Heath Rushing, Board Secretary

Note: Copies of attachments and other documentation may be requested from Peggy Young in the Superintendent's Office at 281-641-8001. Full documentation of the items considered by the Board may be viewed on the Humble ISD web site on the day following the Board meeting at [www.humble.k12.tx.us](http://www.humble.k12.tx.us).

**HUMBLE INDEPENDENT SCHOOL DISTRICT  
REGULAR MEETING OF THE BOARD OF TRUSTEES**

The Humble Board of Trustees held the regular meeting on July 12, 2016 at 6:00 p.m. in the Board Room, 20200 Eastway Village Drive, Humble, Texas.

Board Members Present: Keith Lapeze  
Angela Conrad  
Heath Rushing  
Charles Cunningham  
Brent Engelage  
Nancy Morrison  
Robert Sitton

**DRAFT**

Staff Members Present: Elizabeth Fagen, Peggy Young, Tommy Price, Mike Seale, Roger Brown, Randy Gunter, Carol Atwood, Trey Kraemer, Melissa Hayhurst, Cathy Airola, Kirsten Allman, Shelley Vineyard, Jamie Mount, Jerri Monbaron, Solomon Cook, Houston Hayes, KaShonda Hurst, Kap McWhorter, Jeff Prowell, Kakie Palmer, Melinda Sappington, Catherine Dalles, Patty Epps, Lori Maugans, Susan Leuthold, Deborah Connors, Andrew Clarence, Lisa Drabing, Bryan Johnson, Jonathan Frey, Kelly Gabrisch, Lorrie Dabbs, Indra Hebert, Jamie Bryson

The Board met at 6:03 p.m. and adjourned to hear items posted for closed session at 6:00 p.m.

The regular meeting was called back to order at 7:05 p.m. by Mr. Sitton.

**RE-ORGANIZATION OF THE BOARD OF TRUSTEES**

A motion was made by Mr. Engelage to elect Mr. Keith Lapeze as President of the Board. The motion was seconded by Ms. Morrison. The motion passed unanimously.

A motion was made by Mr. Engelage to elect Ms. Angela Conrad as Vice President. The motion was seconded by Mr. Cunningham. The motion passed unanimously.

A motion was made by Mr. Engelage to elect Mr. Heath Rushing as Secretary. The motion was seconded by Ms. Conrad. The motion passed unanimously.

Mr. Lapeze appointed Mr. Charles Cunningham as Parliamentarian.

## **BOARD COMMITTEES 2016-2017**

Mr. Lapeze made the following Board Committee assignments:

### **Humble ISD 2016-2017 Standing Committees Of The Board**

#### **Audit Committee**

Charles Cunningham (Chair)  
Heath Rushing  
Brent Engelage

#### **Board And Superintendent Evaluation Committee**

Angela Conrad, Chair  
Keith Lapeze  
Robert Sitton

#### **Building And Planning Committee**

Brent Engelage (Chair)  
Charles Cunningham  
Robert Sitton

#### **Finance Committee**

Heath Rushing (Chair)  
Charles Cunningham  
Nancy Morrison

#### **Legislative Committee**

Nancy Morrison (Chair)  
Angela Conrad  
Keith Lapeze

#### **PROGRAM EVALUATION**

Robert Sitton (Chair)  
Keith Lapeze  
Nancy Morrison

#### **Technology & Data Governance Committee**

Angela Conrad (Chair)  
Heath Rushing  
Brent Engelage

#### **Board Representation HISD Education Foundation**

Charles Cunningham

#### **Kingwood Super Neighborhood Council**

Brent Engelage

## **Tasb Delegate and Alternate To Annual Meeting**

Delegate Brent Engelage

1<sup>st</sup> Alternate Heath Rushing

NOTE: The president will routinely visit with each Committee Chair and Dr. Fagen to keep abreast of the progress of committee work, and those discussions will determine when the committee's work needs to be scheduled for a board workshop or meeting.

## **COMMENDATIONS AND RECOGNITIONS**

*Inspiring Moments*- presented by: Public Information Department. The Inspiring Moment featured Camp G.I.V.E. (Generously Investing and Volunteering to Empower). Service Learning is a part of the culture in Humble ISD. In July 2016, 21 students from high schools throughout the District participated in this program. This two-week day camp guided students who are interested in philanthropy through unique experience to develop service-learning leadership skills.

### **Recipient of the FBI-LEEDA Trilogy Award and Humble ISD Board of Trustee Commendation:**

- Chief Solomon Cook
- Lieutenant James Hall
- Lieutenant Bobby Brown

## **QUESTIONS AND COMMENTS BY PATRONS OR EMPLOYEES OF THE DISTRICT**

C. Ieva and M Hoyt – District Advisory Committee

## **COMMENTS BY INDIVIDUAL BOARD MEMBERS**

The Trustees welcomed Dr. Fagen and her family to the District. They thanked Mr. Sitton for his guidance and leadership over this past year and congratulated Mr. Lapeze on being elected as Board President and look forward to working with him over this next school year. The Trustees stated that it is an honor to have the students from the District participate in Camp G.I.V.E. The Trustees thanked the patrons who shared their comments with the Board this evening. The Board also congratulated the Humble ISD Police officers for receiving the FBI-LEEDA Trilogy Award.

## **COMMENTS BY THE SUPERINTENDENT**

Dr. Fagen thanked everyone for the warm welcome and support. She thanked the Board for the time they gave to the process of selecting her as their next superintendent and Dr. Fagen looks forward to the work ahead.

## **ACTION ITEMS FROM CLOSED SESSION**

### **PERSONNEL**

A motion was made by Mr. Cunningham to approve the personnel recommendations as presented by Administration with an addendum. The motion was seconded by Mr. Rushing. The motion was approved unanimously.

**Please see Personnel Recommendations on the following pages.**

**HUMBLE INDEPENDENT SCHOOL DISTRICT  
PERSONNEL RECOMMENDATIONS**

**July 12, 2016 Agenda**

**RETIREMENTS**

	<b><u>Campus</u></b>	<b><u>Assignment</u></b>	<b><u>Eff. Date</u></b>
Wasilewski, Sharon	Oak Forest Elementary	Principal	June 30, 2016

**RESIGNATIONS**

	<b><u>Campus</u></b>	<b><u>Assignment</u></b>	<b><u>Reason</u></b>	<b><u>Eff. Date</u></b>
Arrant, Cortney	Community Learning Center	Behavior Teacher	Leaving Profession	June 03, 2016
Brown, Patricia	Atascocita High School	English Teacher	Moving/Transfer of Spouse	June 03, 2016
Cervenka, Terri	Summerwood Elementary	4 <sup>th</sup> Grade RELA Teacher	Neighboring District/Promotion	June 03, 2016
Gilds, Emily	Summer Creek High School	11 <sup>th</sup> Grade ELA Teacher	Moving/Transfer of Spouse	June 03, 2016
Gonzalez, Maria	Humble Middle School	Spanish Teacher	Moving/Transfer of Spouse	June 03, 2016
Hunter, Brittany	Kingwood High School	Assistant Band Director	Neighboring District/Closer to Home	June 15, 2016
Johnson, Jennifer	Instructional Support Center	Audiologist	Moving/Transfer of Spouse	June 03, 2016
Jordan, Felecia	River Pines Elementary	Diagnostician	Dissatisfied with Supervisor	June 09, 2016
Lehnert, Erin	Pine Forest Elementary	4 <sup>th</sup> Grade Teacher	Moving/Transfer of Spouse	June 03, 2016
Levy, Justin	Timberwood Middle School	History Teacher	Neighboring district/Promotion	June 03, 2016
Lewis, Johnathan	Community Learning Center	Mosaic Teacher	Neighboring District/More Money Same Position	June 03, 2015
Marburgh, Tera	Ross Sterling Middle School	RELA ALT	Neighboring District/More Money Same Position	June 03, 2016
McCullen, Kelan	Atascocita High School	Counselor	Neighboring District/More Money Same Position	June 08, 2016
Neighbors, Dana	Fall Creek Elementary	2 <sup>nd</sup> Grade Teacher	Moving/Transfer of Spouse	June 03, 2016
Olson, Johanna	Fall Creek Elementary	Speech Pathologist	Neighboring District/Promotion	June 03, 2016
Rayne, Brandon	Summer Creek High School	Athletic Trainer	Moving/Transfer of Spouse	June 03, 2016
Shepard, Heidi	Ridge Creek Elementary	Math Interventionist	Moving/Transfer of Spouse	June 03, 2016
Showman Kosar	Community Learning Center	SPED Teacher	Moving/Transfer of Spouse	June 03, 2016
Small, Aaron	Cambridge	SPED Teacher	Neighboring District/Promotion	June 03, 2016
Smith, Brandi	Humble High School	ESL Teacher	Neighboring District/Promotion	June 03, 2016
Stewart, Bridget	Instructional Support Center	Speech Pathologist	Continuing Education	June 03, 2016
Stilley, Russell	Kingwood High School	Career Tech Teacher	Dissatisfied with Type of Work	June 15, 2016
Turner, Lisa	Summer Creek High School	Counselor	Neighboring District/Promotion	June 08, 2016
Vedepo, Chelsey	Ridge Creek Elementary	3 <sup>rd</sup> Grade Teacher	Moving/Transfer of Spouse	June 03, 2016
Welch, Jackie	Humble High School	SPED Teacher	Neighboring District/Promotion	June 03, 2016
Yuja, Stacey	Willow Creek Elementary	Speech Pathologist	Family Circumstances	June 03, 2016

**HUMBLE INDEPENDENT SCHOOL DISTRICT  
PERSONNEL RECOMMENDATIONS**

**July 12, 2016 Agenda**

**RECOMMENDATIONS FOR PROFESSIONAL EMPLOYMENT**

	<u>Degree</u>	<u>Certification</u>	<u>Assignment</u>	<u>Exp.</u>	<u>Eff. Date</u>	<u>Previous Emp.</u>
<b>Atascocita High School 008</b>						
Hall, Jared	M.A./Sam Houston State University	Science 7-12 (ACP)	Science Teacher	None	Aug. 12, 2016	Private Industry
Harris, Colby	M.Ed./Virginia Polytechnic Institute University	License	Assistant Athletic Trainer	9 years	Aug. 12, 2016	Aldine ISD
Jones, Zachary	B.A./Sam Houston State University	ELAR 8-12	English Teacher	4 years	Aug. 12, 2016	Cleveland ISD
Tidwell, Robert	B.S./Utah State University	Math 7-12 (ACP)	Math Teacher/Coach	None	Aug. 12, 2016	Private Industry
<b>Cambridge School 022</b>						
Earp-Glazner, Alicia	B.S./Stephen F Austin State University	SPED EC-12	SPED Teacher	1 year	Aug. 12, 2016	Humble ISD-PARA
Petterson, Ashley	B.A./ The University of Tulsa	SPED EC-12	BTC Teacher	1 year	Aug. 12, 2016	Humble ISD-PARA
<b>Discipline/DAEP 015</b>						
Entzminger, Heather	M.Ed./Grand Canyon University	Generalist 4-8 (ACP)	Data Assessment Teacher	6 years	Aug. 12, 2016	Texas Virtual Academy
<b>Humble High School 001</b>						
Hearn, Jon	B.A./Stephen F Austin State University	Theatre EC-12(ACP)	Theatre Teacher	None	Aug. 12, 2016	Private Industry
Jones, Sanshea	M.P.H./Western Governors University	SPED EC-12	SPED ALT	6 years	Aug. 12, 2016	Aldine ISD
Redding, George	B.S./Texas A&M University	Tech ED 6-12 (ACP)	Engineering Design Teacher	None	Aug. 12, 2016	Humble ISD -Sub
Seagraves, Madeline	B.A./Texas A&M University	ELAR 8-12	English Teacher/Coach	5 years	Aug. 12, 2016	Copperas Cove ISD
<b>Instructional Support Center 888</b>						
Claxton, Kathryn	M.S./Texas Women's University	SPED EC-12	Adapted PE Teacher	3 years	Aug. 12, 2016	Carrollton-Farmers Branch ISD
Stewart, Elizabeth	B.A./The University of Texas at Austin	Diagnostician EC-12	Diagnostician	None	Aug. 12, 2016	St Pius X High School
<b>Kingwood High School 002</b>						
Astwood, Michael	M.M./Texas Tech University	Secondary Music 6-12	Orchestra Teacher (.50)	30 years	Aug. 12, 2016	Humble ISD-Sub
Cordill, William	M.S./Baylor College of Medicine	Science 7-12	Science Teacher	2 years	Aug. 12, 2016	Houston ISD
<b>Kingwood Park High School 013</b>						
Story, Leslie	B.A./Sam Houston State University	ELAR 8-12	English Teacher	7 years	Aug. 12, 2016	Conroe ISD

**HUMBLE INDEPENDENT SCHOOL DISTRICT  
PERSONNEL RECOMMENDATIONS**

**July 12, 2016 Agenda**

**Summer Creek High School 014**

Hakemack, Chad	B.S./University of Louisiana	P.E. EC-12	P.E. Teacher/Coach	2 years	Aug. 12, 2016	Channelview ISD
Harper, Jennifer	M.Ed./Lamar University	SPED EC-12	SPED Teacher/Coach	3 years	Aug. 12, 2016	Klein ISD
Scarberry, Tyler	B.A./University of Houston-Main Campus	Dance (ACP)	Color Guard Teacher	2 years	Aug. 12, 2016	Pasadena ISD
Wells, Creighton	B.S./University of Houston-Main Campus	Science 7-12 (ACP)	Science Teacher	None	Aug. 12, 2016	Private Industry

**Atascocita Middle School 044**

Fuentes, Giovannoi	B.M./University of Houston	Music EC-12	Orchestra Teacher	None	Aug. 12, 2016	Recent Grad
Kromer, Cassandra	B.S./Stephen F Austin State University	Math 4-8	Math Teacher	3 years	Aug. 12, 2016	Cy-Fair ISD
Maake, Sarah	B.S./University of Houston	Theatre EC-12/Core Subjects EC-6	Theatre/6 <sup>th</sup> Grade RELA Teacher	2 years	Aug. 12, 2016	Spring ISD

**Creekwood Middle School 043**

Reynolds, John	B.S./Texas A&M University	Core Subjects 4-8 (ACP)	Social Studies Teacher	None	Aug.12, 2016	Private Industry
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**Riverwood Middle School 045**

Hague, Muriel	B.M./University of Kansas	Music EC-12	Assistant Band Director	2 years	Aug. 12, 2016	Spring ISD
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**Ross Sterling Middle School 047**

Lovercamp, Chelsea	B.S./Texas A&M University	Core Subjects 4-8 (ACP)	Science Teacher	None	Aug. 12, 2016	Alvin ISD-Sub
Matos, Jessica	M.M./University of Houston	Music EC-12	Choir Teacher	3 years	Aug. 12, 2016	Houston ISD
McCallum, Mary	B.A./University of North Carolina	Music EC-12	Orchestra Teacher	None	Aug. 12, 2016	Private Industry

**Timberwood Middle School 046**

Davis, Hope	B.S./University of Texas-El Paso	Generalist 4-8	RELA Teacher	6 years	Aug. 12, 2016	Humble ISD-Sub
Mora, Elizabeth	M.A./American University	History 8-12	Social Studies Teacher	3 years	Aug. 12, 2016	Private Industry

**Woodcreek Middle School 048**

Higgins, Eric	M.Ed./Prairie View A&M University	P.E. EC-12	P.E. Teacher/Coach	9 years	Aug. 12, 2016	Houston ISD
Pesso, Irwin	M.Ed./Grand Canyon University	Generalist 4-8, SPED EC-12	SPED/Math Teacher	12 years	Aug. 12, 2016	Humble ISD-Former

**Greentree Elementary 109**

Stewart, Teryn	B.S./Louisiana State University	Generalist EC-4	3 <sup>rd</sup> Grade Teacher	5 years	Aug. 12, 2016	Humble ISD-Sub
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**Humble Elementary 101**

Reyes, Dulce	B.S./University of Houston – Main Campus	Core Subjects EC-6	Pre K Teacher	2 years	Aug. 12, 2016	Recent Grad
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**HUMBLE INDEPENDENT SCHOOL DISTRICT  
PERSONNEL RECOMMENDATIONS**

**July 12, 2016 Agenda**

**Lakeland Elementary 102**

Bakirdan, Ferah	B.S./Southern Illinois University	Intermediate 3-5 (Illinois)	5 <sup>th</sup> Grade Teacher	None	Aug. 12, 2016	Washington District 50
Glover, Kerra	B.S./McNeese State University	Generic SPED PK-12	PPCD Teacher	13 years	Aug. 12, 2016	SPED Inclusion School
Justice, Felicia	B.B.A./Prairie View A&M University	Generalist EC-4	K-2 RELA ALT	6 years	Aug. 12, 2016	Spring ISD
Rodriguez, Dorian	B.S./University of Houston-Clear Lake	Spanish Core Subjects 4-8	5 <sup>th</sup> Grade Bilingual Teacher (ACP)	None	Aug. 12, 2016	Galena Park ISD
Vernon, Steffanie	B.S./Sam Houston State University	Generalist EC-6, ESL Sup	5 <sup>th</sup> Grade ESL Teacher	3 years	Aug. 12, 2016	Cypress Fairbanks ISD

**North Belt Elementary 103**

Vasquez Castaneda, Maria	B.A./University of Houston-Downtown	Bil Generalist Spanish EC-6	3 <sup>rd</sup> Grade Bilingual Teacher	1 year	Aug. 12, 2016	New Caney ISD
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**Oak Forest Elementary 118**

Markovich, Anna	M.Ed./City University of Seattle	Core Subjects EC-6	3 <sup>rd</sup> Grade Teacher	12 years	Aug. 12, 2016	International School Manilla
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**Park Lakes Elementary 122**

Gronvold, Vanessa	B.S./Centro Universitario del Noreste	Bilingual Ed Supp EC-4	Kindergarten Bilingual Teacher	5 years	Aug. 12, 2016	Humble ISD-Sub
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**Pine Forest Elementary 111**

Cook, Gretchen	B.S./Southeastern Louisiana	Intermediate 3-5 (LA)	4 <sup>th</sup> Grade Teacher	18 years	Aug. 12, 2016	Zachary Community School Board
Sweeney, Joanne	M.S./University of Miami	Librarian EC-12	Librarian	15 years	Aug. 12, 2016	Humble ISD-Sub

**Ridge Creek Elementary 127**

Garza, Adrianna	M.Ed./University of St. Thomas	Generalist EC-6	3 <sup>rd</sup> Grade Teacher	3 years	Aug. 12, 2016	Sheldon ISD
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**River Pines Elementary 123**

Curry, Lynsy	B.S./Texas State University	Core Subjects 4-8	5 <sup>th</sup> Grade Teacher	5 years	Aug. 12, 2016	Humble ISD-Sub
Daniel, Shawndra	M.Ed./University of Houston @ Victoria	Diagnostician EC-12	Diagnostician	1 year	Aug. 12, 2016	Aldine ISD
Gomez, Patricia	M.Ed./Stephen F. Austin State University	Bil Generalist Spanish EC-4	Bilingual Interventionist	10 years	Aug. 12, 2016	Galena Park ISD
Sanchez, Sandra	B.Ed./Laredo State University	Elem Self Contained PK-6	Pre K Teacher	23 years	Aug. 12, 2016	Spring ISD

**Shadow Forest Elementary 116**

Sanchez, Jennifer	B.S./Texas State University	Elem Self Contained 1-8	3 <sup>rd</sup> Grade Teacher	7 years	Aug. 12, 2016	Private Industry
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**HUMBLE INDEPENDENT SCHOOL DISTRICT  
PERSONNEL RECOMMENDATIONS**

**July 12, 2016 Agenda**

**Timbers Elementary 110**

Quintana, Tracie	B.S./University of Houston	Generalist 4-8 (ACP)	4 <sup>th</sup> Grade Teacher	None	Aug. 12, 2016	Private Industry
St. John, Amanda	B.A./University of Houston	Art EC-12 (ACP)	Art Teacher	None	Aug. 12, 2016	Private Industry

**Whispering Pines Elementary 115**

York, Jennifer	B.S./Lamar University	Art EC-12	Art Teacher	2 years	Aug. 12, 2016	Spring ISD
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**Position Declined**

	<u>Campus</u>	<u>Assignment</u>	<u>Reason</u>
Hibbs, Adrian	Fall Creek Elementary	2 <sup>nd</sup> Grade Teacher	Moving
Johnson, Katricia	Lakeland Elementary	5 <sup>th</sup> Grade Teacher	Took position in another district

**Rescinded Resignation**

	<u>Campus</u>	<u>Assignment</u>	<u>Reason</u>
Flowers, Leslie	Kingwood High	Math Teacher	Passed Content Exam
Sanchez, Robert	Atascocita Middle	Social Studies Teacher	Staying at Current position

**EMPLOYMENT OF CONTRACTUAL PERSONNEL (DC LOCAL-Board retains final authority to employ)**

It is recommended that Michael Welch be appointed to the position of Coordinator of State and Federal Programs effective July 1, 2016. Mr. Welch holds a Master of Education from Texas A&M University and has 8 years of service. Mr. Welch previously held the position of Coordinator of Federal Programs with Tomball ISD.

**HUMBLE INDEPENDENT SCHOOL DISTRICT  
PERSONNEL RECOMMENDATIONS**

**July 12, 2016 Addendum**

**RETIREMENTS**

	<b><u>Campus</u></b>	<b><u>Assignment</u></b>	<b><u>Eff. Date</u></b>
Nininger, Jane	Foster Elementary	Assistant Principal	June 15, 2016
Price, Donna	Ridge Creek Elementary	Literacy ALT	June 03, 2016
Ricker, Rosario	River Pines Elementary	Bilingual 2 <sup>nd</sup> Grade Teacher	June 03, 2016

**RESIGNATIONS**

	<b><u>Campus</u></b>	<b><u>Assignment</u></b>	<b><u>Reason</u></b>	<b><u>Eff. Date</u></b>
Belcher, Nancy	Atascocita Middle School	Science Teacher	Moving/Transfer of Spouse	June 03, 2016
Boring, Janet	Summer Creek High School	Spanish Teacher	Dissatisfied with Type of Work	June 03, 2016
Bowers, Shari	Riverwood Middle School	Social Studies Teacher	Moving/Transfer of Spouse	June 03, 2016
Brantley, Candice	Humble High School	English Teacher	Neighboring District Closer to Home	June 03, 2016
Brunson, Laura	Summer Creek High School	Spanish Teacher	Neighboring District Closer to Home	June 03, 2016
Feudo, Ronald	Kingwood High School	English Teacher	Dissatisfied with Supervisor	June 03, 2016
Fulford, Caryn	Kingwood Middle School	Choir Teacher	Neighboring District Promotion	June 03, 2016
Jackson, Shannon	Humble Middle School	Science Teacher	Neighboring District Promotion	June 03, 2016
Kennedy, Joseph	Humble Middle School	Social Studies Teacher	Moving/Transfer of Spouse	June 03, 2016
Lawrynowicz, Kerry	Kingwood High School	English Teacher	Dissatisfied with Supervisor	June 03, 2016
Lockett, Christina	Humble Middle School	Business Teacher	Neighboring District Closer to Home	June 03, 2016
McCoy, Briana	Lakeland Elementary	3 <sup>rd</sup> Grade Teacher	Neighboring District/Promotion	June 03, 2016
Miller, Shelly	Pine Forest Elementary	Interventionist	Neighboring District Closer to Home	June 03, 2016
Morgan, Tamara	Ridge Creek Elementary	Math ALT	Neighboring District More Money	June 03, 2016
Ocker, Marilyn	Timberwood Middle School	Theatre Teacher	Neighboring District Closer to Home	June 03, 2016
Pierson, Tiffanie	Summer Creek High School	English Teacher	Moving/Transfer of Spouse	June 03, 2016
Robinson, Leslie	Humble Elementary School	4 <sup>th</sup> Grade Teacher	Dissatisfied with Type of Work	June 03, 2016
Roy, Donna	Humble Middle School	English Teacher	Neighboring District Closer to Home	June 03, 2016
Sandoval, Margarita	River Pines Elementary	Nurse	Moving/Transfer of Spouse	June 03, 2016
Sparks, Shalise	Humble Middle School	Science Teacher	Neighboring District Closer to Home	June 03, 2016
Venegas, Juan	Ridge Creek Elementary	Computer Teacher	Neighboring District/Promotion	June 03, 2016
White, Tamara	Kingwood Park High School	Health Teacher	Moving/Transfer of Spouse	June 03, 2016
Williams, Ancernetta	Atascocita High School	CTE Teacher	Leaving Profession	June 03, 2016

**HUMBLE INDEPENDENT SCHOOL DISTRICT  
PERSONNEL RECOMMENDATIONS**

**July 12, 2016 Addendum**

**RECOMMENDATIONS FOR PROFESSIONAL EMPLOYMENT**

	<u>Degree</u>	<u>Certification</u>	<u>Assignment</u>	<u>Exp.</u>	<u>Eff. Date</u>	<u>Previous Emp.</u>
<b>Cambridge School 022</b>						
Sosnik, Brandon	B.A./University of Houston-Downtown	SPED EC-12	SPED Teacher	7 years	Aug. 12, 2016	Sheldon ISD
<b>Kingwood High School 002</b>						
Heuer, Kimberly	B.A./Brigham Young University	ELAR 7-12	English Teacher	1 year	Aug. 12, 2016	Arlington ISD
<b>Creekwood Middle School 043</b>						
Justice, Jeremy	B.A./American Intercontinental University	Core Subjects 4-8 (ACP)	Social Studies Teacher	None	Aug. 12, 2016	Recent Grad
<b>Humble Middle School 041</b>						
Lucas, Yasmin	B.S./Texas Woman's University	Science 4-8	Science Teacher	9 years	Aug. 12, 2016	Dayton ISD
Moore, Jimmy	M.Ed./Concordia University	Generalist 4-8	Social Studies Teacher	10 years	Aug. 12, 2016	Spring ISD
Templeton, Kendle	B.S./University of Houston	Science 4-8	Science Teacher	3 years	Aug. 12, 2016	Galena Park ISD
<b>Kingwood Middle School 042</b>						
Lebrun, Nathalie	B.S./Wichita State University	License	SLP	3 years	Aug. 12, 2016	Yes Prep Public Schools
<b>Ross Sterling Middle School 047</b>						
Turknett, John	B.A./Lamar University	SPED EC-12	SPED Teacher/Coach	1 year	Aug. 12, 2016	Spring ISD
Vaughn, Mona	B.S./Southeastern Louisiana University	ELAR 4-8	RELA Teacher	9 years	Aug. 12, 2016	Spring ISD
<b>Fall Creek Elementary 124</b>						
Utley, Shannen	M.A./University of Houston	License	SLP (Part .50)	12 years	Aug. 12, 2016	Private Industry
<b>Foster Elementary 104</b>						
Fowler, Wendy	M.S./Texas State University	Core Subjects EC-6	Kindergarten Teacher	None	Aug. 12, 2016	Holy Comforter Lutheran Preschool

**HUMBLE INDEPENDENT SCHOOL DISTRICT  
PERSONNEL RECOMMENDATIONS**

**July 12, 2016 Addendum**

**Lakeland Elementary 102**

Currie, Jessica	B.S./Louisiana State University at Shreveport	Out of State-Louisiana Elem1-5	5 <sup>th</sup> Grade Teacher	None	Aug. 12, 2016	Caddo Parish School Board
Walter, Ryan	B.S./Sam Houston State University	Generalist EC-6	5 <sup>th</sup> Grade Teacher	None	Aug. 12, 2016	Recent Grad

**Ridge Creek Elementary 127**

Robinson, Jada	B.S./McNeese State University	Generalist EC-4	Math Interventionist	8 years	Aug. 12, 2016	Houston ISD
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**River Pines Elementary 123**

Escobar, Jelsi	B.S./Rice University	Bilingual Generalist-Spanish EC-6	3 <sup>rd</sup> Grade Bilingual Teacher	2 years	Aug. 12, 2016	Logos Prep Academy
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**EMPLOYMENT OF CONTRACTUAL PERSONNEL (DC LOCAL-Board retains final authority to employ)**

It is recommended that Corey LeDay be appointed to the position of Assistant Principal at Summer Creek High School effective July 25, 2016. Mr. LeDay holds a Master of Education from Prairie View A&M University with 8 years of service and previously held the position of Assistant Principal with Spring ISD.

It is recommended that Melissa Christensen be appointed to the position of Assistant Principal at Woodland Hills Elementary effective July 25, 2016. Ms. Christensen holds a Master of Education from University of Texas-Arlington with 15 years of service and previously held the position of Elementary Math Coordinator with Humble ISD.

It is recommended that Lori Kittrell be appointed to the position of Assistant Principal at Atascocita High School effective July 25, 2016. Ms. Kittrell holds a Master of Education from Lamar University with 20 years of service and previously held the position of Academic Lead Teacher at Atascocita High School with Humble ISD.

It is recommended that Cynthia Barker be appointed to the position of Assistant Principal at Foster Elementary School effective July 25, 2016. Ms. Barker holds a Master of Science in Elementary Education Reading and Literacy from Walden University with 13 years of service and previously held the position of Academic Lead Teacher at Deerwood Elementary with Humble ISD.

## **MINUTES FROM THE PREVIOUS MEETING**

A motion was made by Mr. Cunningham to approve the minutes for the special Board meeting held on June 8, 2016. The motion was seconded by Mr. Sitton. The motion passed unanimously.

A motion was made by Mr. Cunningham to approve the minutes for the regular Board meeting held on June 14, 2016. The motion was seconded by Ms. Conrad. The motion passed unanimously.

A motion was made by Mr. Cunningham to approve the minutes for the special Board meeting held on June 21, 2016. The motion was seconded by Mr. Sitton. The motion passed unanimously.

## **Board Associations and Committees**

- Audit Committee – No report.
- Board and Superintendent Evaluation Process & Goals Committee – The committee is meeting tonight following the regular board meeting.
- Building and Planning Committee – The committee met last Thursday with Dr. Fagen in attendance and she received a full update from staff.
- Education Foundation – No report.
- Finance Committee – The committee this evening prior to the regular Board Meeting to review what is on the agenda tonight and Dr. Fagen was involved in the review.
- Kingwood Super Neighborhood Council – No report.
- Legislative Committee – No report.
- Program Committee – A meeting with Dr. Price has been held and the committee will meet soon to set the scope of work for the 2016-17 school year.
- Technology and Data Governance Committee – No report. The committee will meet again on August 2<sup>nd</sup>.

## **CONSENT AGENDA**

After review, a motion was made by Mr. Cunningham to approve the following Board items by consent: Learning Division: A; Financial Services Division: A, B, C and D; Support Services: A and B; District-Wide: A. The motion was seconded by Mr. Sitton. The motion passed unanimously.

## **1. GOVERNANCE REPORTS AND CONSIDERATIONS**

### **A. Proposed Changes to TASB Policy DNA (LOCAL)**

There was no discussion regarding the proposed changes to TASB Policy DNA (LOCAL) but an omitted paragraph was pointed out to be corrected before approval next month.

### **B. Proposed Changes to TASB Policy DNB (LOCAL)**

There was no discussion regarding the proposed changes to TASB Policy DNB (LOCAL).

### **C. Proposed Addition to TASB Policy FB (LOCAL) (EXHIBIT)**

There was no discussion regarding the proposed changes to TASB Policy FB (LOCAL) (EXHIBIT).

### **D. Proposed Addition to TASB Policy FFC (LOCAL) (EXHIBIT)**

There was no discussion regarding the proposed changes to TASB Policy FFC (LOCAL) (EXHIBIT).

### **E. Proposed Addition to TASB Policy FFH (LOCAL) (EXHIBIT)**

There was no discussion regarding the proposed changes to TASB Policy FFH (LOCAL) (EXHIBIT).

### **F. TASB Policy Update 104**

There was no discussion regarding the TASB Policy Update 104.

## **2. SUPERINTENDENT'S DIVISION REPORTS, CONSIDERATIONS AND PURCHASES**

There were no items for this title this month.

## **3. LEARNING DIVISION REPORTS, CONSIDERATIONS AND PURCHASES**

### **A. Responsible Use Guidelines (RUG) for Students**

The Superintendent recommends that the Board of Trustees approve: Responsible Use Guidelines (RUG) for Students as a standalone document with revisions and Internet Content Filter Confirmation per Children's Internet Protection Act (CIPA).

Approved by consent.

**4. FINANCIAL SERVICES DIVISION REPORTS, CONSIDERATIONS AND PURCHASES**

**A. Tax Refunds**

The Superintendent recommends that the Board of Trustees approve the petitions for Tax Refunds.

Approved by consent.

**B. Budgetary Amendments**

The Superintendent recommends that the Board of Trustees approve general budgetary amendments.

Approved by consent.

**C. Waiver of P & I**

The Superintendent recommends that the Board of Trustees approve the request(s) for waiver of penalty and interest on delinquent tax accounts.

Approved by consent.

**D. Adopt Orders of Authorization; Authorize Distribution of POS/NOS**

Consideration of Orders Authorizing the Issuance of Unlimited Tax School Building and Refunding Bonds.

Approved by consent.

**E. Financial Services Reports**

There was no discussion of the following reports.

- Tax Collection Report
- 2016-17 Employee Benefits Listing Report

**5. HUMAN RESOURCES REPORTS, CONSIDERATIONS AND PURCHASES**

There were no items for this title this month

**6. SUPPORT SERVICES DIVISION REPORTS, CONSIDERATIONS AND PURCHASES**

**A. Negotiations and Purchase of Real Property**



The Superintendent recommends that the Board of Trustees authorize the Superintendent to finalize negotiations and execute a contract, and related documents, for the purchase of approximately 15.23 acres of land located in the Victor Blanco Survey A-2, and the Jacob Karcher Survey A-504, in Harris County, Texas.

Approved by consent.

**B. Owners Ratification of Plat for Balmoral Park Lakes East, Section 1**

The Superintendent recommends that the Board of Trustees delegate authority to the Board President to approve and execute the Owners Ratification of Plat for Balmoral Park Lakes East, Section 1.

Approved by consent.

**7. DISTRICT-WIDE REPORTS, CONSIDERATIONS AND PURCHASES**

**A. Goods, Professional Services and Non-Construction Services Exceeding \$50,000 in the Aggregate or \$25,000 Individually**

The Superintendent recommends that the Board of Trustees approve the listing of vendors and related estimated total annual costs for contract awards and renewals from which the District will purchase goods, professional services and/or non-construction services that are estimated to exceed \$50,000 in the aggregate or \$25,000 individually for the 2016-17 fiscal year.

Approved by consent.

**8. FUTURE BOARD BUSINESS:**

**A. District Advisory Committee** – The Board reviewed the history of the committee and how committee members are appointed. It was discussed to possibly add more representation from various groups and will look at potential policy update. The Board requested a copy of the committee member list and the policies governing the committee's work.

**B. Future discussion:**

- Student Transfer Policy
- Playground Equipment
- Board Docs & Board Book

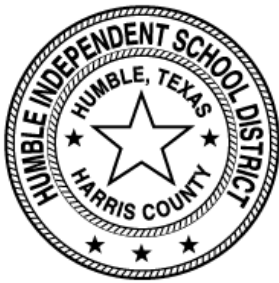
There being no further business, the meeting adjourned at 8:22 p.m.

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Secretary

President

*Note: Copies of attachments and other documentation may be requested from Peggy Young in the Superintendent's Office at 281-641-8001. Full documentation of the items considered by the Board may be viewed on the Humble ISD web site on the day following the Board meeting at [www.humble.k12.tx.us](http://www.humble.k12.tx.us).*



## Board of Trustees Agenda Item

**Meeting Date: August 9, 2016**

**Meeting Type**

- Regular Meeting  
 Special Meeting/  
Workshop

**Agenda Placement**

- Governance  
 Superintendent's Division  
 Learning Division  
 Financial Services Division  
 Human Resources Department  
 Support Services Division  
 District-Wide

**Agenda Item Type**

- Action Item

**District Pillars (Check All That Apply):**

- Student Achievement – Prepare Students to be College and Career Ready  
 Service – Provide Quality Service to Internal and External Customers  
 People – Provide a Quality Work Environment So Every Employee can Perform at the Highest Levels  
 Finance – Create Efficiencies at All Levels of the Organization

**Title: Proposed Revisions to Policy DNA (LOCAL)**

**Recommended Action:** The Superintendent recommends that the Board of Trustees approve Policy DNA LOCAL.

**Board Policy/State Regulation/Law Reference (If Applicable):**

Policy DNA LOCAL, Performance Appraisal Evaluation of Teachers, was last updated on October 31, 2013.

The recommended revisions to Policy DNA (LOCAL) is primarily to reflect the changes made by the Texas Education Agency (TEA) as it relates to the new Texas Teacher Evaluation and Support System (T-TESS).

Humble ISD approved at the December 2015 Board meeting the District replacing its existing evaluation system known as the Teacher Objectives and Proficiency Review Summary (TOPS) with T-TESS.

**Fiscal Impact:**

**Attachments:** Proposed Revision to Policy DNA (LOCAL)

**Department(s) Submitting Form:** Human Resources

**Division Approval:** Rick Gardner

**Date Submitted:** August 1, 2016

APPRAISAL SYSTEM

The formal appraisal of District teachers shall be ~~in accordance with an alternate appraisal system developed in compliance with statutory provisions and state rules. the commissioner's recommended teacher appraisal system, the Texas Teacher Evaluation and Support System (T-TESS), which was developed in accordance with the Texas Education Code (TEC) §21.351.~~

GENERAL  
REQUIREMENTS

District teachers shall be appraised annually, except teachers who are eligible for less frequent evaluations. ~~in accordance with law [see DNA(LEGAL)] and the local criteria established in this policy. as indicated in the Less Than Annual Evaluations section below.~~

~~T-TESS is a process that seeks to develop habits of continuous improvement with evidence-based feedback and professional development decisions based on that feedback through ongoing dialogue and collaboration.~~

The District shall establish an appraisal calendar each year.

~~The District's alternate appraisal process shall be developed in collaboration with the administration and the District and campus-level decision-making committees and shall be detailed in administrative regulations.~~

Components of the appraisal system shall ensure that teachers receive appropriate guidance and feedback and may include, but are not limited to, ~~a pre-conference, post-conference, a written self-assessment goal setting, formal and informal observations, classroom walk-throughs, and an end of the year conference. student learning indicators, and conferences.~~

~~Each teacher will review data and reflect on his or her professional practice, including reviewing the domains, dimensions, and descriptors of the T-TESS rubric.~~

The appraisal process shall produce a ~~written~~ document to be presented to the teacher, signed by the teacher and supervisor, and maintained in the ~~teacher's Eduphoria Appraise account~~ personnel file.

ANNUAL EVALUATIONS

Teachers who fall under the full annual evaluation process are as follows:

1. Employed on an educator probationary contract: 1<sup>st</sup> year or 1<sup>st</sup> and Only year (a teacher in public education for at least five of the eight years preceding employment with Humble ISD)

2. Employed on an educator term contract meeting one of the following:

PERFORMANCE APPRAISAL  
EVALUATION OF TEACHERS

DNA  
(LOCAL)

	<p><u>*Placed on a current growth/intervention plan for the previous employment year</u></p> <p><u>*Have not received an annual evaluation in the last 3 years</u></p> <p><u>3. Principal Designation (in coordination with the Human Resources Department prior to designation)</u></p>
LESS THAN ANNUAL EVALUATIONS ELIGIBILITY	<p><del>To be eligible for Teachers who fall under the less than full annual evaluations process under the alternate appraisal system, a teacher shall are as follows:</del></p> <ol style="list-style-type: none"><li><del>1. Be eEmployed on an educator term contract <u>with the exception of the criteria listed in the Annual Evaluations section, item #2; and</u></del></li><li><del>2. Employed on an educator probationary contract: 2<sup>nd</sup> year and 3<sup>rd</sup> year.</del></li><li><del>2 Hold SBEC certification;</del></li><li><del>3 Have received a Proficient rating on the last appraisal; and</del></li><li><del>4 Have served on the current campus for at least one year.</del></li></ol>
FREQUENCY	<p><del>Eligible teachers shall be appraised every three years. Teachers who have less than annual evaluations shall be evaluated every three years.</del></p> <p>During any school year when a complete appraisal is not scheduled for an eligible teacher, either the teacher or the principal may require that an appraisal be conducted by providing written notice to the other party.</p>
ANNUAL REVIEW PROCESS	<p><del>In the years that an alternate a full annual appraisal evaluation is not scheduled for an eligible teacher, the District shall conduct an annual review in accordance with a process detailed in guidelines developed by the administration in collaboration with the District and campus level decision-making committees the teacher shall participate in the Goal-Setting and Professional Development Plan process and the performance of teachers' students, and a modified end-of-year conference that addresses the progress on the Goal-Setting and Professional Development Plan and the performance of teachers' students.</del></p> <p>The annual review process shall produce a <del>written</del> document to be presented to the teacher, signed by the teacher and supervisor, and maintained in the <u>teacher's Eduphoria Appraise account</u> <del>personnel file.</del></p> <p><del>The regular alternate appraisal procedures and requirements shall not apply to the annual review process.</del></p>

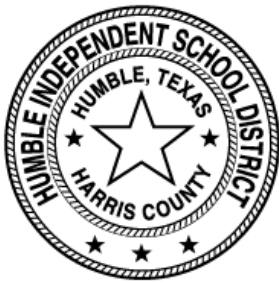
Humble ISD  
101913

PERFORMANCE APPRAISAL  
EVALUATION OF TEACHERS

DNA  
(LOCAL)

GRIEVANCES

Complaints regarding teacher appraisal shall be addressed in accordance with DGBA(LOCAL).



## Board of Trustees Agenda Item

**Meeting Date: August 9, 2016**

**Meeting Type**

- Regular Meeting  
 Special Meeting/  
Workshop

**Agenda Placement**

- Governance  
 Superintendent's Division  
 Learning Division  
 Financial Services Division  
 Human Resources Department  
 Support Services Division  
 District-Wide

**Agenda Item Type**

- Action Item

**District Pillars (Check All That Apply):**

- Student Achievement – Prepare Students to be College and Career Ready  
 Service – Provide Quality Service to Internal and External Customers  
 People – Provide a Quality Work Environment So Every Employee can Perform at the Highest Levels  
 Finance – Create Efficiencies at All Levels of the Organization

**Title: Proposed Revisions to Policy DNB (LOCAL)**

**Recommended Action:** The Superintendent recommends that the Board of Trustees approve Policy DNB LOCAL.

**Board Policy/State Regulation/Law Reference (If Applicable):**

Policy DNB (LOCAL), Performance Appraisal Evaluation of Other Professional Employees, was last updated November 15, 1996.

The recommended revisions to Policy DNB (LOCAL) is primarily to reflect the changes made by the Texas Education Agency (TEA) as it relates to the Texas Principal Evaluation and Support System (T-PESS) which is to start for the 2016-17 employment year.

Humble ISD approved at the December 2015 Board meeting the District utilizing T-PESS as the evaluation system for Principals.

**Fiscal Impact:**

**Attachments:** Proposed Revision to Policy DBA (LOCAL)

**Department(s) Submitting Form:** Human Resources

**Division Approval:** Rick Gardner

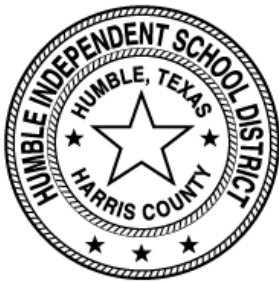
**Date Submitted:** August 1, 2016

PERFORMANCE APPRAISAL  
EVALUATION OF OTHER PROFESSIONAL EMPLOYEES

DNB  
(LOCAL)

EMPLOYMENT DECISIONS	When relevant to the decision, <del>written</del> evaluations of a 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.
EXCEPTION	<del>Written-E</del> 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.
PRINCIPALS	<u>The District shall appraise principals using the Texas Principal Evaluation and Support System (T-PESS) in accordance with law and administrative regulations along with District's other instrument measures.</u>
OTHER CAMPUS/DISTRICT ADMINISTRATORS	<u>The appraisal system used for campus/district administrators other than principals shall be determined by each administrator's position and job responsibilities.</u>
FREQUENCY	<u>District principals and other campus/district administrators shall be appraised annually.</u>





## Board of Trustees Agenda Item

**Meeting Date:** August 9, 2016

**Meeting Type**

- Regular Meeting  
 Special Meeting/  
Workshop

**Agenda Placement**

- Governance  
 Superintendent's Division  
 Learning Division  
 Financial Services Division

- Human Resources Department  
 Support Services Division  
 District-Wide

**Agenda Item Type**

- Action Item

**District Pillars (Check All That Apply):**

- Student Achievement – Prepare Students to be College and Career Ready  
 Service – Provide Quality Service to Internal and External Customers  
 People – Provide a Quality Work Environment So Every Employee can Perform at the Highest Levels  
 Finance – Create Efficiencies at All Levels of the Organization

**Title: TASB Update 104**

**Recommended Action: The Superintendent asks that the Board of Trustees approve TASB Update 104 with the exception of FB (Exhibit).**

**Board Policy/State Regulation/Law Reference (If Applicable):**

TASB Update 104 was provided to the Board at the July 12, 2016, regular meeting as an information item.

Local policies recommended for approval in Update 104 are:

- EEH (LOCAL) – Instructional Arrangements, Homebound Instruction
- FB (LOCAL) – Equal Education Opportunity
- FD (LOCAL) – Admissions
- FEB (LOCAL) – Attendance, Attendance Accounting
- FFC (LOCAL) – Student Welfare, Student Support Services
- FFH (LOCAL) – Student Welfare, Freedom from Discrimination, Harassment and Retaliation

**Fiscal Impact:**

**Attachments:**

- Attachment 1 - TASB Update 104 Update Packet
- Attachment 2 - TASB Update 104 Local Policy Comparison Packet
- Attachment 3 - TASB Update 104 Vantage Points
- Attachment 4 - TASB Update 104 Explanatory Notes

**Department Submitting Form:** Legal Department

**Division Approval:** Dr. Elizabeth Fagen

**Date Submitted:** July 13, 2016

Update 104 contains (LOCAL) policies that require board action before we can incorporate Update 104 into your district's Policy On Line manual.

Please notify Loretta Jeschke of your policy adoption by **faxing this form to 512-467-3618**, by **e-mailing your notification to [pol-support@tasb.org](mailto:pol-support@tasb.org)**, or by **completing the form electronically through Policy On Line Administrator Tools (<https://www.tasb.org/apps/PolicyAdmin>)** using your myTASB login and clicking the "Notify TASB of Policy Adoption" link.

### 101913 Humble ISD

Your Name: \_\_\_\_\_

Your E-mail: \_\_\_\_\_

We will send a confirmation e-mail when your update is placed online.

#### Previous Updates

- I confirm that all updates prior to Update 104 have been adopted. (Visit <https://www.tasb.org/apps/policyUpdates/index.aspx> to see updates pending adoption. Your Local Manual Updates will remain available through myTASB until your district notifies us of adoption.)

**Update 104** Adoption Date: \_\_\_\_\_

Status (please check one):

- Adopted as presented by TASB—place online immediately
- Adopted with further changes, described below\*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\* If you have changes to the listed policies that you have not already sent to your policy consultant, please attach the policies to this form or e-mail them to your consultant to ensure they are processed as a Local District Update. Your policy consultant, Sarah Gutierrez, may contact you about these policies, if necessary.

If you have any questions, please contact Loretta Jeschke by phone at 800-580-7529.

# Update 104

## Policy On Line® Adoption Notification Form

**TASB Policy Service**

**Fax: 512-467-3618**



## Localized Policy Manual

# Update 104

Please remember: Log in to [my.tasb.org](http://my.tasb.org) and open *Policy Service Resource Library: Local Manual Updates* to download a PDF of this update packet, annotated copies of the (LOCAL) policies, editable (LOCAL) text, and more.

### Humble ISD

Update 104 represents the second of two post-legislative updates, focusing primarily on amendments to the Administrative Code as a result of recent legislation. Update 104 is considerably smaller than Update 103, which included the bulk of the changes from the 84th Legislative Session. Major topics in Update 104 include taxes, financial reports and audits, reports to SBEC, video and audio recording in special education settings, partial credit requirements for students who are homeless or in foster care, credit-by-exam requirements for homeless students, substitutes for state assessments, and wellness policy requirements. Several of the local policy recommendations address new local policy requirements included in the 2015–16 TEA *Student Attendance Accounting Handbook*, including homebound instruction and residency and admissions. Other local policy recommendations address equal educational opportunities for students and student discrimination and harassment.

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

In addition to the updated policies, your Localized Update 104 packet contains:

- **INSTRUCTIONS** . . . providing specific, policy-by-policy directions on how this update, if accepted as prepared, should be incorporated into your Localized Policy Manual.
- **EXPLANATORY NOTES** . . . summarizing changes to the policies in each code. Please note that, where appropriate, the Explanatory Notes ask you to **verify that a particular policy reflects your current practice and to advise us of changes needed** so that our records and your manual accurately track the district's practice.

*Vantage Points—A Board Member's Guide to Update 104* may be found in the separately wrapped package accompanying this packet. *Vantage Points* offers a highly summarized overview of the update and is intended to provide local officials a first glance at the scope of the update—as a prelude to studying the detailed Explanatory Notes and policy text within the packet. **Please distribute the enclosed copies of *Vantage Points* to your board members** at the earliest possible opportunity, preferably with their review copies of this update.

Update 104 policies are so identified in the lower left-hand corner of each policy page. If you have any questions concerning this update, please call your policy consultant, Sarah Gutierrez, at 800-580-7529 or 512-467-0222.

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## Regarding board action on Update 104 . . .

- Board action on Localized Update 104 must occur within a properly posted, open meeting of the board and may be addressed on the agenda posting as “Policy Update 104, affecting (LOCAL) policies (see attached list of codes).” Policy On Line districts have access to a list of the (LOCAL) policies included in the update through the Local Manual Updates application in myTASB. Other districts may generate a list of the (LOCAL) policy codes added, revised, or deleted (and the titles/subtitles of those policies) using the Instruction Sheet as a guide and attach that list to the posting. BoardBook compilers should use “Policy Update 104, affecting (LOCAL) policies” as the agenda item and, as agenda subitems, the code and name of each of the (LOCAL) policies affected by the update.
- A suggested motion for board action on Localized Update 104 is as follows:  
*“I move that the board add, revise, or delete (LOCAL) policies as recommended by TASB Policy Service and according to the Instruction Sheet for TASB Localized Policy Manual Update 104 [with the following changes:]”*
- The board’s action on Localized Update 104 must be reflected in board minutes. The Instruction Sheet—annotated to reflect any changes made by the board—and the Explanatory Notes for the update should be filed with the minutes where they make up the authoritative record of your board’s actions. Include a copy of new, replaced, or rescinded (LOCAL) policies.
- In constructing the separate historical record of the manual, the emphasis is on tracking the history of individual policies. For guidance on maintaining this record, please refer to the *Administrator’s Guide to Policy Management* available in the myTASB Policy Service Resource Library at <https://www.tasb.org/Services/Policy-Service/myTASB/Guidance-for-Policy-Administrators.aspx>.

## Regarding manual maintenance and administrative regulations . . .

- **Notify your policy consultant of any changes made by the board so that Policy Service records—forming the basis for subsequent updating recommendations—exactly mirror your manual.**
- The update should be incorporated into each of the district’s Localized Policy Manuals as soon as practicable. You will need to notify us of the board’s action on Update 104 so that your district’s Localized Policy Manual as it appears on TASB’s web server can be updated. Policy On Line staff may be reached by phone (800-580-7529 or 512-467-0222), by fax (512-467-3618, using the Update 104 Adoption Notification Form enclosed), by e-mail ([pol-support@tasb.org](mailto:pol-support@tasb.org)), or through the Policy On Line Administrator Tools (<https://www.tasb.org/apps/PolicyAdmin>).
- Administrative procedures and documents—including formal (REGULATIONS), handbooks, and guides—that may be affected by Update 104 policy changes should be inspected and revised by the district as needed.

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

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# Instruction Sheet

## TASB Localized Policy Manual Update 104

District      Humble ISD

<b>Code</b>	<b>Action To Be Taken</b>	<b>Note</b>
ATTN (NOTE)	No policy enclosed	See explanatory note
CCG (LEGAL)	Replace policy	Revised policy
CFA (LEGAL)	Replace policy	Revised policy
CFC (LEGAL)	Replace policy	Revised policy
CQA (LEGAL)	Replace policy	Revised policy
DBAA (LEGAL)	Replace policy	Revised policy
DFE (LEGAL)	Replace policy	Revised policy
DHB (LEGAL)	Replace policy	Revised policy
E (LEGAL)	Replace table of contents	Revised table of contents
EEH (LOCAL)	Replace policy	Revised policy
EHBAF (LEGAL)	ADD policy	See explanatory note
EHDC (LEGAL)	Replace policy	Revised policy
EI (LEGAL)	Replace policy	Revised policy
EKB (LEGAL)	Replace policy	Revised policy
FB (LEGAL)	Replace policy	Revised policy
FB (LOCAL)	Replace policy	Revised policy
FB (EXHIBIT)	ADD exhibit	See explanatory note
FD (LEGAL)	Replace policy	Revised policy
FD (LOCAL)	Replace policy	Revised policy
FEB (LOCAL)	Replace policy	Revised policy
FFA (LEGAL)	Replace policy	Revised policy
FFC (LOCAL)	DELETE policy	See explanatory note
FFC (EXHIBIT)	ADD exhibit	See explanatory note
FFH (LOCAL)	Replace policy	Revised policy
FFH (EXHIBIT)	ADD exhibit	See explanatory note
FL (LEGAL)	Replace policy	Revised policy

# Explanatory Notes

## TASB Localized Policy Manual Update 104

District: Humble ISD

ATTN (NOTE) GENERAL INFORMATION ABOUT THIS UPDATE

**Please note:** Unless otherwise noted, references to legislative bills in these Explanatory Notes refer to bills from the 84th Regular Legislative Session. All referenced bills have already gone into effect unless otherwise noted.

CCG (LEGAL) LOCAL REVENUE SOURCES  
AD VALOREM TAXES

Multiple bills affected this legally referenced policy on ad valorem taxes. Significant changes are described with the relevant bill number in parenthesis.

When a district's TAX RATE will exceed the sum of the effective maintenance and operations tax rate and the district's current debt rate, the board's vote on the ordinance, resolution, or order setting the tax rate must be by record vote, and at least 60 percent of the members of the board must vote in favor of the ordinance, resolution, or order. See page 4. (SB 1760)

The HOMESTEAD EXEMPTION, as reflected on page 10, increased from \$15,000 to \$25,000. (SB 1)

At EXEMPTION FOR SURVIVING SPOUSE on page 11, we have added a recently adopted constitutional amendment providing the residence homestead exemption to a surviving spouse of a 100 percent disabled veteran who died before the law authorizing the exemption for such a veteran took effect. (HB 992)

CFA (LEGAL) ACCOUNTING  
FINANCIAL REPORTS AND STATEMENTS

New provisions at REPORT OF DEBT INFORMATION, beginning on page 1, are from HB 1378 and require school districts to annually compile and report financial information related to the district's debt obligations, credit rating, and other relevant information. The district must make the annual report available for inspection and post the report on its website until the district posts the next annual report. A district must also post on its website the contact information for the main office of the district. As an alternative to providing an annual report, a district may provide the required information to the comptroller and provide a link to the comptroller's website, where the district's financial information may be viewed.

Other revisions throughout this legally referenced policy are based on amendments to the Texas Administrative Code, effective August 6, 2015. The rules were amended to remove outdated provisions and to align provisions with current statute.

The ratings at CORRECTIVE ACTION PLAN, on page 5, have been updated to refer to the new letter ratings.

At PROJECTED DEFICIT, also on page 5, the rule revisions implement changes from HB 5 (83rd Legislative Session). When the commissioner of education projects that a deficit will occur in a district's general fund within the next three school years, TEA will provide the district certain financial information to evaluate the district's budget situation. TEA may also require the district to submit additional information or to acquire professional services.

# Explanatory Notes

## TASB Localized Policy Manual Update 104

CFC (LEGAL) ACCOUNTING  
AUDITS

Newly added to the policy manual are provisions addressing the FINANCIAL ACCOUNTABILITY RATING SYSTEM, beginning on page 2, as revised in Administrative Code rules, effective August 6, 2015. The rules were revised to continue or update established practice. The provisions explain the DATA REVIEWED by TEA in calculating the financial accountability indicators and include a description of the items used as the BASIS FOR THE RATING, including clarification that ratings are based on the data for the prior fiscal year. At TYPES OF RATINGS is an explanation of each of the possible letter grade ratings. Regarding ISSUANCE OF RATINGS, TEA must issue the preliminary rating on or before August 8, and the preliminary rating will become final 31 days after issuance if the district does not file an appeal.

Administrative Code provisions on financial solvency were deleted from rule effective December 29, 2015, because the statute that directed TEA to develop a review process relating to financial solvency of districts and to take certain actions if the review indicated a projected deficit was repealed effective September 1, 2014. Current statute requires TEA to provide districts additional information if a projected deficit is found, as reflected at CFA(LEGAL), included in this update.

CQA (LEGAL) TECHNOLOGY RESOURCES  
DISTRICT, CAMPUS, AND CLASSROOM WEBSITES

Beginning on January 1, 2016, HB 1378 requires a district to continuously post on its website the district's annual financial report and the contact information for the district's main office. (See items 12 and 13 on page 2.)

DBAA (LEGAL) EMPLOYMENT REQUIREMENTS AND RESTRICTIONS  
CRIMINAL HISTORY AND CREDIT REPORTS

Amended Administrative Code rules addressing State Board for Educator Certification (SBEC) enforcement actions were adopted effective October 8, 2015, and resulted in a new provision on page 6 permitting SBEC to impose a SANCTION on a superintendent who falsely or inaccurately certifies to the commissioner of education that the district complied with the required criminal history review provisions in law.

DFE (LEGAL) TERMINATION OF EMPLOYMENT  
RESIGNATION

Amended Administrative Code rules addressing State Board for Educator Certification enforcement actions were adopted effective October 8, 2015, and resulted in minor rewording at INVESTIGATION, on page 2.

DHB (LEGAL) EMPLOYEE STANDARDS OF CONDUCT  
REPORTS TO STATE BOARD FOR EDUCATOR CERTIFICATION

Amended Administrative Code rules addressing State Board for Educator Certification (SBEC) enforcement actions were adopted effective October 8, 2015. The rules clarify that a superintendent must notify SBEC if an educator has submitted a notice of RESIGNATION and evidence exists that would support a finding that the educator had engaged in an act of misconduct as described in the policy.

# Explanatory Notes

## TASB Localized Policy Manual Update 104

### E (LEGAL) INSTRUCTION

We have revised the E section table of contents to add a new policy, EHBAF, on video and audio monitoring of special education classes and other settings.

### EEH (LOCAL) INSTRUCTIONAL ARRANGEMENTS HOMEBOUND INSTRUCTION

The 2015–16 TEA *Student Attendance Accounting Handbook (SAAH)* explains that a student who receives special education services is eligible to be placed in a special education homebound instructional setting if the student is expected to be confined for a minimum of four weeks to a hospital or homebound setting. However, the four weeks need not be consecutive if the student is chronically ill and if permitted by local district policy. To address the local policy requirement, recommended text at SPECIAL EDUCATION designates the ARD committee of a chronically ill student to determine whether the weeks of confinement need to be consecutive, since this decision would typically be made on a case-by-case basis. Other recommendations include clarification that in determining the type and amount of instruction, the ARD committee should do so in accordance with law and, if applicable, will determine the length of the transition period to the school-based setting based on current medical information.

Eligibility for GENERAL EDUCATION homebound services also requires confinement for a minimum of four weeks, which do not need to be consecutive, as clarified in the new sentence recommended for inclusion in the policy. Other recommended revisions at this margin note are to improve sentence structure and flow.

A recommended change at DOCUMENTATION OF SERVICES requires that documentation of homebound services be maintained in accordance with the *SAAH* and a student's IEP, if applicable, in addition to any other administrative procedures the district may have.

### EHBAF (LEGAL) SPECIAL EDUCATION VIDEO/AUDIO MONITORING

This new legally referenced policy addresses video and audio monitoring of special education classes and other settings, effective for the 2016–17 school year, as added by SB 507.

Upon request by a parent, board member, or staff member to promote student safety, a district must provide equipment, including a video camera, to each school in the district in which a student who receives special education services in a self-contained classroom or other special education setting is enrolled. Schools must operate the cameras in classrooms or special education settings as described in the policy.

There are specific requirements outlined in the policy for the VIDEO CAMERAS, such as the areas that must be visible and audible. Districts must provide WRITTEN NOTICE to all school staff and to the parents of students receiving special education services in the classroom or setting where cameras are placed.

The RETENTION PERIOD for the recordings is a minimum of six months after the date of the recording. A district may not allow regular or continual monitoring of the video recording or use the recording for teacher evaluations or any other purpose other than to promote the safety of students receiving special education services.

Recordings of a student are CONFIDENTIAL, with certain exceptions.



# Explanatory Notes

## TASB Localized Policy Manual Update 104

EHDC (LEGAL) ALTERNATIVE METHODS FOR EARNING CREDIT  
CREDIT BY EXAMINATION WITHOUT PRIOR INSTRUCTION

A new provision from amended State Board of Education rules effective November 20, 2015, requires a district to provide opportunities for credit by examination to STUDENTS WHO ARE HOMELESS OR IN SUBSTITUTE CARE who transfer into the district after the school year begins. (See page 3.)

EI (LEGAL) ACADEMIC ACHIEVEMENT

A new requirement from amended State Board of Education rules effective November 20, 2015, requires a district to award partial credit to a student who is homeless or in substitute (foster) care who successfully completes only one semester of a two-semester course.

Districts still have discretion regarding whether to award partial credit to other students who successfully complete only one semester of a two-semester course. However, if your district either does not award partial credit or places restrictions on the award of partial credit, please be aware of the new requirements for students who are homeless or in substitute care when applying partial credit.

EKB (LEGAL) TESTING PROGRAMS  
STATE ASSESSMENT

Amendments to the Administrative Code effective December 10, 2015, implement changes from HB 1613 and SB 149 regarding use of the Texas Success Initiative (TSI) as a substitute assessment for an end-of-course (EOC) assessment and HB 2349 regarding reporting the results separately for out-of-state transfer students. As explained at SUBSTITUTE ASSESSMENTS beginning on page 6, a student enrolled in a college preparatory English language arts or mathematics course who meets a certain score on the TSI at the end of the course satisfies the relevant EOC assessment graduation requirements. Under some circumstances, a student can satisfy both the English I and II EOC assessment requirements.

In addition, a student who did not meet satisfactory performance on the Algebra I or English II EOC assessment after retaking the assessment may use the TSI as a substitute assessment if the student has met certain TSI score requirements.

The amended rules also require a district to report to TEA whether a student transferred into the district from out of state during the current school year, and TEA must report the assessment results of these transfer students separately from other students. (See OUT-OF-STATE TRANSFERS on page 11.)

An existing statutory provision has been added requiring ACCELERATED INSTRUCTION for students who fail an assessment administered in grades three through eight.

FB (LEGAL) EQUAL EDUCATIONAL OPPORTUNITY

The U.S. Department of Education Office for Civil Rights (OCR) enforces the Age Discrimination Act of 1975, which prohibits discrimination based on age in programs or activities, including programs or activities of a local educational agency or other school system, that receive federal financial assistance. To accurately reflect this federal law in policy, we have added "age" to the list of protected characteristics at FEDERAL FUNDING RECIPIENTS on page 1.

Additional information on the Age Discrimination Act may be found at <http://www2.ed.gov/policy/rights/guid/ocr/ageoverview.html>.

# Explanatory Notes

## TASB Localized Policy Manual Update 104

We have revised the text at EVALUATION AND PLACEMENT, beginning on page 4, to provide additional detail from current regulations about a district's obligation to conduct an evaluation for a student with a disability who needs or is believed to need special education or related services. The text also outlines the items that need to be addressed in district procedures on evaluation and placement.

### FB (LOCAL) EQUAL EDUCATIONAL OPPORTUNITY

To eliminate the need for the board to readopt this policy every time the district's Title IX coordinator or ADA/Section 504 coordinator changes, we have moved the contact information for those positions to FB(EXHIBIT), which is not a board-adopted document. The Department of Education's Office for Civil Rights (OCR) emphasizes the duty of school districts to make these coordinators "visible" to the school community, but recognizes the cost and administrative burden associated with staffing changes. Moving the contact information to the exhibit will maintain the visibility of the coordinators while reducing the administrative burden. See U.S. Dep't of Educ., OCR, [Dear Colleague Letter \(PDF\)](#) (Apr. 24, 2015).

Along with this change, TASB Policy and Legal Services have revised the recommended text in this local policy to capture the district's obligation to provide equal educational opportunities to all students, including the protections under Section 504 and other laws. The changes are based on the Section 504 regulations as well as the requirements throughout federal and state law to provide equal educational opportunities to all students. Two new *Notes* in the policy clarify the distinction between the issues addressed in FB and in policy FFH, which governs the district's response to student discrimination and harassment.

New recommended provisions address the overarching concept of EQUAL EDUCATIONAL OPPORTUNITY for all students along with a district's obligation to consider ADDITIONAL SERVICES AND SUPPORTS as necessary. Because Texas law specifically overlaps the diagnosis and services provided to students with dyslexia and related disorders to Section 504, we have added a cross-reference to policy EHB for information related to dyslexia.

The existing policy provisions related to Section 504 have been revised significantly. The most substantive recommendations include:

- Revisions to the text associated with SECTION 504 COMMITTEES to acknowledge that the Section 504 coordinator for the district will not always be a member of each 504 committee. In addition, the text now refers to the "group of persons" required by regulation to serve on the committee, rather than referencing a specific number of persons.
- Placing more emphasis on the district's duty to evaluate when REFERRALS are made, along with revisions to the NOTICE AND CONSENT provisions to recognize guidance from the OCR and the procedural safeguards requirements of Section 504.
- Changing the text associated with EVALUATION AND PLACEMENT to mirror the requirements placed on the "recipient" of federal funding to ensure that the district's procedures for tests and other evaluation materials comply with the minimum requirements of law. Rather than specifically requiring an adaptive behavior evaluation in local policy, the recommended text refers to a variety of evaluations that each Section 504 committee will consider.
- A new provision addressing the REVIEW AND REEVALUATION PROCEDURE required in the Section 504 regulations. Because a district is required by the Section 504 regulations to periodically reevaluate a student's eligibility for services, and the Section 504 regulations allow a district to use the same timeline established in the Individuals with Disabilities Education Act (IDEA) to comply with the reevaluation requirement, the recommended text affirms that the district will abide by the IDEA timelines related to reevaluation (generally at least once every three years and not more than once a year). Also included is a provision addressing reviews of a student's services and supports.

# Explanatory Notes

## TASB Localized Policy Manual Update 104

- A new statement to accommodate a procedural safeguards requirement in the Section 504 regulations reflecting the parent's rights related to EXAMINING RECORDS of his or her child.
- Revisions to the existing text associated with a parent's RIGHT TO AN IMPARTIAL HEARING, to more accurately capture the requirements in the Section 504 regulations. Although a district may use the state-developed procedural safeguards document used for IDEA-eligible students to comply with the procedural safeguards required by the Section 504 regulations, the recommended text in the local policy addresses each component of the required Section 504-specific procedural safeguards topics.
- Revision of text regarding state-mandated assessments, as accommodations on state assessments are only one type of accommodation provided to students with disabilities. See EQUAL EDUCATIONAL OPPORTUNITY.
- Relocation and revision of text associated with RECORDS RETENTION to remove provisions associated with records of discrimination, harassment, and retaliation, since these concepts are addressed at policy FFH, and to focus on the retention requirements for records pertaining to Section 504.

### FB (EXHIBIT) EQUAL EDUCATIONAL OPPORTUNITY

To eliminate the need for the board to readopt policy every time the district's Title IX coordinator or ADA/Section 504 coordinator changes, we have moved the contact information for those positions to this exhibit, which is not a board-adopted document.

Please confirm the contact information included in this exhibit and contact your policy consultant if any adjustments are needed.

### FD (LEGAL) ADMISSIONS

To assist districts in determining residency of students seeking admission to district schools, a definition of "residence" has been added from a U.S. Supreme Court case at PROOF OF ELIGIBILITY, beginning on page 3. The definition provides that residence requires living in the district and having the present intention to remain there.

### FD (LOCAL) ADMISSIONS

The 2015–16 TEA *Student Attendance Accounting Handbook (SAAH)* requires districts to maintain written local board-adopted policies that provide detailed information on the district's attendance accounting system and that include the district's written policy for documentation to establish student residency. Informal guidance from TEA would allow districts to continue the common practice of the superintendent maintaining in administrative regulations a list of documents that may be used to verify residency. However, districts will need to provide auditors with the district's list of documents that may be used to establish residency. Recommended local policy text aligns with this practice and requires the parent to present proof of residency in accordance with administrative regulations. The text also allows the district to investigate stated residency as necessary. Please note that FD(REGULATION) will be updated in the next *TASB Regulations Resource Manual* update. If the district would like to include in policy a list of accepted documents, please contact your policy consultant for appropriate language.

To better accommodate the completion of REGISTRATION FORMS electronically, the reference to a signature is recommended for deletion. The requirement to *complete* registration forms can incorporate either a written signature on paper forms or an electronic acknowledgment or affirmation on an electronic form.

# Explanatory Notes

## TASB Localized Policy Manual Update 104

New provisions are also recommended to clarify TRANSFER OF CREDIT from accredited and nonaccredited schools and are broad enough to replace the current local policy provisions, which are limited to transfer of credit from nonaccredited schools. In accordance with state rule and as reflected in the recommended text, the district must accept credits for state graduation requirements earned in an accredited public school district in Texas. However, before recognizing credits earned in any other school, including an accredited nonpublic school, an accredited school outside of Texas, or a nonaccredited school, a district must evaluate the records or transcripts and may use a variety of methods to verify course content. The recommended local policy text also clarifies that the district may require the student to demonstrate mastery of the course content.

The definition of "accredited" that was already included in the policy has been moved to the beginning of the section addressing transfer students, since this definition is relevant to placement decisions as well as transfer of credit.

Revisions at WITHDRAWAL reflect that a parent wishing to withdraw a student presents a statement of withdrawal rather than a request.

### FEB (LOCAL) ATTENDANCE ATTENDANCE ACCOUNTING

To match wording in state rule, we have revised the text in this local policy to refer to "alternative" times for taking attendance. See ALTERNATIVE RECORDING TIME.

The 2015–16 TEA *Student Attendance Accounting Handbook (SAAH)* requires districts to maintain written local board-adopted policies that provide detailed information on the district's attendance accounting system, including the district's written policy for documentation to establish student residency. To tie this policy on attendance accounting with the district's residency provisions at FD(LOCAL), we have added, at ATTENDANCE ACCOUNTING SYSTEM, a cross-reference to FD for admissions and residency requirements related to student attendance accounting.

### FFA (LEGAL) STUDENT WELFARE WELLNESS AND HEALTH SERVICES

Revisions to this legally referenced policy on student wellness and health services reflect the repeal of the 2004 federal school wellness policy requirements and the addition of new wellness policy requirements from the Healthy, Hunger-Free Kids Act (HHFKA) of 2010. The 2010 HHFKA places greater emphasis on implementation, evaluation, and transparency to the public.

Specifically, the HHFKA added requirements for:

- Including wellness goals for nutrition promotion;
- Permitting additional stakeholders, including teachers of physical education and school health professionals, to participate in the development, implementation, and periodic review of the wellness policy;
- Informing the public about the content and implementation of the policy;
- Providing an assessment of the implementation of the policy; and
- Designating one or more district employees to ensure that each campus complies with the policy.

The U.S. Secretary of Agriculture must develop regulations that provide the framework and guidelines for districts to establish their wellness policies. Final federal regulations are still pending and will be added to the policy when effective.

# Explanatory Notes

## TASB Localized Policy Manual Update 104

**Please note:** TASB Policy Service has created new policy development materials to assist you in revising your FFA(LOCAL) for appropriate compliance with the HHFKA statutory requirements, available on myTASB at <https://www.tasb.org/Services/Policy-Service/myTASB/Starting-Points/Wellness/Wellness-Policy-and-Wellness-Plan.aspx>.

FFC (LOCAL) STUDENT WELFARE  
STUDENT SUPPORT SERVICES

To eliminate the need for the board to readopt policy every time the district's liaison for homeless students changes, we have moved the contact information for this position to FFC(EXHIBIT), which is not a board-adopted document. As a result, this local policy is recommended for deletion.

FFC (EXHIBIT) STUDENT WELFARE  
STUDENT SUPPORT SERVICES

To eliminate the need for the board to readopt policy every time the district's liaison for homeless students changes, we have moved the contact information for this position to this new exhibit, which is not a board-adopted document.

Please confirm the contact information included in this exhibit and contact your policy consultant if any adjustments are needed.

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

Recommended revisions update the STATEMENT OF NONDISCRIMINATION and the definition of DISCRIMINATION to add "sex" and "age" in accordance with Title IX and the Age Discrimination Act of 1975, respectively. Both statutes are enforced by the Department of Education's Office for Civil Rights (OCR).

In addition, to eliminate the need for the board to readopt this policy every time the district's Title IX coordinator or ADA/Section 504 coordinator changes, we have moved the contact information for those positions to FFH(EXHIBIT), which is not a board-adopted document. The OCR emphasizes the duty of school districts to make these coordinators "visible" to the school community, but recognizes the cost and administrative burden associated with staffing changes. Moving the contact information to the exhibit will maintain the visibility of the coordinators while reducing the administrative burden. See U.S. Dep't of Educ., OCR, [Dear Colleague Letter \(PDF\)](#) (Apr. 24, 2015).

The provision explaining the district's RECORDS RETENTION obligations for allegations, investigation reports, and other related records regarding prohibited conduct has been moved from FB(LOCAL) and revised to replace the stated retention periods with a reference to law. FFH is a more appropriate policy for this provision, since FFH addresses complaints of discrimination, harassment, and retaliation.

We have retained the district's extensive locally developed text throughout this policy.

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

To eliminate the need for the board to readopt policy every time the district's Title IX coordinator or ADA/Section 504 coordinator changes, we have moved the contact information for those positions to this exhibit, which is not a board-adopted document.

# Explanatory Notes

## TASB Localized Policy Manual Update 104

Please confirm the contact information included in this exhibit and contact your policy consultant if any adjustments are needed.

FL (LEGAL) STUDENT RECORDS

Although new provisions from SB 507 that require video cameras in certain special education classrooms are not effective until the 2016–17 school year, the bill makes immediate changes regarding the list of EXCEPTIONS for which consent is not required when a district employee makes VIDEOTAPES AND RECORDINGS of a child or child's voice. Parental consent is not required when a videotape or recording is related to the promotion of student safety under the new law pertaining to recordings in special education settings. See pages 20 and 21.

This introductory page outlines the contents of the ad valorem taxes policy. See the following sections for statutory provisions on:

SECTION I	Maintenance Taxes	pages 2–5
	1. Tax Rate Cap	
	2. Appraisal Roll	
	3. Disaster Area	
	4. Meeting on Budget and Proposed Tax Rate	
	5. Tax Rate	
	6. Effective Tax Rate	
	7. Maintenance and Operations Tax Rate	
SECTION II	Election to Ratify Taxes	pages 5–7
	1. Proposition	
	2. Approval of Proposition	
	3. Tax Information to County	
SECTION III	Payment Options	pages 7–9
	1. Discounts	
	2. Split Payments	
	3. Performing Services in Lieu of Paying Taxes	
	4. Installment Payments	
	5. Partial Payments	
SECTION IV	Delinquent Taxes	page 9
	1. Delinquency Date	
	2. Delinquent Tax Collection	
	3. Additional Penalties	
SECTION V	Exemptions	pages 10–13
	1. Homestead Exemptions	
	2. Veteran Exemptions	
	3. Optional Exemptions	
	4. Goods-in-Transit	
SECTION VI	Economic Development	pages 13–16
	1. Tax Increment Financing Act	
	2. Property Redevelopment and Tax Abatement Act	
	3. Texas Economic Development Act	

**SECTION I: MAINTENANCE TAXES**

A board may levy, assess, and collect annual ad valorem taxes for the maintenance of a district's schools. *Education Code 45.002*

TAX RATE CAP

If authorized by a majority of qualified voters of a district voting at an election held for that purpose, the district may impose a maintenance tax rate at a rate not to exceed the rate stated in the proposition. For any year, the maintenance tax rate per \$100 of taxable value adopted by a district may not exceed the rate equal to the sum of \$0.17 and the product of the state compression percentage, as determined under Education Code 42.2516, multiplied by \$1.50.

A rate that exceeds this maximum rate for the year in which the tax is to be imposed is void. A district with a tax rate that is void under this subsection may, subject to requirements imposed by other law, adopt a rate for that year that does not exceed the specified maximum rate for that year.

Notwithstanding any other law, a district that levied a maintenance tax for the 2005 tax year at a rate greater than \$1.50 per \$100 of taxable value in the district as permitted by special law may not levy a maintenance tax at a rate that exceeds the rate per \$100 of taxable value that is equal to the sum of \$0.17 and the product of the state compression percentage, as determined under Education Code 42.2516, multiplied by the rate of the maintenance tax levied by the district for the 2005 tax year.

*Education Code 45.003(a), (d)–(f)*

APPRAISAL ROLL

By August 1 or as soon thereafter as practicable, a district's tax assessor shall submit to the board the district's appraisal roll, showing the total appraised, assessed, and taxable values of all property and the total taxable value of new property.

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**Note:** The Texas comptroller of public accounts annually publishes *Truth in Taxation: A Guide for Setting School District Tax Rates*. School districts should consult the *Truth in Taxation* guide, available in print form or through the comptroller's website at <http://comptroller.texas.gov/taxinfo/proptax/tnt/school-districts.html>, for detailed guidance on setting local property tax rates.

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By August 1 or as soon thereafter as practicable, a district's tax collector shall certify to the board the estimates and amounts required by law.

*Tax Code 26.04(b)*



LOCAL REVENUE SOURCES  
AD VALOREM TAXES

CCG  
(LEGAL)

CERTIFIED ESTIMATE	By April 30, the chief appraiser shall prepare and certify an estimate of the taxable value of school district property. <i>Tax Code 26.01(e)</i>
DISASTER AREA	If a district is located partly or entirely inside an area declared by the governor to be a disaster area, the board may authorize the reappraisal of all property damaged in the disaster at its market value immediately after the disaster. <i>Tax Code 23.02(a)</i>
MEETING ON BUDGET AND PROPOSED TAX RATE	A board shall call a public meeting to discuss and adopt its budget and proposed tax rate. A board must provide notice of the budget and proposed tax rate meeting, as described below. The budget must be adopted before the adoption of the tax rate for the tax year in which the fiscal year covered by the budget begins. [See CE]
PUBLISHED NOTICE	A board president shall provide for publication of notice of the budget and proposed tax rate meeting in a daily, weekly, or biweekly newspaper published in a district. If no daily, weekly, or biweekly newspaper is published in a district, the president shall provide for publication of notice in at least one newspaper of general circulation in the county in which the district's central administrative office is located. The notice shall be published not earlier than the 30th day or later than the tenth day before the date of the hearing.
FORM OF NOTICE	The published notice of the public meeting to discuss and adopt the budget and the proposed tax rate must meet the size, format, and content requirements dictated by law.  The notice is not valid if it does not substantially conform to the language and format prescribed by the comptroller.
TAXPAYER INJUNCTION	If a district has not complied with the published notice requirements in the FORM OF NOTICE described above, and the requirements for DISTRICTS WITH JULY 1 FISCAL YEAR below, if applicable, and the failure to comply was not in good faith, a person who owns taxable property in the district is entitled to an injunction restraining the collection of taxes by the district. An action to enjoin the collection of taxes must be filed before the date a district delivers substantially all of its tax bills.
DISTRICTS WITH JULY 1 FISCAL YEAR	A district with a fiscal year beginning July 1 may use the certified estimate of the taxable value of district property in preparing the published notice if the district does not receive the certified appraisal roll on or before June 7. A district that uses a certified estimate may adopt a budget at the public meeting designated in the published notice prepared using the estimate, but the district may not adopt a tax rate before the district receives the certified appraisal roll for the district.

After receipt of the certified appraisal roll, a district must publish a revised notice and hold another public meeting before the district may adopt a tax rate that exceeds:

1. The rate proposed in the notice prepared using the estimate; or
2. The district's rollback rate determined under Tax Code 26.08 using the certified appraisal roll.

DECREASE IN DEBT  
SERVICE RATE

If the debt service rate calculated under Education Code 44.004(c)(5)(A)(ii)(b) decreases after the publication of the notice required by this section, the board president is not required to publish another notice or call another meeting to discuss and adopt the budget and the proposed lower tax rate.

*Education Code 44.004*

TAX RATE

Before the later of September 30 or the 60th day after the date the certified appraisal roll is received, a board shall adopt a tax rate for the current tax year that reflects the two components, maintenance and operations expenditures and the debt service rate calculated under Education Code 44.004(c)(5)(A)(ii)(b), and shall notify the assessor of the tax rate adopted. The two components shall be approved separately. *Tax Code 26.05(a)*

A board may not impose property taxes in any year until it has adopted a tax rate for that year, and the annual tax rate must be set by ordinance, resolution, or order. The vote on the ordinance, resolution, or order setting the tax rate must be separate from the vote adopting the budget. The vote on the ordinance, resolution, or order setting a tax rate that exceeds the sum of the district's effective maintenance and operations tax rate and the district's current debt rate must be a record vote, and at least 60 percent of the members of the board must vote in favor of the ordinance, resolution, or order. *Tax Code 26.05(b)*

The budget shall be adopted before the adoption of the tax rate. *Education Code 44.004(g)*

EXCEPTION

A district may adopt a budget after the district adopts a tax rate for the tax year in which the fiscal year covered by the budget begins if the district elects to adopt a tax rate before receiving the certified appraisal roll for the district. The board may adopt a tax rate for the current tax year before receipt of the certified appraisal roll if the chief appraiser of the appraisal district in which the district participates has, by April 30, certified to the assessor for the district an estimate of the taxable value of property in the school district as provided by Education Code 26.01(e). If a district adopts a tax rate before the adoption of the budget, the effective tax rate and the

rollback tax rate of the district shall be calculated based on the certified estimate of taxable value. *Education Code 44.004(j); Tax Code 26.01(e), .05(g)*

EFFECTIVE TAX RATE

The vote on the ordinance setting a tax rate that exceeds the effective tax rate must be a record vote. A motion to adopt an ordinance setting a tax rate that exceeds the effective tax rate must be made in the following form: "I move that the property tax rate be increased by the adoption of a tax rate of (specify tax rate), which is effectively a (insert percentage by which the proposed tax rate exceeds the effective tax rate) percent increase in the tax rate."

MAINTENANCE AND  
OPERATIONS TAX  
RATE

If the ordinance sets a tax rate that, if applied to the total taxable value, will impose an amount of taxes to fund maintenance and operation expenditures of the taxing unit that exceeds the amount of taxes imposed for that purpose in the preceding year, a board must include in the ordinance in type larger than the type used in any other portion of the document the following statement: "THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE"; and if the tax rate exceeds the effective maintenance and operations rate, the following statement: "THE TAX RATE WILL EFFECTIVELY BE RAISED BY (INSERT PERCENTAGE BY WHICH THE TAX RATE EXCEEDS THE EFFECTIVE MAINTENANCE AND OPERATIONS RATE) PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$(Insert amount)."

INTERNET POSTING

A district shall also include on the home page of any Internet website operated by the district the following statement: "(Insert name of unit) ADOPTED A TAX RATE THAT WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE"; and if the tax rate exceeds the effective maintenance and operations rate, the following statement: "THE TAX RATE WILL EFFECTIVELY BE RAISED BY (INSERT PERCENTAGE BY WHICH THE TAX RATE EXCEEDS THE EFFECTIVE MAINTENANCE AND OPERATIONS RATE) PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$(Insert amount)."

*Tax Code 26.05(b)*

**SECTION II: ELECTION TO RATIFY TAXES**

If a board adopts a tax rate that exceeds a district's rollback tax rate as defined in Tax Code 26.08, the registered voters of the district at an election held for that purpose must determine whether to approve the adopted tax rate. When increased expenditure of money is necessary due to a natural disaster and the governor has

	<p>requested federal disaster assistance, an election is not required. <i>Tax Code 26.08(a)</i></p> <p>A board shall order that the election be held in a district on a date not less than 30 or more than 90 days after the date on which it adopted the tax rate. The election need not be held on a uniform election date unless a uniform election date falls within the 30–90 day time period. <i>Tax Code 26.08(b)</i></p>
PROPOSITION	<p>In addition to any other requirement imposed by law for a proposition, including a provision prescribing the proposition language, a proposition submitted to the voters for approval of the imposition or increase of a tax shall specifically state the amount of or maximum tax rate of the tax or tax increase for which approval is sought. <i>Education Code 52.072(e)</i></p>
APPROVAL OF PROPOSITION	<p>If a majority of votes cast in a district favor the proposition, the tax rate for the current year is the rate that was adopted by the board. If the proposition is not approved, a board may not adopt a tax rate for the current year that exceeds a district’s rollback tax rate. <i>Tax Code 26.08(c)–(d)</i></p>
CALL FOR ELECTION	<p>A call for an election shall be made not later than the 62nd day before election day.</p>
EXCEPTIONS	<p>For an election to be held on a uniform election date, the election shall be ordered not later than the 78th day before election day.</p> <p>An election under Tax Code 26.08 to ratify a tax rate adopted by a board under Tax Code 26.05(g) shall be ordered not later than the 30th day before election day.</p> <p><i>Election Code 3.003, .005, 41.002 [See BBB]</i></p>
NOTICE TO COUNTY CLERK	<p>A board shall deliver notice of the election to the county clerk of each county in which the district is located not later than the 60th day before election day.</p>
EXCEPTION	<p>If a board orders an election under Tax Code 26.08 to ratify a tax rate adopted by the board under Tax Code 26.05(g), the board shall deliver notice of the election to the county clerk of each county in which the school district is located not later than the 30th day before election day.</p> <p><i>Election Code 4.008</i></p>
TAX INFORMATION TO COUNTY	<p>A district shall provide to the county assessor-collector for each county in which all or part of district territory is located the district’s adopted tax rate, maintenance and operations rate, debt rate, effective tax rate, effective maintenance and operations rate, and rollback tax rate for posting on the county’s Internet website. The</p>

district shall provide the information annually following the adoption of a tax rate by the district for the current tax year. *Tax Code 26.16(a)–(b)*

**SECTION III: PAYMENT OPTIONS**

DISCOUNTS

A board may adopt one or both of the following discount options for early payment of district taxes. *Tax Code 31.05(a)*

OPTION 1

If a board adopts Option 1, the following apply regardless of the date on which a district mails its tax bills.

1. Three percent if the tax is paid in October or earlier.
2. Two percent if the tax is paid in November.
3. One percent if the tax is paid in December.

*Tax Code 31.05(b)*

This discount does not apply to taxes that are calculated too late for it to be available. *Tax Code 31.04(c)*

OPTION 2

If a board adopts Option 2, the following discounts apply only when a district mails its tax bills after September 30:

1. Three percent if the tax is paid before or during the next full calendar month following the date on which the tax bills were mailed.
2. Two percent if the tax is paid during the second full calendar month following the date on which the tax bills were mailed.
3. One percent if the tax is paid during the third full calendar month following the date on which the tax bills were mailed.

*Tax Code 31.05(c)*

BOTH OPTIONS

If a board adopts both discount options, the discounts described at Option 1 apply unless a district mails its tax bills after September 30, in which case only the discounts described at Option 2 apply. *Tax Code 31.05(a)*

RESCISSION

The board may rescind a discount lawfully adopted by the board. The rescission of a discount takes effect in the tax year following the year in which the discount is rescinded. *Tax Code 31.05(d)*

SPLIT PAYMENTS

A board may provide for split payment of taxes. If a person pays one-half of the taxes before December 1, he or she may pay the remaining one-half of the taxes without penalty or interest at any time before July 1 of the following year. This payment option does not apply to taxes that are calculated too late for it to be available. *Tax Code 31.03, .04(c)*

LOCAL REVENUE SOURCES  
AD VALOREM TAXES

CCG  
(LEGAL)

PERFORMING  
SERVICES IN LIEU OF  
PAYING TAXES

In accordance with the provisions below, a board may permit certain individuals or business entities to provide certain services to a district in lieu of paying the district property taxes. While performing services for a district, the individual is not an employee of the district and is not entitled to any benefit, including workers' compensation coverage, that the district provides to its employees.

PERSONS 65 AND  
OVER

Subject to the requirements contained in Tax Code 31.035, a board by order or resolution may permit an individual who is at least 65 years of age to perform services for the taxing unit in lieu of paying taxes imposed by a district on property owned by the individual and occupied as the individual's residence homestead.

*Tax Code 31.035*

TEACHING  
SERVICES BY  
INDIVIDUAL

Subject to the requirements contained in Tax Code 31.036, a board by resolution may permit qualified individuals, who are not employed by a district, to perform teaching services for the district at a junior high school or high school of the district in lieu of paying taxes imposed by the district on property owned and occupied by the individual as a residence homestead. *Tax Code 31.036*

TEACHING  
SERVICES BY  
EMPLOYEE OF  
BUSINESS ENTITY

Subject to the requirements contained in Tax Code 31.037, a board by resolution may authorize a corporation or other business entity to permit a qualified individual employed by the business entity to perform teaching services in a high school or a junior high school for a district in lieu of paying taxes imposed by the district on property owned by the business entity. *Tax Code 31.037*

INSTALLMENT  
PAYMENTS  
CERTAIN  
HOMESTEADS

An individual who qualifies for a homestead exemption under Tax Code 11.13(c), .132, or .22 may pay taxes on the residence homestead property in installments without penalty or interest if paid by the applicable dates provided for in Tax Code 31.031. *Tax Code 31.031*

DISASTER AREA

Owners of certain property in a disaster area are permitted to pay taxes in installment payments. This option applies to:

1. Real property that:
  - a. Is the residence homestead of the owner or consists of property that is used for residential purposes and that has fewer than five living units, or is owned or leased by a business entity that had not more than the amount calculated as provided by Tax Code 31.032(h) in gross receipts in the entity's most recent federal tax year or state franchise tax annual period, according to the applicable federal income tax return or state franchise tax report of the entity; and

- b. Is located in a disaster area and has been damaged as a direct result of the disaster.
2. Tangible personal property that is owned or leased by a business entity described above at number 1(a); and
3. Taxes that are imposed on the property by a taxing unit before the first anniversary of the disaster;

Such installment payments shall not incur penalty or interest if paid by the applicable dates provided for in Tax Code 31.032.

*Tax Code 31.032(a)–(b)*

PARTIAL PAYMENTS

The tax collector may decide to accept partial payments of district property taxes. Acceptance of a partial payment does not affect the delinquency date, but penalties and interest are incurred only by the portion of tax that remains unpaid on the date the tax becomes delinquent. The discounts described above do not apply to any portion of a partial payment of district taxes. *Tax Code 31.07(c)*

**SECTION IV: DELINQUENT TAXES**

DELINQUENCY DATE

Taxes are delinquent if not paid before February 1 of the year following the year in which imposed, except as provided below:

1. A district has provided for split payments. *Tax Code 31.03*
2. A district's tax bills are mailed after January 10. *Tax Code 31.04(a)*
3. A district's tax bills are mailed after September 30 and the board has adopted discounts provided by Tax Code 31.05(c). *Tax Code 31.04(d)*

*Tax Code 31.02*

DELINQUENT TAX  
COLLECTION

A board may contract with any competent attorney to represent the district to enforce the collection of delinquent taxes. The attorney's compensation is set in the contract, but the total amount of compensation provided may not exceed 20 percent of the amount of delinquent tax, penalty, and interest collected. *Tax Code 6.30(c)*

ADDITIONAL  
PENALTIES

If a district or the tax collector for the district has contracted with a private attorney for the collection of delinquent taxes, the board may impose, by official action, an additional penalty on taxes that become delinquent in the manner prescribed by law. *Tax Code 33.07, .08*

**SECTION V: EXEMPTIONS**

HOMESTEAD EXEMPTIONS	An adult is entitled to exemption from taxation of \$25,000 of the appraised value of the adult's residence homestead. To receive the residence homestead exemption, the person claiming the exemption must apply for the exemption. <i>Tax Code 11.13(b), .43</i>
PERSONS 65 OR OLDER OR DISABLED PERSONS	An adult who is disabled or 65 or older is entitled to an additional \$10,000 exemption of the appraised value of his or her residence homestead. <i>Tax Code 11.13(c)</i>
TAX CEILING	A district shall not increase the total annual amount of ad valorem tax it imposes on the residence homestead of an individual 65 years of age or older, or on the residence homestead of an individual who is disabled as defined by Tax Code 11.13, above the amount of the tax it imposed in the first tax year in which the individual qualified that residence homestead for an applicable exemption. <i>Tax Code 11.26(a)</i>
IMPROVEMENTS	A district may increase the taxes if improvements are made to the property, but that tax amount is then frozen. <i>Tax Code 11.26(b)</i>
PORTABILITY OF TAX CEILING	If an individual subject to a limitation on tax increases subsequently qualifies a different residence for the residence homestead exemption, the tax limitation on the new residence is calculated to give the individual the same percentage of tax paid as the limitation on the former home in accordance with Tax Code 11.26(g). <i>Tax Code 11.26(g)</i>
SURVIVING SPOUSE OF PERSONS 65 OR OLDER	If an individual who qualifies for the exemption for an individual 65 years of age or older dies, the surviving spouse of the individual is entitled to the limitation applicable to the residence homestead of the individual if the surviving spouse is 55 years of age or older when the individual dies, and the residence homestead of the individual is the residence homestead of the surviving spouse on the date that the individual dies and remains the residence homestead of the surviving spouse. <i>Tax Code 11.26(i)</i>
HOMESTEADS RENDERED UNINHABITABLE OR UNUSABLE	If a qualified residential structure for which the owner receives a homestead exemption under Tax Code 11.13 is rendered uninhabitable or unusable by a casualty or by wind or water damage, the owner may continue to receive the exemption for the structure and the land and improvements used in the residential occupancy of the structure while the owner constructs a replacement qualified residential structure on the land in accordance with Tax Code 11.135 and 11.26(n)-(o) and 34 Administrative Code 9.416. <i>Tax Code 11.135, .26(n)-(o); 34 TAC 9.416</i>



LOCAL REVENUE SOURCES  
AD VALOREM TAXES

CCG  
(LEGAL)

VETERAN  
EXEMPTIONS

100 PERCENT  
DISABLED

A disabled veteran who receives from the U.S. Department of Veterans Affairs or its successor 100 percent disability compensation due to a service-connected disability and a rating of 100 percent disabled or of individual unemployability is entitled to an exemption from taxation of the total appraised value of the veteran's residence homestead. A person who qualifies for an exemption after January 1 of a tax year may receive the exemption for the applicable portion of that tax year immediately on qualification for the exemption. *Tax Code 11.131, .42(e)*

PARTIALLY  
DISABLED WITH  
DONATED  
RESIDENCE

A disabled veteran who has a disability rating of less than 100 percent is entitled to an exemption from taxation of a percentage of the appraised value of the disabled veteran's residence homestead equal to the disabled veteran's disability rating if the residence homestead was donated to the disabled veteran by a charitable organization at no cost to the disabled veteran. An exemption is effective as of January 1 of the tax year in which the person qualifies for the exemption and applies to the entire tax year. *Tax Code 11.132, .42(c)*

EXEMPTION FOR  
SURVIVING SPOUSE

The surviving spouse of a disabled veteran who qualified for an exemption when the veteran died, or of a disabled veteran who would have qualified for an exemption if it had been in effect on the date the veteran died, is entitled to the same exemption from taxation of the same property to which the disabled veteran's exemption applied or would have applied if:

1. The surviving spouse has not remarried since the death of the disabled veteran; and
2. The property:
  - a. Was the residence homestead of the surviving spouse when the disabled veteran died; and
  - b. Remains the residence homestead of the surviving spouse.

If a surviving spouse who qualifies for an exemption subsequently qualifies a different property as the surviving spouse's residence homestead, the surviving spouse is entitled to an exemption from taxation of the subsequently qualified homestead in an amount equal to the dollar amount of the exemption of the former homestead in the last year in which the surviving spouse received an exemption for that homestead if the surviving spouse has not remarried since the death of the disabled veteran.

*Tax Code 11.131(c)-(d), .132(c)-(d)*

LOCAL REVENUE SOURCES  
AD VALOREM TAXES

CCG  
(LEGAL)

SURVIVING SPOUSE OF INDIVIDUAL KILLED IN ACTION	<p>The surviving spouse of a member of the armed services of the United States who is killed in action is entitled to an exemption from taxation of the total appraised value of the surviving spouse's residence homestead if the surviving spouse has not remarried since the death of the member of the armed services. An exemption is effective as of January 1 of the tax year in which the person qualifies for the exemption and applies to the entire tax year. <i>Tax Code 11.132, .42(c)</i></p> <p>A surviving spouse who receives an exemption for a residence homestead is entitled to receive an exemption from taxation of a property that the surviving spouse subsequently qualifies as the surviving spouse's residence homestead in an amount equal to the dollar amount of the exemption from taxation of the first property for which the surviving spouse received the exemption in the last year in which the surviving spouse received that exemption if the surviving spouse has not remarried since the death of the member of the armed services. <i>Tax Code 11.132</i></p>
DISABLED VETERAN	<p>A disabled veteran is entitled to an exemption from taxation of a portion of the assessed value of a property the veteran owns and designates under Tax Code 11.22. This exemption can be, but is not required to be, applied to a residence homestead. <i>Tax Code 11.22</i></p>
OPTIONAL EXEMPTIONS	<p>A board may grant additional tax exemptions for transitional housing, homesteads, historic sites, community land trusts, certain water conservation initiatives, certain tax-exempt corporations, and charitable organizations, as provided by law. If a district adopts, amends, or repeals an exemption that the district by law has the option to adopt or not, the district shall notify the appraisal office of its action and of the terms of the exemption within 30 days after the date of its action. <i>Tax Code 6.08, 11.111, .13, .1827, .184, .24, .32; Tex. Const. Art. VIII, Sec. 1-b</i></p>
GOODS-IN-TRANSIT	<p>A person is entitled to an exemption from taxation of the appraised value of that portion of the person's property that consists of goods-in-transit.</p> <p>In accordance with Tax Code 11.253, a board may provide for the taxation of goods-in-transit that are otherwise exempt from taxation. The official action to tax the goods-in-transit must be taken before January 1 of the first tax year in which the governing body proposes to tax goods-in-transit. Before acting to tax the exempt property, a board must conduct a public hearing as required by Texas Constitution Article VIII, Section 1-n(d). The goods-in-transit remain subject to taxation by a district until the board rescinds or repeals its previous action to tax goods-in-transit, or otherwise determines that the exemption will apply to that district.</p>

Notwithstanding official action that was taken before October 1, 2011, to tax goods-in-transit, a district may not tax such goods-in-transit in a tax year that begins on or after January 1, 2012, unless the board takes official action on or after October 1, 2011, to provide for the taxation of the goods-in-transit.

EXCEPTION

If the board, before October 1, 2011, took action to provide for the taxation of goods-in-transit and pledged the taxes imposed on the goods-in-transit for the payment of a debt of the district, the district tax officials may continue to impose the taxes against the goods-in-transit until the debt is discharged, if cessation of the imposition would impair the obligation of the contract by which the debt was created.

*Tax Code 11.253(b), (j)–(j-2)*

**SECTION VI: ECONOMIC DEVELOPMENT**

TAX INCREMENT  
FINANCING ACT

The governing body of a municipality or county may designate a geographic area as a reinvestment zone to promote development or redevelopment of the area if the governing body determines that development or redevelopment would not occur solely through private investment in the reasonably foreseeable future, in accordance with the Tax Increment Financing Act, Tax Code Chapter 311. *Tax Code 311.003(a)*

BOARD OF  
DIRECTORS

A board may appoint one member of the reinvestment zone's board of directors if the district has approved the payment of all or part of the tax increment produced by the district into the tax increment fund for the zone or may waive that right. *Tax Code 311.009(a)*

In certain reinvestment zones, a board may be entitled to appoint more than one member of the reinvestment zone's board of directors. *Tax Code 311.0091(a)–(b)*

When the reinvestment zone has been designated upon petition of property owners under Tax Code 311.005(a)(4), a board may appoint a member or members, as appropriate, of the reinvestment zone's board of directors only if it has approved the payment of all or part of the tax increment produced by a district into the tax increment fund for the zone. *Tax Code 311.009(b), .0091(c)*

COLLECTION AND  
DEPOSIT OF TAX  
INCREMENTS

A district shall provide for the collection of its taxes in the zone as for any other property tax and shall pay into the zone's tax increment fund the amount specified by law. Notwithstanding any termination of the reinvestment zone and unless otherwise specified by an agreement between the district and the municipality or county that created the zone, this payment shall be made no later than 90 days after the later of the delinquency date for district property

taxes or the date the municipality or county that created the zone submits to the district an invoice specifying the tax increment produced by the district and the amount the district is required to pay into the tax increment fund for the zone. A district is not required to pay the portion attributable to delinquent taxes until those taxes are collected. A district shall not be required to pay a tax increment into the zone's tax increment fund beyond three years from the date the zone was created, except as provided by law. *Tax Code 311.013*

A district is not required to pay into the tax increment fund any of its tax increment produced from a reinvestment zone created upon petition of property owners under Tax Code 311.005(a) unless it enters into an agreement to do so with the governing body of the municipality or county that designated the zone. *Tax Code 311.013(f)*

A district is not required to pay into the tax increment fund any of its tax increment produced from property located in an area added to a reinvestment zone under Tax Code 311.007 unless the board enters into an agreement to do so with the governing body of the municipality or county that created the zone. *Tax Code 311.013(k)*

A district that participates in a zone is not required to increase the percentage or amount of the tax increment to be contributed by the district because of an amendment to the project plan or reinvestment zone financing plan for the zone unless the board by official action approves the amendment. *Tax Code 311.011(g)*

A district whose taxable value is reduced under Government Code 403.302(d)(4) shall pay into the tax increment fund, in addition to the amount otherwise required to be paid, the amount by which the amount of taxes the district would have been required to pay into the fund in the current year if the district levied taxes at the rate the district levied in 2005 exceeds the amount the district is otherwise required to pay into the fund in the year of the reduction. This additional amount may not exceed the amount the district receives in state aid for the current tax year under Education Code 42.2514. The district shall pay the additional amount after the district receives the state aid to which the district is entitled for the current tax year under Education Code 42.2514. *Tax Code 311.013(n)*

Notwithstanding the designation of a later termination date under Tax Code 311.017(a), a district that taxes real property located in the reinvestment zone is not required to pay any of its tax increment into the tax increment fund for the zone after the termination date designated in the ordinance or order creating the zone unless the board enters into an agreement to do so with the governing

body of the municipality or county that created the zone. *Tax Code 311.017(a-1)*

If the governing body of the municipality or county that designated a reinvestment zone extends the term of all or a portion of the zone, a district is not required to participate in the zone or portion of the zone for the extended term unless the district enters into a written agreement to do so. *Tax Code 311.007(c)*

PROPERTY  
REDEVELOPMENT  
AND TAX ABATEMENT  
ACT

On or after September 1, 2001, a school district may not enter into a tax abatement agreement under Tax Code Chapter 312. *Tax Code 312.002(f)*

DISTRICT  
DESIGNATED

Notwithstanding any other provision of Tax Code Chapter 312 to the contrary, the board, in the manner required for official action and for purposes of Tax Code Chapter 313, Subchapter B or C [see TEXAS ECONOMIC DEVELOPMENT ACT, below], may designate an area entirely within the territory of the district as a reinvestment zone if the board finds that, as a result of the designation and the granting of a limitation on appraised value, for property located in the reinvestment zone, the designation is reasonably likely to:

1. Contribute to the expansion of primary employment in the reinvestment zone; or
2. Attract major investment in the reinvestment zone that would:
  - a. Be a benefit to property in the reinvestment zone and to the school district; and
  - b. Contribute to the economic development of the region of this state in which the school district is located.

The board may seek the recommendation of the commissioners court of each county and the governing body of each municipality that has territory in the district before designating an area as a reinvestment zone.

*Tax Code 312.0025*

TEXAS ECONOMIC  
DEVELOPMENT ACT

In order to attract large-scale capital investments, create new jobs, strengthen the economy, and expand the property tax base, districts may offer certain ad valorem tax benefits and financial benefits in accordance with the Texas Economic Development Act. *Tax Code 313*

Districts should strictly interpret the criteria and selection guidelines and approve only those applications for an ad valorem tax benefit that:

1. Enhance the local community;
2. Improve the local public education system;
3. Create high-paying jobs; and
4. Advance the economic development goals of Texas.

*Tax Code 313.004(3)*

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**Note:** For complete information regarding the Texas Economic Development Act, refer to Tax Code Chapter 313 and 34 Administrative Code Chapter 9, Subchapter F.

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ACCOUNTING  
FINANCIAL REPORTS AND STATEMENTS

CFA  
(LEGAL)

ACCOUNTING SYSTEM      A board must adopt and install a standard school fiscal accounting system that meets the minimum requirements prescribed by the State Board of Education; is consistent with state financial laws; does not misrepresent the nature, scope, or duration of the financial activities of the state or the district; may follow the statutory standards in Government Code Chapter 2264 when other accounting bases conflict with state law; and conforms with generally accepted accounting principles. *Education Code 44.007(a), (b); Gov't Code 2266.002; 19 TAC 109.1, .41*

REPORT OF REVENUES AND EXPENDITURES      A report of the revenues and expenditures for the preceding fiscal year shall be filed with TEA on or before the date set by the State Board of Education. The report shall include management, cost accounting, and financial information that will enable the State Board to monitor the funding process and determine educational costs by district, campus, and program. *Education Code 44.007(c), (d)*

FINANCIAL STATEMENT      A board shall prepare an annual financial statement that shows the following for each fund subject to its authority during the fiscal year:

1. The total receipts of the fund, itemized by source of revenue, including taxes, assessments, service charges, grants of state money, gifts, or other general sources from which funds are derived.
2. The total disbursements of the fund, itemized by the nature of the expenditure.
3. The balance in the fund at the close of the fiscal year.

*Local Gov't Code 140.005*

PUBLICATION      A board president shall submit the annual financial statement to a daily, weekly, or biweekly newspaper published within the boundaries of the district. If a daily, weekly, or biweekly newspaper is not published within the boundaries of a district, the financial statement shall be published in a newspaper in each county in which the district or any part of the district is located. The statement shall be published in accordance with the accounting method required by TEA not later than the 150th day after the date the fiscal year ends. *Local Gov't Code 140.006*

REPORT OF DEBT INFORMATION      A district shall annually compile and report the following financial information:

1. As of the last day of the preceding fiscal year, debt obligation information for the district that must state:
  - a. The amount of all authorized debt obligations;

- b. The principal of all outstanding debt obligations;
  - c. The principal of each outstanding debt obligation;
  - d. The combined principal and interest required to pay all outstanding debt obligations on time and in full;
  - e. The combined principal and interest required to pay each outstanding debt obligation on time and in full;
  - f. The amounts required by items a–e limited to authorized and outstanding debt obligations secured by ad valorem taxation, expressed as a total amount and as a per capita amount; and
  - g. For each debt obligation:
    - (1) The issued and unissued amount;
    - (2) The spent and unspent amount;
    - (3) The maturity date; and
    - (4) The stated purpose for which the debt obligation was authorized.
2. The current credit rating given by any nationally recognized credit rating organization to debt obligations of the district;
  3. Any other information that the district considers relevant or necessary to explain the values required by items 1a–f above, including:
    - a. An explanation of the payment sources for the different types of debt; and
    - b. A projected per capita amount of an amount required by item 1f as of the last day of the maximum term of the most recent debt obligation issued by the district.

Instead of replicating in the annual report information that is posted separately on a district's Internet website, the district may provide in the report a direct link to, or a clear statement describing the location of, the separately posted information.

ALTERNATIVE TO  
REPORT

As an alternative to providing an annual report, a district may provide to the comptroller the information described above and any other related information required by the comptroller in the form and in the manner prescribed by the comptroller. The comptroller shall post the information on the comptroller's Internet website. If the district maintains an Internet website, the district shall provide a



link from the website to the location on the comptroller's website where the district's financial information may be viewed.

POSTING  
REQUIREMENTS

Except as provided at ALTERNATIVE TO REPORT above, a district's board of trustees shall take action to ensure that:

1. The district's annual report is made available for inspection by any person and is posted continuously on the district's Internet website until the district posts the next annual report; and
2. The contact information for the main office of the district is continuously posted on the website, including the physical address, the mailing address, the main telephone number, and an e-mail address.

*Local Gov't Code 140.008*

FINANCIAL  
MANAGEMENT  
REPORT

Each district must prepare and distribute an annual financial management report. The district's annual financial management report must include a description of the district's financial management performance based on a comparison, provided by TEA, of the district's performance on the indicators in 19 Administrative Code 109.1001.

Each district must provide the public with an opportunity to comment on the report at a hearing.

REPORT  
REQUIREMENTS

The report shall contain information on state-established standards and a district's financial management performance under each indicator for the current and previous year's financial accountability ratings and any descriptive information required by the commissioner of education ("commissioner"), including:

1. A copy of a superintendent's current employment contract or other written documentation of employment if no contract exists. This must disclose all compensation and benefits paid to the superintendent. A district may publish the superintendent's employment contract on the district's website instead of publishing it in the annual financial management report;
2. A summary schedule for the fiscal year (12-month period) of expenditures paid on behalf of the superintendent and each board member and total reimbursements received by the superintendent and each board member. This includes transactions on a district's credit card(s), debit card(s), stored-value card(s), and any other similar instrument(s) to cover expenses incurred by the superintendent and each board member. The summary schedule must separately report reimbursements for meals, lodging, transportation, motor fuel, and other items. The summary schedule of total reimbursements should not

include reimbursements for supplies and materials that were purchased for the operation of the district;

3. A summary schedule for the fiscal year of the dollar amount of compensation and fees received by the superintendent from an outside school district or any other outside entity in exchange for professional consulting or other personal services. The schedule must separately report the amount received from each entity;
4. A summary schedule for the fiscal year of the total dollar amount of gifts that had a total economic value of \$250 or more received by the executive officers and board members. This reporting requirement applies only to:
  - a. Gifts received by a district's executive officers and board members (and their immediate family as described by Government Code, Chapter 573, Subchapter B, Relationships by Consanguinity or by Affinity) from an outside entity that received payments from the district in the prior fiscal year, and
  - b. Gifts from competing vendors that were not awarded contracts in the prior fiscal year.

This reporting requirement does not apply to reimbursement by an outside entity for travel-related expenses when the purpose of the travel was to investigate matters directly related to an executive officer's or board member's duties or to investigate matters related to attendance at education-related conferences and seminars with the primary purpose of providing continuing education; however, this exclusion does not apply to trips for entertainment purposes or pleasure trips. This reporting requirement excludes an individual gift or a series of gifts from a single outside entity that had a total economic value of less than \$250 per executive officer or board member;

5. A summary schedule for the fiscal year of the dollar amount received by board members for the total amount of business transactions with the district. This reporting requirement is not to duplicate the items disclosed in the summary schedule of reimbursements received by board members; and
6. Any other information the board of trustees of a district determines to be useful.

PUBLIC HEARING

A board must hold a public hearing on the report. The public hearing must be held in a district's facilities within two months after receiving a final financial accountability rating.

A board must give notice of the hearing to property owners in the geographic boundaries of the district and to parents of district students.

In addition to other notice required by law, the board must provide notice of the hearing to a newspaper of general circulation in the geographic boundaries of the district once a week for two weeks prior to holding the public meeting, providing the time and place of the hearing. The first notice in the newspaper may not be more than 30 days prior to the public meeting or less than 14 days prior to the public meeting. If no newspaper is published in the county in which a district's central administration office is located, then the board must publish the notice in the county nearest to the county seat of the county in which the district's central administration office is located.

The board must also provide notice of the hearing through electronic mail to mass communication media serving a district, including, but not limited to, radio and television.

At the hearing, the district must provide the annual financial management report to the attending parents and taxpayers. The district must retain the annual financial management report for at least three years after the public hearing and make it available to parents and taxpayers upon request.

CORRECTIVE ACTION  
PLAN

Each district that received an F rating must file a corrective action plan with TEA, prepared in accordance with instructions from the commissioner, within one month after a district's public hearing.

DISSEMINATION

After the hearing, the report shall be disseminated in a district in the manner prescribed by the commissioner.

*Education Code 39.083; 19 TAC 109.1001(o)*

PROJECTED DEFICIT

If the commissioner, based on the indicators adopted under Education Code 39.082 [see CFC], projects a deficit for a district general fund within the following three school years, TEA shall provide the district interim financial reports, including projected revenues and expenditures, to evaluate the district's current budget status.

TEA may require a district to submit additional information needed to produce a financial report. If a district fails to provide information requested or if the commissioner determines that the information submitted by a district is unreliable, the commissioner may order the district to acquire professional services under Education Code 39.109 [see AIC].

*Education Code 39.0823*

ANNUAL AUDIT

The board shall have a district's fiscal accounts audited annually at district expense by a Texas certified or public accountant holding a permit from the State Board of Public Accountancy.

The audit shall be completed following the close of each fiscal year, and shall meet at least the minimum requirements and be in the format prescribed by the State Board of Education, subject to review and comment by the state auditor. The audit shall include an audit of the accuracy of the fiscal information provided by a district through the Public Education Information Management System (PEIMS).

*Education Code 44.008(a), (b)*

AUDIT  
REQUIREMENTS  
AND PROCEDURES

A district must file with TEA an annual financial and compliance report and, if applicable, a state compensatory agreed-upon procedures report. These reports must be audited by an independent auditor, and the audit must be reviewed by TEA, including review of auditors' working papers, in accordance with the *Financial Accountability System Resource Guide (FASRG)*.

The annual financial audit report and state compensatory agreed-upon procedures report are due 150 days after the end of the fiscal year.

INDEPENDENT  
AUDITOR

A district must hire at its own expense an independent auditor to conduct an independent audit of its financial statements and provide an opinion on its annual financial and compliance report.

The independent auditor must:

1. Be associated with a certified public accountancy (CPA) firm that has a current valid license issued by the Texas State Board of Public Accountancy;
2. Be a certified public accountant with a current valid license issued by the Texas State Board of Public Accountancy, as required under Education Code 44.008; and
3. Adhere to the generally accepted auditing standards (GAAS), adopted by the American Institute of CPAs (AICPA), as amended, and the generally accepted government auditing standards (GAGAS), adopted by the U.S. Government Accountability Office, as amended.

The CPA firm must:

1. Be a member of the AICPA Governmental Audit Quality Center (GAQC);
2. Adhere to GAQC's membership requirements; and

3. Collectively have the knowledge, skills, and experience to be competent for the audit being conducted, including thorough knowledge of the government auditing requirements and:
  - a. Texas public school district environment; or
  - b. Public sector; or
  - c. Nonprofit sector.

If at any time the TEA division responsible for financial compliance reviews an audit firm's working papers and finds that the firm or the quality of the work does not meet the required standards, the division may require the district to change its audit firm.

*19 TAC 109.23*

FINANCIAL ACCOUNTABILITY SYSTEM RESOURCE GUIDE	The rules for financial accounting, including the selection of an auditor and the requirements for the audit, are described in the official TEA publication, <i>Financial Accountability System Resource Guide</i> , as amended, which is adopted as the State Board of Education's official rule. <i>19 TAC 109.41</i>
FILING OF REPORT	A copy of the annual audit report, approved by the board, shall be filed with TEA not later than the 150th day after the end of the fiscal year for which the audit was made. If a board does not approve the audit report, it shall nevertheless file a copy of it with TEA, accompanied by a statement detailing its reasons for failing to approve the report. <i>Education Code 44.008(d)</i>
FINANCIAL RECORDS	Each treasurer receiving or having control of any school fund shall keep a full and separate itemized account of each of the different classes of school funds received, and these records shall be available to audit. <i>Education Code 44.008(c)</i>
FINANCIAL ACCOUNTABILITY RATING SYSTEM	TEA will assign a financial accountability rating to each district. The commissioner of education ("commissioner") will evaluate the rating system every three years and may modify the system to improve the effectiveness of the rating system. <i>Education Code 39.082; 19 TAC 109.1001(b), (c)</i>
DATA REVIEWED	TEA will use the following sources of data in calculating the financial accountability indicators for school districts: <ol style="list-style-type: none"><li>1. Audited financial data in a district's annual financial report, the audited annual report required by Education Code 44.008.</li><li>2. PEIMS data submitted by a district.</li><li>3. Warrant holds as reported by the comptroller.</li></ol>

4. The average daily attendance (ADA) information used for foundation school program purposes for a district.

*19 TAC 109.1001(d)*

**BASIS FOR RATING** TEA will base the financial accountability rating of a district on its overall performance on the financial measurements, ratios, and other indicators established by the commissioner. Financial accountability ratings for a rating year are based on the data from the immediate prior fiscal year. *19 TAC 109.1001(e)*

**TYPES OF RATINGS** The types of financial accountability ratings a district may receive for the rating year 2015–16 and all subsequent rating years are A for superior achievement, B for above standard achievement, C for standard achievement, and F for substandard achievement.

The commissioner may lower a financial accountability rating based on the findings of an action conducted under Education Code, Chapter 39. A financial accountability rating remains in effect until replaced by a subsequent rating.

*19 TAC 109.1001(h)–(j)*

**ISSUANCE OF RATINGS** TEA will issue a preliminary financial accountability rating to a district on or before August 8 of each year. TEA will not delay the issuance of a preliminary or final rating if a district fails to meet the statutory deadline under Education Code 44.008 for submitting the annual financial report. Instead, the district will receive an F rating for substandard achievement.

If TEA receives an appeal of a preliminary rating under 19 Administrative Code 109.1001(l), TEA will issue a final rating to a district no later than 60 days after receiving the appeal. If TEA does not receive an appeal of a preliminary rating, the preliminary rating automatically becomes a final rating 31 days after issuance of a preliminary rating.

*19 TAC 109.1001(k)*

A final rating issued by TEA may not be appealed under Education Code 7.057 or any other law or rule. *19 TAC 109.1001(m)*

**ANNUAL AUDIT OF DROPOUT RECORDS** The commissioner shall develop a process for auditing district dropout records electronically. The commissioner shall also develop a system and standards for review of the audit or use systems already available at TEA. The system must be designed to identify districts that are at high risk of having inaccurate dropout records and that, as a result, require on-site monitoring of dropout records.

If the electronic audit of a district's dropout records indicates that the district is not at high risk of having inaccurate dropout records,

the district may not be subject to on-site monitoring. If the risk-based system indicates that a district is at high risk of having inaccurate dropout records, the district is entitled to an opportunity to respond to the commissioner's determination before on-site monitoring may be conducted. A district must respond not later than the 30th day after the date the commissioner notifies the district of the commissioner's determination. If a district's response does not change the commissioner's determination that the district is at high risk of having inaccurate dropout records or if the district does not respond in a timely manner, the commissioner shall order TEA staff to conduct on-site monitoring.

*Education Code 39.308(a)–(c)*

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**Note:** The following is an index of website posting requirements that are addressed in the legal reference material of the policy manual. The list is not all-inclusive. The list does not address postings that are required in response to a specific incident, postings required under special circumstances, or postings required under administrative procedures of an agency.

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REQUIRED INTERNET  
POSTINGS

A district that maintains an Internet website shall post the following:

1. Not later than the tenth day after the first day of instruction of each school year, a district shall make available each campus report card, the district's performance report, the district's accreditation status and performance rating, and a definition and explanation of each accreditation status, under Education Code 39.362. [See AIB]
2. A district shall post an election notice required under Election Code 85.007. [See BBB]
3. A district that is located wholly or partly in a municipality with a population of more than 500,000 and with a student enrollment of more than 15,000 shall post a report filed pursuant to Election Code Chapter 254 by a board member, a candidate for membership on the board, or a specific-purpose committee for supporting, opposing, or assisting a candidate or member of a board, under Election Code 254.04011. [See BBBA]
4. A district shall provide access to the conflicts disclosure statements and questionnaires, under Local Government Code 176.009. [See BBFA, CHE]
5. A district shall post the statements regarding activities to support student health, under Education Code 28.004. [See BDF]
6. A board must post notice of a board meeting and, if the district contains all or part of the area within the corporate boundaries of a municipality with a population of 48,000 or more, the board must also post the agenda for a board meeting, under Government Code 551.056. [See BE]
7. A district that has a student enrollment of 10,000 or more shall post the archived recording, or a link thereto, of its meetings, under Government Code 551.128(b-1). [See BE]



8. A district issuing capital appreciation bonds shall post the information required by Government Code 1201.0245. [See CCA]
9. A district shall include on the home page of its website the prescribed statement if the district proposes to increase the amount of taxes to fund maintenance and operation expenditures, under Tax Code 26.05(b). [See CCG]
10. A district shall post a summary of its proposed budget concurrently with publication of the proposed budget, under Education Code 44.0041. [See CE]
11. A district shall maintain its adopted budget on the district's website until the third anniversary of the date the budget was adopted, under Education Code 39.084. [See CE]
12. A district shall continuously post its annual financial report under Local Government Code 140.008 on its website until the district posts the next annual report, or, as an alternative, the district may post a link to the comptroller's website where the district's financial information may be viewed. [See CFA]
13. A district shall continuously post on its website the contact information for the district's main office, including the physical address, the mailing address, the main telephone number, and an e-mail address, under Local Government Code 140.008(f)(2). [See CFA]
14. A district shall report its energy usage information on a publicly accessible Internet website with an interface designed for ease of navigation, if available, under Government Code 2265.001. [See CL]
15. A district that does not participate in the uniform group health insurance program (TRS ActiveCare) shall post its comparability report, together with the policy or contract for the group health coverage plan, under Education Code 22.004(d). [See CRD]
16. A district shall post the board's employment policies, under Education Code 21.204(d). [See DCB]
17. A district shall post the transition and employment guide for students enrolled in special education programs and their parents in order to provide information on statewide services and programs that assist in the transition to life outside the public school system, under Education Code 29.0112.

18. A district shall post the date the PSAT/NMSQT will be administered and the date any college advanced placement tests will be administered, under Education Code 29.916. [See EK]
19. A district shall post information regarding local programs and services, including charitable programs and services, available to assist homeless students, under Education Code 33.906. [See FDC]
20. A district shall prominently post information about required and recommended immunizations and procedures for claiming an exemption from immunization requirements, under Education Code 38.019. [See FFAB]
21. To the extent practicable, a district must post the procedure for reporting bullying established by the district's bullying policy, under Education Code 37.0832(c). [See FFI]

OPTIONAL INTERNET  
POSTINGS

A district that maintains an Internet website may post the following:

1. A board may broadcast an open meeting over the Internet, under Government Code 551.128. [See BE]
2. Notice of a vacant position for which a certificate or license is required may be provided by posting the position on the district's Internet website, rather than on a bulletin board, under Education Code 11.1513. [See DC]
3. A district may place on its Internet website a current copy of the procedural safeguards notice regarding special education and related services, under 34 CFR 300.504(b). [See EHBAE]
4. A district may provide the annual notice to the parent of each student enrolled in grade 9 or above of the availability of programs under which a student may earn college credit, under Education Code 28.010. [See EHDD]

"GEOSPATIAL DATA  
PRODUCTS"

"Geospatial data product" means a document, computer file, or Internet website that contains geospatial data; a map; or information about a service involving geospatial data or a map. *Gov't Code 2051.101(1)*

NOTICE

A district shall include a notice on each geospatial data product that:

1. Is created or hosted by the district;
2. Appears to represent property boundaries; and
3. Was not produced using information from an on-the-ground survey conducted by or under the supervision of a registered

professional land surveyor or land surveyor authorized to perform surveys under laws in effect when the survey was conducted.

The notice must be in substantially the following form: "This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries."

The notice may include language further defining the limits of liability of a geospatial data product producer; apply to a geospatial data product that contains more than one map; or for a notice that applies to a geospatial data product that is or is on an Internet website, be included on a separate page that requires the person accessing the website to agree to the terms of the notice before accessing the geospatial data product.

*Gov't Code 2051.102*

EXEMPTION

A district is not required to include the notice on a geospatial data product that:

1. Does not contain a legal description, a property boundary monument, or the distance and direction of a property line;
2. Is prepared only for use as evidence in a legal proceeding;
3. Is filed with the clerk of any court; or
4. Is filed with the county clerk.

*Gov't Code 2051.103*

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS  
CRIMINAL HISTORY AND CREDIT REPORTS

DBAA  
(LEGAL)

DEFINITIONS

“Criminal history clearinghouse” (Clearinghouse) means the electronic clearinghouse and subscription service established by the Department of Public Safety (DPS) to provide criminal history record information to persons entitled to receive that information and to provide updates to such information. A person who is the subject of the criminal history record information requested must consent to the release of the information. *Gov’t Code 411.0845(a), (h)*

“Criminal history record information” (CHRI) means information collected about a person by a criminal justice agency that consists of identifiable descriptions and notations of arrests, detentions, indictments, information, and other formal criminal charges and their dispositions. *Gov’t Code 411.082(2)*

“National criminal history record information” (NCHRI) means criminal history record information obtained from DPS under Government Code Chapter 411, Subchapter F, and the Federal Bureau of Investigation (FBI) under Government Code 411.087. *Education Code 22.081(2)*

CERTIFIED PERSONS

The State Board for Educator Certification (SBEC) shall review the NCHRI of a person who is an applicant for or holder of a certificate and who is employed by or is an applicant for employment by a district. *Education Code 22.0831(c)*

NONCERTIFIED  
EMPLOYEES

This section applies to a person who is not an applicant for or holder of a certificate from SBEC and who, on or after January 1, 2008, is offered employment by:

APPLICABILITY

1. A district; or
2. A shared services arrangement, if the employee’s or applicant’s duties are or will be performed on school property or at another location where students are regularly present.

[For noncertified employees of a district or shared services arrangement hired before January 1, 2008, see ALL OTHER EMPLOYEES, below.]

INFORMATION TO  
DPS AND TEA

Before or immediately after employing or securing the services of a person subject to this section, a district shall send or ensure that the person sends to DPS information that DPS requires for obtaining NCHRI, which may include fingerprints and photographs.

A district shall provide TEA with the name of a person to whom this section applies. TEA shall examine the CHRI of the person and notify the district if the person may not be hired or must be discharged under Education Code 22.085.

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS  
CRIMINAL HISTORY AND CREDIT REPORTS

DBAA  
(LEGAL)

EMPLOYMENT PENDING REVIEW	After the required information is submitted, the person may begin employment, but that employment is conditional upon the review of that person's CHRI by TEA and must be terminated if TEA makes a determination that the employee or applicant is ineligible for employment.
CRIMINAL HISTORY	<p>A district shall obtain all CHRI that relates to a person subject to this section through the Clearinghouse and shall subscribe to the CHRI of that person. A district may require the person to pay any fees related to obtaining the CHRI.</p> <p><i>Education Code 22.0833; 19 TAC 153.1109(d)</i></p>
SUBSTITUTE TEACHERS	This section applies to a person who is a substitute teacher for a district or shared services arrangement.
APPLICABILITY	For purposes of the CHRI review requirements, a "substitute teacher" is a teacher who is on call or on a list of approved substitutes to replace a regular teacher and has no regular or guaranteed hours. A substitute teacher may be certified or noncertified.
INFORMATION TO DPS AND TEA	<p>A district shall send or ensure that a person to whom this section applies sends to DPS information required for obtaining NCHRI, which may include fingerprints and photographs.</p> <p>A district shall provide TEA with the name of a person to whom this section applies. TEA shall examine the CHRI and certification records of the person and notify the district if the person:</p> <ol style="list-style-type: none"><li>1. May not be hired or must be discharged as provided by Education Code 22.085; or</li><li>2. May not be employed as a substitute teacher because the person's educator certification has been revoked or is suspended.</li></ol>
EMPLOYMENT PENDING REVIEW	After the required information is submitted, the person may begin employment, but that employment is conditional upon the review of that person's CHRI by TEA and must be terminated if TEA makes a determination that the employee or applicant is ineligible for employment.
CRIMINAL HISTORY	<p>A district shall obtain all CHRI that relates to a person to whom this section applies through the Clearinghouse. A district may require the person to pay any fees related to obtaining the CHRI.</p> <p><i>Education Code 22.0836; 19 TAC 153.1101(5), .1111(d)</i></p>
STUDENT TEACHERS APPLICABILITY	This section applies to a person participating in an internship consisting of student teaching to receive a teaching certificate.

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS  
CRIMINAL HISTORY AND CREDIT REPORTS

DBAA  
(LEGAL)

CRIMINAL HISTORY	<p>A student teacher may not perform any student teaching until:</p> <ol style="list-style-type: none"><li data-bbox="560 342 1438 478">1. The student teacher has provided to a district a driver's license or another form of identification containing the person's photograph issued by an entity of the United States government; and</li><li data-bbox="560 506 1438 709">2. The district has obtained from DPS all CHRI that relates to a student teacher. A district may also obtain CHRI relating to a student teacher from any other law enforcement agency, criminal justice agency, or private consumer reporting agency. A district may require a student teacher to pay any costs related to obtaining the CHRI.</li></ol>
COORDINATION OF EFFORTS	<p><i>Education Code 22.0835</i></p> <p>TEA, SBEC, a district, and a shared services arrangement may coordinate as necessary to ensure that criminal history reviews authorized or required under Education Code Chapter 22, Subchapter C are not unnecessarily duplicated. <i>Education Code 22.0833(h)</i></p>
ALL OTHER EMPLOYEES	<p>A district shall obtain CHRI that relates to a person who is not subject to an NCHRI review under Education Code Chapter 21, Subchapter C and who is an employee of:</p> <ol style="list-style-type: none"><li data-bbox="560 1104 808 1136">1. The district; or</li><li data-bbox="560 1163 1438 1262">2. A shared services arrangement, if the employee's duties are performed on school property or at another location where students are regularly present.</li></ol> <p>A district may obtain the CHRI from:</p> <ol style="list-style-type: none"><li data-bbox="560 1341 695 1373">1. DPS;</li><li data-bbox="560 1400 1247 1432">2. A law enforcement or criminal justice agency; or</li><li data-bbox="560 1459 1438 1520">3. A private consumer reporting agency [see CONSUMER CREDIT REPORTS, below].</li></ol>
CONFIDENTIALITY OF RECORD	<p><i>Education Code 22.083(a), (a-1), (c); Gov't Code 411.097</i></p> <p>CHRI that a district obtains from DPS, including any identification information that could reveal the identity of a person about whom CHRI is requested and information that directly or indirectly indicates or implies involvement of a person in the criminal justice system:</p> <ol style="list-style-type: none"><li data-bbox="560 1793 1166 1820">1. Is for the exclusive use of the district; and</li></ol>

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS  
CRIMINAL HISTORY AND CREDIT REPORTS

DBAA  
(LEGAL)

2. May be disclosed or used by the district only if, and only to the extent, disclosure is authorized or directed by a statute, rule, or order of a court of competent jurisdiction.

For purposes of these confidentiality provisions, "criminal history record" information does not refer to any specific document provided by DPS, but to the information contained, wholly or partly, in a document's original form or any subsequent form or use.

A district or an individual may not confirm the existence or nonexistence of CHRI to any person who is not eligible to receive the information.

*Gov't Code 411.084*

CHRI obtained by a district, in the original form or any subsequent form, may not be released to any person except the individual who is the subject of the information, TEA, or SBEC, or by court order. The CHRI is not subject to disclosure under Government Code Chapter 552 (Public Information Act).

An employee of a district may request from the district a copy of any CHRI related to that employee that the district has obtained from DPS. The district may charge a fee to provide the information, not to exceed the actual cost of copying the CHRI.

*Gov't Code 411.097(d), (f)*

DESTRUCTION OF  
CHRI

A district shall destroy CHRI obtained from DPS on the earlier of:

1. The date the information is used for the authorized purpose; or
2. The first anniversary of the date the information was originally obtained.

*Gov't Code 411.097(d)(3)*

CONFIDENTIALITY OF  
INFORMATION  
OBTAINED FROM  
APPLICANT OR  
EMPLOYEE

A district may not release information collected about a person in order to obtain CHRI, including the person's name, address, phone number, social security number, driver's license number, other identification number, and fingerprint records, except:

1. To comply with Government Code Chapter 22, Subchapter C (criminal records);
2. By court order; or
3. With the consent of the person who is the subject of the information.

In addition, the information is not subject to disclosure under Government Code Chapter 522 (Public Information Act).

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS  
CRIMINAL HISTORY AND CREDIT REPORTS

DBAA  
(LEGAL)

The district shall destroy the information not later than the first anniversary of the date the information is received.

*Education Code 22.08391*

SBEC NOTIFICATION

A superintendent shall promptly notify SBEC in writing by filing a report with the TEA staff within seven calendar days of the date the superintendent obtains or has knowledge of information indicating that an educator employed by or seeking employment with the district has a reported criminal history and the district obtained information about the educator's criminal record by a means other than the criminal history clearinghouse established by the Texas Department of Public Safety. [See also DHB for details on reporting requirements.]

"Reported criminal history" means information concerning any formal criminal justice system charges and dispositions. The term includes arrests, detentions, indictments, criminal information, convictions, deferred adjudications, and probations in any state or federal jurisdiction.

*Education Code 22.087; 19 TAC 249.14(d), .3(43)*

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**Note:** For criminal history record provisions regarding volunteers, see GKG. For provisions on employees of entities that contract with a district, see CJA.

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DISCHARGE OF  
CONVICTED  
EMPLOYEES

A district shall discharge or refuse to hire an employee or applicant for employment if the district obtains information through a CHRI review that:

1. The employee or applicant has been convicted of:
  - a. A felony under Penal Code Title 5;
  - b. An offense requiring registration as a sex offender under Code of Criminal Procedure Chapter 62; or
  - c. An offense under the laws of another state or federal law that is equivalent to an offense under paragraphs a or b; and
2. At the time the offense occurred, the victim of the offense was under 18 years of age or was enrolled in a public school.

EXCEPTION

However, a district is not required to discharge or refuse to hire an employee or applicant if the person committed an offense under Title 5, Penal Code and:

1. The date of the offense is more than 30 years before:



EMPLOYMENT REQUIREMENTS AND RESTRICTIONS  
CRIMINAL HISTORY AND CREDIT REPORTS

DBAA  
(LEGAL)

- a. June 15, 2007, in the case of a person employed by a district as of that date; or
  - b. The date the person's employment will begin, in the case of a person applying for employment with a district after June 15, 2007; and
2. The employee or applicant for employment satisfied all terms of the court order entered on conviction.

CERTIFICATION TO  
SBEC

Each school year, the superintendent shall certify to the commissioner of education ("commissioner") that the district has complied with the above provisions at DISCHARGE OF CONVICTED EMPLOYEES as required by Education Code 22.085.

SANCTIONS

SBEC may impose a sanction on an educator who does not discharge an employee or refuse to hire an applicant if the educator knows or should have known, through a criminal history record information review, that the employee or applicant has been convicted of an offense described above.

SBEC may impose a sanction on a superintendent who falsely or inaccurately certified to the commissioner that the district had complied with Education Code 22.085. [See DISCHARGE OF CONVICTED EMPLOYEES, above]

OPTIONAL  
TERMINATION

A district may discharge an employee if the district obtains information of the employee's conviction of a felony or misdemeanor involving moral turpitude that the employee did not disclose to SBEC or to the district. An employee so discharged is considered to have been discharged for misconduct for the purposes of Labor Code 207.044 (unemployment compensation).

*Education Code 22.085; 19 TAC 249.15(b)(12), (13)* [See DF]

CONSUMER CREDIT  
REPORTS

"Adverse action" includes a denial of employment or any other decision for employment purposes that adversely affects any current or prospective employee.

DEFINITIONS

"Consumer report" includes any information from a consumer reporting agency that is used or expected to be used as a factor in establishing the person's eligibility for employment.

"Consumer reporting agency" is an agency that, for monetary fees, dues, or on a cooperative nonprofit basis, regularly assembles or evaluates consumer credit information or other information on consumers for the purpose of furnishing consumer reports to third parties.

"Employment purposes" when used in connection with a consumer report means a report used for the purpose of evaluating a person

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS  
CRIMINAL HISTORY AND CREDIT REPORTS

DBAA  
(LEGAL)

for employment, promotion, reassignment, or retention as an employee.

*15 U.S.C. 1681a*

OBTAINING  
REPORTS

A district may not procure a consumer report for employment purposes unless:

1. The district has provided the applicant or employee a written disclosure that a consumer report may be obtained for employment purposes; and
2. The applicant or employee has authorized in writing the procurement of the consumer report.

ADVERSE ACTION

Before taking any adverse action based on the consumer report, a district shall provide the applicant or employee a copy of the consumer report and a written description of the person's rights under the Fair Credit Reporting Act, as prescribed by the Federal Trade Commission.

*15 U.S.C. 1681b(b)(2)*

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**Note:** The following provisions apply to a district that uses consumer reports.

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ADDRESS  
DISCREPANCIES

"Notice of address discrepancy" means a notice sent to a user by a consumer reporting agency that informs the user of a substantial difference between the address for the consumer that the user provided to request the consumer report and the address(es) in the agency's file for the consumer.

A district must develop and implement reasonable policies and procedures designed to enable the district, when it receives a notice of address discrepancy, to form a reasonable belief that a consumer report relates to the consumer about whom it has requested the report.

If a district regularly and in the ordinary course of business furnishes information to the consumer reporting agency from which it received the notice of address discrepancy, the district must also develop and implement reasonable policies and procedures for furnishing an address for the consumer, which the district has reasonably confirmed is accurate, to the consumer reporting agency.

*16 C.F.R. 641.1*

DISPOSAL OF  
RECORDS

A district must properly dispose of a consumer report by taking reasonable measures to protect against unauthorized access to or use of the information.

“Dispose” includes discarding or abandoning the consumer report, or selling, donating, or transferring any medium, including computer equipment, upon which the consumer report is stored.

Examples of reasonable measures include:

1. Burning, pulverizing, or shredding papers containing a consumer report so the information cannot practicably be read or reconstructed;
2. Destroying or erasing electronic media containing a consumer report so that the information cannot practicably be read or reconstructed; or
3. After due diligence, entering into and monitoring compliance with a contract with another party engaged in the business of record destruction to dispose of the consumer report.

*16 C.F.R. 682.3*

TERMINATION OF EMPLOYMENT  
RESIGNATION

DFE  
(LEGAL)

RESIGNATION  
WITHOUT CONSENT  
(UNILATERAL  
RESIGNATION)

An educator employed under a probationary contract for the following school year, or under a term or continuing contract, may relinquish the position and leave district employment at the end of the school year without penalty by filing a written resignation with a board or a board's designee not later than the 45th day before the first day of instruction of the following school year.

A written resignation mailed by prepaid certified or registered mail to a board president or a board's designee at the post office address of the district is considered filed at the time of mailing.

*Education Code 21.105(a), .160(a), .210(a)*

An unequivocal resignation filed not later than the 45th day before the first day of instruction of the following school year is effective upon filing with a district and the district cannot reject such a resignation. The resignation cannot be withdrawn by the teacher based on an argument that the district has not accepted the resignation. *Fantroy v. Dallas Indep. Sch. Dist., Tex. Comm'r of Educ. Decision No. 034-R9-0206 (Mar. 5, 2009); Garcia v. Miles Indep. Sch. Dist., Tex. Comm'r of Educ. Decision No. 055-R1-503 (Nov. 30, 2006).*

RESIGNATION WITH  
CONSENT

The educator may resign, with the consent of the board or the board's designee, at any other time. *Education Code 21.105(b), .160(b), .210(b)*

SANCTIONS FOR  
ABANDONMENT OF  
CONTRACT

On written complaint by a district, the State Board for Educator Certification (SBEC) may impose sanctions against an educator who is employed under a probationary contract, or under a continuing or term contract, for the following school year, and who:

1. Resigns;
2. Fails without good cause to comply with the resignation deadline or the provision regarding resignation by consent; and
3. Fails without good cause to perform the contract.

*Education Code 21.105(c), .160(c), .210(c)*

Acceptance or approval of a resignation indicates consent to abandonment of contract. *Quitman Indep. Sch. Dist. v. Wilkerson, Tex. Comm'r of Educ. Decision No. 142-TTC-698 (Dec. 2, 1999); Houston Indep. Sch. Dist. v. Johnson, Tex. Comm'r of Educ. Decision No. 054-TTC-1196 (Sept. 28, 1998)*

SBEC shall not pursue sanctions against an educator who is alleged to have abandoned his or her contract unless a board:

1. Submits a written complaint within 30 calendar days after the effective date of the educator's separation from employment

TERMINATION OF EMPLOYMENT  
RESIGNATION

DFE  
(LEGAL)

from the district. Unless the district and the educator have a written agreement to the contrary, the effective date of separation from employment is the first day that, without district permission, the educator fails to appear for work under the contract.

2. Renders a finding that good cause did not exist under Education Code 21.105(c)(2) (probationary contract), 21.160(c)(2) (continuing contract), or 21.210(c)(2) (term contract). This finding constitutes prima facie evidence of the educator's lack of good cause but is not a conclusive determination.
3. Submits the following required attachments to the written complaint:
  - a. The educator's resignation letter, if any;
  - b. The agreement with the educator regarding the effective date of separation from employment, if any;
  - c. The educator's contract; and
  - d. Board meeting minutes indicating a finding of "no good cause." If the board does not meet within 30 calendar days of the educator's separation from employment, the minutes may be submitted within 10 calendar days after the next board meeting.

*19 TAC 249.14(g)*

REPORT TO SBEC

A superintendent shall report the educator's resignation to SBEC if the conditions set forth at Education Code 21.006 exist. [See DHB] *Education Code 21.006*

INVESTIGATION

A superintendent shall complete an investigation of an educator if there is evidence that the educator may have abused or otherwise committed an unlawful act with a student or minor, despite the educator's resignation from district employment before completion of the investigation. *Education Code 21.006(b-1); 19 TAC 249.14(d)(3)(C)*

EMPLOYEE STANDARDS OF CONDUCT  
REPORTS TO STATE BOARD FOR EDUCATOR CERTIFICATION

DHB  
(LEGAL)

REPORT REQUIRED	In addition to the reporting requirement under Family Code 261.101 [see FFG], a superintendent shall notify the State Board for Educator Certification (SBEC) if:
CRIMINAL HISTORY	1. An educator employed by or seeking employment with the district has a reported criminal history and the district obtained information about the educator's criminal record by a means other than the criminal history clearinghouse established by the Texas Department of Public Safety;
TERMINATION	2. An educator's employment at the district was terminated based on evidence that the educator engaged in an act of misconduct listed below;
RESIGNATION	3. An educator has submitted a notice of resignation and evidence exists that would support a finding that the educator engaged in an act of misconduct listed below; or
ASSESSMENT INSTRUMENT	4. The educator engaged in conduct that violated the assessment instrument security procedures established under Education Code 39.0301.
"REPORTED CRIMINAL HISTORY"	"Reported criminal history" means information concerning any formal criminal justice system charges and dispositions. The term includes arrests, detentions, indictments, criminal informations, convictions, deferred adjudications, and probations in any state or federal jurisdiction.  <i>Education Code 21.006, 22.087; 19 TAC 249.3(43), .14(d)</i>
REPORTABLE MISCONDUCT	A superintendent shall make a report to SBEC under Education Code 21.006 if there is evidence that the educator:  1. Sexually or physically abused or otherwise committed an unlawful act with a student or minor;  2. Was involved in a romantic relationship with or solicited or engaged in sexual contact with a student or minor;  3. Possessed, transferred, sold, or distributed a controlled substance, as defined by Health and Safety Code Chapter 481 or by 21 U.S.C. Section 801 et seq.;  4. Illegally transferred, appropriated, or expended funds or other property of the district;  5. Attempted by fraudulent or unauthorized means to obtain or alter a professional certificate or permit for the purpose of promotion or additional compensation; or  6. Committed a criminal offense or any part of a criminal offense on school property or at a school-sponsored event.

“ABUSE”

“Abuse” includes the following acts or omissions:

1. Mental or emotional injury to a student or minor that results in an observable and material impairment in the student’s or minor’s development, learning, or psychological functioning;
2. Causing or permitting a student or minor to be in a situation in which the student or minor sustains a mental or emotional injury that results in an observable and material impairment in the student’s or minor’s development, learning, or psychological functioning;
3. Physical injury that results in substantial harm to a student or minor, or the genuine threat of substantial harm from physical injury to the student or minor, including an injury that is at variance with the history or explanation given and excluding an accident or reasonable discipline; or
4. Sexual conduct harmful to a student’s or minor’s mental, emotional, or physical welfare.

*19 TAC 249.3(1)*

“SOLICITATION OF A  
ROMANTIC  
RELATIONSHIP”

“Solicitation of a romantic relationship” means deliberate or repeated acts that can be reasonably interpreted as the solicitation by an educator of a relationship with a student that is romantic in nature. A romantic relationship is often characterized by a strong emotional or sexual attachment and/or patterns of exclusivity, but does not include appropriate educator-student relationships that arise out of legitimate contexts such as familial connections or longtime acquaintance. The following acts, considered in context, may constitute prima facie evidence of the solicitation by an educator of a romantic relationship with a student:

1. Behavior, gestures, expressions, or communications with a student that are unrelated to the educator’s job duties and evidence a romantic intent or interest in the student, including statements of love, affection, or attraction. Factors that may be considered in determining the romantic intent of such communications or behavior include:
  - a. The nature of the communications;
  - b. The timing of the communications;
  - c. The extent of the communications;
  - d. Whether the communications were made openly or secretly;

EMPLOYEE STANDARDS OF CONDUCT  
REPORTS TO STATE BOARD FOR EDUCATOR CERTIFICATION

DHB  
(LEGAL)

- e. The extent that the educator attempts to conceal the communications;
  - f. If the educator claims to be counseling a student, SBEC may consider whether the educator's job duties included counseling, whether the educator reported the subject of the counseling to the student's guardians or to the appropriate school personnel, or, in the case of alleged abuse or neglect, whether the educator reported the abuse or neglect to the appropriate authorities; and
  - g. Any other evidence tending to show the context of the communications between educator and student.
2. Making inappropriate comments about a student's body, creating or transmitting sexually suggestive photographs or images, or encouraging the student to transmit sexually suggestive photographs or images.
  3. Making sexually demeaning comments to a student.
  4. Making comments about a student's potential sexual performance.
  5. Requesting details of a student's sexual history.
  6. Requesting a date, sexual contact, or any activity intended for the sexual gratification of the educator.
  7. Engaging in conversations regarding the sexual problems, preferences, or fantasies of either party.
  8. Inappropriate hugging, kissing, or excessive touching.
  9. Providing the student with drugs or alcohol.
  10. Suggestions that a romantic relationship is desired after the student graduates, including post-graduation plans for dating or marriage.
  11. Any other acts tending to show that the educator solicited a romantic relationship with the student.

*19 TAC 249.3(50)*

A superintendent may notify SBEC of any educator misconduct that the superintendent believes in good faith may be subject to sanctions by SBEC. *19 TAC 249.14(d)*

DEADLINE TO REPORT      The superintendent must notify SBEC in writing not later than the seventh day after the date the superintendent knew about an em-



EMPLOYEE STANDARDS OF CONDUCT  
REPORTS TO STATE BOARD FOR EDUCATOR CERTIFICATION

DHB  
(LEGAL)

ployee's termination of employment following an alleged incident of misconduct. *Education Code 21.006(c)*

CONTENTS OF  
REPORT

The report shall include the name or names of any student or minor who is the victim of abuse or unlawful conduct by an educator. The report shall, at a minimum, describe in detail the factual circumstances requiring the report and identify the subject of the report by providing the following available information:

1. Name and any aliases;
2. Certificate number, if any, or social security number;
3. Last known mailing address and home and daytime phone numbers;
4. All available contact information for any alleged victim or victims; and
5. Name or names and any available contact information of any relevant witnesses to the circumstances requiring the report.

*Education Code 21.006(c); 19 TAC 249.14(e)*

A superintendent shall include the name of a student or minor who is the victim of abuse or unlawful conduct by an educator, but the name of the student or minor is not public information under Government Code Chapter 552. [See GBAA] *Education Code 21.006(h)*

NOTICE

A superintendent shall notify the board and the educator of the filing of a written report with SBEC. *Education Code 21.006(d)*

SANCTIONS FOR  
FAILURE TO REPORT

A superintendent who fails to timely make a required report is subject to sanctions by SBEC. *Education Code 21.006(f); 19 TAC 249.14(e)*

IMMUNITY

A superintendent who, in good faith and while acting in an official capacity, files a report with SBEC is immune from civil or criminal liability that might otherwise be incurred or imposed. *Education Code 21.006(e)*

**Please Note:** This manual does not have policies in all codes. The coding structure is common to all TASB manuals and is designed to accommodate expansion of both (LEGAL) and (LOCAL) policy topics and administrative regulations.

## SECTION E: INSTRUCTION

EA	INSTRUCTIONAL GOALS AND OBJECTIVES
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EC	SCHOOL DAY
ED	ORGANIZATION OF INSTRUCTION
EE	INSTRUCTIONAL ARRANGEMENTS
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EFA	Instructional Materials
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**Please Note:** This manual does not have policies in all codes. The coding structure is common to all TASB manuals and is designed to accommodate expansion of both (LEGAL) and (LOCAL) policy topics and administrative regulations.

## SECTION E: INSTRUCTION

EHBB	Gifted and Talented Students
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EHBD	Federal Title I
EHBE	Bilingual Education/ESL
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EHDB	Credit by Examination With Prior Instruction
EHDC	Credit by Examination Without Prior Instruction
EHDD	College Course Work/Dual Credit
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EI	ACADEMIC ACHIEVEMENT
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### EJ ACADEMIC GUIDANCE PROGRAM

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### EL CHARTER CAMPUS OR PROGRAM

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EMA	Academic Freedom
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EMD	Ceremonies and Observances
EMG	Non-Service Animals
EMI	Study of Religion

INSTRUCTIONAL ARRANGEMENTS  
HOMEBOUND INSTRUCTION

EEH  
(LOCAL)

GENERAL EDUCATION      Consistent with TEA's *Student Attendance Accounting Handbook (SAAH)*, a student may be eligible for general education homebound services if the student is to be confined for a minimum of four weeks to a hospital or homebound setting for medical reasons specifically documented by a physician licensed to practice in the United States. The weeks of confinement need not be consecutive. The parent's request for services shall be submitted to 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 or guardian of the student 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, if applicable, the length of the transition period to the school-based setting based on current medical information.

SPECIAL EDUCATION      Consistent with state rule and the *SAAH*, a student receiving special education services may be eligible for special education homebound services if the student is to be confined for a minimum of four weeks to a hospital or homebound setting for medical reasons specifically documented by a physician licensed to practice in the United States. If a student is chronically ill, the student's admission, review, and dismissal (ARD) committee shall determine whether the weeks of confinement need to be consecutive.

If the ARD committee determines that homebound instruction is appropriate, the committee shall determine the type and amount of instruction to be provided in accordance with law, and, if applicable, the length of the transition period to the school-based setting based on current medical information.

DOCUMENTATION OF SERVICES      The District shall maintain full documentation about students receiving homebound services, in accordance with administrative procedures, the *SAAH*, and a student's individualized education program (IEP), as applicable.

PARENTAL CONSENT NOT REQUIRED	An employee of a school district is not required to obtain the consent of a child's parent before the employee may make a videotape of a child or authorize the recording of a child's voice if the videotape or voice recording is to be used for a purpose related to the promotion of student safety as described by this policy. <i>Education Code 26.009(b)</i>
VIDEO SURVEILLANCE UPON REQUEST TO PROMOTE STUDENT SAFETY	In order to promote student safety on request by a parent, trustee, or staff member, a school district shall provide equipment, including a video camera, to each school in the district in which a student who receives special education services in a self-contained classroom or other special education setting is enrolled.
CLASSROOM OR OTHER SETTING	Each school that receives equipment shall place, operate, and maintain one or more video cameras in each self-contained classroom or other special education setting in which a majority of the students in regular attendance are: <ol style="list-style-type: none"><li>1. Provided special education and related services; and</li><li>2. Assigned to a self-contained classroom or other special education setting for at least 50 percent of the instructional day.</li></ol> A school shall operate and maintain the camera in the classroom or setting as long as the classroom or setting continues to satisfy these requirements.
VIDEO CAMERAS	The video cameras must be capable of: <ol style="list-style-type: none"><li>1. Covering all areas of the classroom or setting, except that the inside of a bathroom or any area in the classroom or setting in which a student's clothes are changed may not be visually monitored; and</li><li>2. Recording audio from all areas of the classroom or setting.</li></ol>
WRITTEN NOTICE	Before a school places a video camera in a classroom or setting, the school shall provide written notice of the placement to all school staff and to the parents of a student receiving special education services in the classroom or setting.
RETENTION PERIOD	A school district shall retain video recorded from a camera for at least six months after the date the video was recorded.
GIFTS, GRANTS, AND DONATIONS	A school district may solicit and accept gifts, grants, and donations from any person for use in placing video cameras in classrooms or settings.
NO WAIVER OF IMMUNITY	The requirements described by this policy do not: <ol style="list-style-type: none"><li>1. Waive any immunity from liability of a school district, or of district officers or employees; or</li></ol>

	<ol style="list-style-type: none"><li>2. Create any liability for a cause of action against a school district or against district officers or employees.</li></ol>
NO MONITORING	<p>A school district may not:</p> <ol style="list-style-type: none"><li>1. Allow regular or continual monitoring of video recorded under Education Code 29.022; or</li><li>2. Use video for teacher evaluation or for any other purpose other than the promotion of safety of students receiving special education services.</li></ol>
CONFIDENTIALITY	<p>A video recording of a student is confidential and may not be released or viewed except as provided below.</p>
LIMITED RELEASE	<p>A school district shall release a recording for viewing by:</p> <ol style="list-style-type: none"><li>1. A school district employee or a parent or guardian of a student who is involved in an incident documented by the recording for which a complaint has been reported to the district, on request of the employee, parent, or guardian, respectively;</li><li>2. Appropriate Department of Family and Protective Services (DFPS) personnel as part of an investigation of alleged or suspected abuse or neglect of a child under Family Code 261.406;</li><li>3. A peace officer, a school nurse, a district administrator trained in de-escalation and restraint techniques as provided by commissioner's rule, or a human resources staff member designated by the board in response to a complaint or an investigation of district personnel or a complaint of abuse committed by a student; or</li><li>4. Appropriate agency or State Board for Educator Certification personnel or agents as part of an investigation.</li></ol>
DUTY TO REPORT	<p>If a person described by item 3 or 4 above who views the video recording believes that the recording documents a possible violation under Family Code, Chapter 261, Subchapter E, the person shall notify DFPS for investigation in accordance with Family Code 261.406.</p>
USE IN DISCIPLINARY ACTIONS AGAINST DISTRICT PERSONNEL	<p>If any person described by item 2, 3, or 4 above who views the recording believes that the recording documents a possible violation of district policy, the person may allow access to the recording to appropriate legal and human resources personnel. A recording believed to document a possible violation of district policy may be used as part of a disciplinary action against district personnel and shall be released at the request of the student's parent or guardian in a legal proceeding.</p>

Humble ISD  
101913

SPECIAL EDUCATION  
VIDEO/AUDIO MONITORING

EHBAF  
(LEGAL)

FERPA

State law does not limit the access of a student's parent to a record regarding the student under the Family Educational Rights and Privacy Act or other law.

*Education Code 29.022*

With board approval, a district shall develop or purchase examinations for acceleration that thoroughly test the essential knowledge and skills for each primary school grade level and for credit for secondary school academic subjects.

KINDERGARTEN–  
GRADE 5

A district shall develop procedures for kindergarten acceleration that are approved by the board.

A district shall accelerate a student in grades 1–5 one grade level if the student meets the following requirements:

1. The student scores 80 percent or above on a criterion-referenced test for the grade level to be skipped in each of the following areas: language arts, mathematics, science, and social studies;
2. A district representative recommends that the student be accelerated; and
3. The student's parent or guardian gives written approval of the acceleration.

GRADES 6–12

A district shall give a student in grades 6–12 credit for an academic subject in which the student has received no prior instruction if the student scores:

1. A three or higher on a College Board advanced placement examination that has been approved by the board for the applicable course;
2. A scaled score of 50 or higher on an examination administered through the College-Level Examination Program (CLEP) and approved by the board for the applicable course; or
3. Eighty percent or above on any other criterion-referenced test approved by the board for the applicable course.

If a student is given credit in a subject on the basis of an examination on which the student scored 80 percent or higher, a district shall enter the examination score on the student's transcript and the student is not required to take an end-of-course (EOC) assessment instrument under Education Code 39.023(c) for the course.

BOARD-APPROVED  
EXAMINATIONS

The board shall approve for each high school course, to the extent available, at least four examinations that shall include College Board advanced placement examinations and examinations administered through CLEP.

The examinations may be developed by Texas Tech University, The University of Texas at Austin, the school district, or another entity.



If using a district-developed examination or an examination developed by another entity, prior to the first administration, a district must certify that the examination:

1. Covers all assessable Texas essential knowledge and skills for the course;
2. Has not been published and is not publicly available;
3. Will only be administered in a secure environment under standardized conditions by a school district or institution of higher education;
4. Has been externally validated;
5. Is equivalent to state level EOC assessment instruments in terms of content coverage, item difficulty, and technical quality;
6. Yields comparable results for all subgroups; and
7. If for a course that has a state level EOC assessment instrument, is validated against the applicable EOC assessment. For a course that is validated for this purpose, a school district must make public:
  - a. The test development process; and
  - b. The results of the validation efforts.

District-developed examinations for courses that do not have an EOC assessment shall meet all validation requirements at items 1–7 above no later than the 2018–19 school year for each examination offered for credit.

Examinations developed by Texas Tech University and The University of Texas at Austin for courses that do not have a state EOC assessment shall meet all requirements at items 1–7 above not later than the 2018–19 school year for each of its examinations offered for credit.

An EOC assessment administered under Education Code 39.023(c) cannot be used for purposes of credit by examination.

ANNUAL  
ADMINISTRATION

A district shall administer each exam approved by the board not fewer than four times each year. A district must provide windows to test between January 1 and March 31, April 1 and June 30, July 1 and September 30, and October 1 and December 31, unless the exam's administration date is established by an entity other than the district. The days need not be consecutive but shall be designed to meet the needs of all students. The dates must be publicized in the community.

ALTERNATIVE METHODS FOR EARNING CREDIT  
CREDIT BY EXAMINATION WITHOUT PRIOR INSTRUCTION

EHDC  
(LEGAL)

A district may allow a student to accelerate at a time other than those described above by developing a cost-free option approved by the board that allows students to demonstrate academic achievement or proficiency in a subject or grade level.

STUDENTS WHO  
ARE HOMELESS OR  
IN SUBSTITUTE  
CARE

A district shall provide opportunities for a student who is homeless or in substitute care who transfers to the district after the start of the school year to be administered credit by examination at any point during the school year.

LIMITATIONS ON  
TAKING  
EXAMINATIONS

A student may not attempt to earn credit by examination for a specific high school course more than two times.

If a student fails to earn credit by examination for a specific high school course before the beginning of the school year in which the student would ordinarily be required to enroll in that course in accordance with the district's prescribed course sequence, the student must satisfactorily complete the course to receive credit for the course.

FEES

A 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.

*Education Code 28.023; 19 TAC 74.24, 101.3021(c)*

ACADEMIC ACHIEVEMENT

EI  
(LEGAL)

AWARD OF CREDIT	The award of credit for a course affirms that a student has satisfactorily met state and local requirements. <i>19 TAC 74.26(a)</i>
EARLY AWARD OF CREDIT	A district may offer courses designated for grades 9–12 in earlier grade levels. Credit must be awarded if the student has demonstrated achievement by meeting the standard requirements of the course, including demonstrated proficiency in the subject matter, regardless of the time the student received instruction in the course or the grade level at which proficiency was attained. The academic achievement record (transcript) shall reflect that students have satisfactorily completed courses at earlier grade levels from grades 9–12 and have been awarded state graduation credits. <i>19 TAC 74.26(b)</i>
PARTIAL AWARD	<p>In accordance with a district’s local policy, a student who is able to successfully complete only one semester of a two-semester course can be awarded credit proportionately. <i>19 TAC 74.26(d)</i></p> <p>A district shall award credit proportionately to a student who is homeless or in substitute care who successfully completes only one semester of a two-semester course. <i>19 TAC 74.26(e)</i></p>
ATTENDANCE FOR CREDIT OR FINAL GRADE	Unless credit is awarded by the attendance committee, or regained in accordance with a principal’s plan [see FEC], a student in any grade level from kindergarten through grade 12 may not be given credit or a final grade for a class unless the student is in attendance for at least 90 percent of the days the class is offered. <i>Education Code 25.092</i>
GRADUATION REQUIREMENTS	Credit for courses for high school graduation may be earned only if the student received a grade equivalent to 70 on a scale of 100, based upon the essential knowledge and skills of each course. Credit earned toward state graduation requirements in an accredited school district shall be transferable and must be accepted by any other school district in the state. <i>19 TAC 74.26(a)(1), (c)</i>
ACADEMIC ACHIEVEMENT RECORD	<p>Following guidelines developed by the commissioner of education, a district shall use an academic achievement record (transcript) form that includes student demographics, school data, student data, and the record of courses and credits earned.</p> <p>The academic achievement record (transcript) shall serve as the academic record for each student and shall be maintained permanently by a district.</p> <p>Any credit earned by a student must be recorded on the academic achievement record (transcript), regardless of when the credit was earned.</p>

ACADEMIC ACHIEVEMENT

EI  
(LEGAL)

A student's performance on a state assessment, including an end-of-course assessment instrument required under Education Code 39.023(c) [see EKB], must be included in the student's academic achievement record (transcript).

Copies of the record shall be made available to students transferring to another district. A district shall respond promptly to all requests for student records from receiving districts. [See also FD, FDA, and FL]

*Education Code 28.025(e), 39.023(c-5); 19 TAC 74.5(b)–(d)*

TRANSCRIPT SEALS Students who complete high school graduation requirements shall have attached to the academic achievement record (transcript) a seal approved by the State Board of Education. *19 TAC 74.5(e)*

ENDORSEMENT Students who complete the requirements for an endorsement shall have the endorsement clearly indicated on the academic achievement record (transcript).

PERFORMANCE ACKNOWLEDGMENT Students who earn a performance acknowledgment shall have the performance acknowledgment clearly indicated on the academic achievement record (transcript).

DISTINGUISHED LEVEL OF ACHIEVEMENT Students who earn the distinguished level of achievement shall have the distinguished level of achievement clearly indicated on the academic achievement record (transcript).

*Education Code 28.025(e-1); 19 TAC 74.5(f)–(h), .11(b)*

CERTIFICATE OF COURSEWORK COMPLETION A student who completes all graduation requirements except for required end-of-course assessment instruments may be issued a certificate of coursework completion. The academic achievement record (transcript) shall include a notation of the date a certificate of completion was issued to the student. [See FMH for participation in the graduation ceremony.] *19 TAC 74.5(i)*

EARLY HIGH SCHOOL GRADUATION SCHOLARSHIP PROGRAM For purposes of the Early High School Graduation Scholarship Program, a student who does not satisfy the curriculum requirements for a recommended or advanced high school program is considered to have satisfied those requirements if the high school from which the student graduated indicates on the student's transcript that the student was unable to complete the appropriate curriculum within the time prescribed solely because of a reason beyond the student's control, such as lack of enrollment capacity or a shortage of qualified teachers. *Education Code 56.203(d)*

STATE ASSESSMENT  
OF ACADEMIC SKILLS

Every student receiving instruction in the essential knowledge and skills shall take the appropriate criterion-referenced assessments, as required by Education Code Chapter 39, Subchapter B [see TESTING IN GRADES 3–8, below]. *Education Code 39.023(a), (c), (f); 19 TAC 101.5*

A student may not receive a high school diploma until the student has performed satisfactorily on end-of-course (EOC) assessment instruments [see END-OF-COURSE ASSESSMENTS, below]. *Education Code 39.025(a); 19 TAC 101.4001*

LIMITED ENGLISH  
PROFICIENT  
STUDENTS

In grades 3–12, a limited English proficient (LEP) student, as defined by Education Code Chapter 29, Subchapter B, shall participate in the state assessment in accordance with commissioner's rules at 19 Administrative Code Chapter 101, Subchapter AA. *Education Code 39.023(l), (m)* [See EKBA]

SPECIAL  
EDUCATION

TEA shall develop or adopt appropriate criterion-referenced alternative assessment instruments to be administered to each student in a special education program for whom a state assessment instrument adopted under Education Code 39.023(a), even with allowable accommodations, would not provide an appropriate measure of student achievement, as determined by the student's admission, review, and dismissal (ARD) committee, including assessment instruments approved by the commissioner of education ("commissioner") that measure growth. The assessment instruments developed or adopted, including the assessment instruments approved by the commissioner, must, to the extent allowed under federal law, provide a district with options for the assessment of students.

TEA may not adopt a performance standard that indicates that a student's performance on the alternate assessment does not meet standards if the lowest level of the assessment accurately represents the student's developmental level as determined by the student's ARD committee.

The student's ARD committee shall determine whether any allowable modification is necessary in administering to the student a required EOC assessment instrument under Education Code 39.023(c), and whether the student is required to achieve satisfactory performance on an EOC assessment instrument to receive a high school diploma.

*Education Code 39.023(b)–(c), .025(a-4)*

MILITARY  
DEPENDENTS

If the student is a military dependent, the district shall accept:

1. Exit or EOC exams required for graduation from the sending state;

2. National norm-referenced achievement tests; or
3. Alternative testing, in lieu of testing requirements for graduation in the receiving state.

In the event the above alternatives cannot be accommodated by the receiving state for a military dependent transferring in his or her senior year, then a commissioner's substitute passing standard shall apply.

SUBSTITUTE  
PASSING  
STANDARD

The commissioner shall adopt a passing standard on one or more national norm-referenced achievement tests for purposes of permitting a qualified military dependent to meet that standard as a substitute for achieving a score on an assessment instrument otherwise required for graduation. The passing standard is available only for a student who enrolls in a public school in this state for the first time after completing the ninth grade or who reenrolls in a public school in this state at or above the tenth grade level after an absence of at least two years from the public schools of this state. Each passing standard in effect when a student first enrolls in a Texas public high school remains applicable to the student for the duration of the student's high school enrollment, regardless of any subsequent revision of the standard.

*Education Code 162.002 art. VII, §§ B–C [See FDD]*

ADMINISTRATION

A district shall follow the test administration procedures established by TEA in the applicable test administration materials. A superintendent shall be responsible for administering tests. *19 TAC 101.25, .27*

SCHEDULE

The commissioner shall specify the schedule for testing that is in compliance with Education Code 39.023(c-3)(1) and (2), and supports reliable and valid assessments. Participation in University Interscholastic League (UIL) area, regional, or state competitions is prohibited on any days on which testing is scheduled between Monday and Thursday of the school week in which the primary administration of assessment instruments occurs.

The commissioner may provide alternate dates for the administration of tests required for a high school diploma to students who are migratory children and who are out of the state.

*19 TAC 101.25*

ALTERNATE TEST  
DATES

The commissioner shall consider requests from districts or campuses for alternate test dates on a case-by-case basis. Alternate test dates will only be allowed if the campus or district is closed on the day on which testing is scheduled or if there is an exceptional circumstance, defined below, that may affect a district's or cam-

pus's ability to administer an assessment or the students' performance on the assessment.

"Exceptional circumstances" include:

1. Inclement weather or natural disasters that would cause a district or campus to be closed or that would cause a small percentage of students to be in attendance on the day testing is scheduled;
2. Health epidemics that result in a large number of students being absent on the day of testing;
3. Death of a student or school official that may impact student performance; and
4. Sudden emergencies that occur on the day of testing or shortly before testing that may inhibit students from completing the assessments, such as a fire on campus, a bomb threat, an extended power outage, or a water main break.

If an alternate test date for primary test administration is approved, the commissioner may prohibit a district or campus from participating in UIL competition on the new test date if that is determined to be in the best interest of the district, campus, and students.

*19 TAC 101.5003*

NOTICE TO PARENTS  
AND STUDENTS

A superintendent shall be responsible for providing written notice to each student and the student's parent or guardian of:

GRADE  
ADVANCEMENT  
TESTING

1. The testing requirements for grade advancement [see EIE] and the dates, times, and locations of testing.

Notice of testing requirements shall be provided no later than the beginning of the student's kindergarten year, for students attending kindergarten in the district, and no later than the beginning of the student's first-grade year for all other students. The superintendent shall also provide such notice for students in grades 1–8 who are new to the district.

GRADUATION  
TESTING

2. The testing requirements for graduation and the dates, times, and locations of testing.

Notice of testing requirements shall be provided no later than the beginning of the student's seventh-grade year. The superintendent shall also provide such notice for students in grades 7–12 who are new to the district. Notice of the dates, times, and locations of testing shall be provided to each student who will take the tests and to out-of-school individuals.

*19 TAC 101.3012*

TESTING IN GRADES  
3–8

Except as provided below, all students, other than students who are assessed under Education Code 39.023(b) (alternative assessment instrument) or 39.023(l) (LEP students) or exempted under Education Code 39.027, shall be assessed in:

1. Mathematics, annually in grades 3–7 without the aid of technology and in grade 8 with the aid of technology on any assessment instrument that includes algebra;
2. Reading, annually in grades 3–8;
3. Writing, including spelling and grammar, in grades 4 and 7;
4. Social studies in grade 8;
5. Science in grades 5 and 8; and
6. Any other subject and grade required by federal law.

*Education Code 39.023(a)*

EXCEPTION

Except as required for purposes of federal accountability, a student shall not be administered a grade-level assessment if the student:

1. Is enrolled in a course or subject intended for students above the student's enrolled grade level and will be administered a grade-level assessment instrument developed under the list above that aligns with the curriculum for that course or subject within the same content area; or
2. Is enrolled in a course for high school credit in a subject intended for students above the student's enrolled grade level and will be administered an EOC assessment instrument that aligns with the curriculum for that course or subject within the same content area.

A student is only eligible to take an assessment instrument intended for use above the student's enrolled grade if the student is receiving instruction in the entire curriculum for that subject.

A student in grade 5 or 8 described above may not be denied promotion on the basis of failure to perform satisfactorily on an assessment instrument above the student's grade level.

*Education Code 28.0211(p), 39.023(a-2); 19 TAC 101.3011*

ACCOMMODATIONS

Testing accommodations are permitted for any student unless they would make a particular test invalid. Decisions regarding testing accommodations shall take into consideration the needs of the student and the accommodations the student routinely receives in classroom instruction. Permissible testing accommodations shall be described in the appropriate test administration materials.



The committee established by a board to determine the placement of students with dyslexia or related disorders shall determine whether any allowable modification is necessary in administering an assessment to such a student.

A student's ARD committee shall determine the allowable accommodations and shall document them in the student's individualized education program (IEP). [See SPECIAL EDUCATION, above]

*19 TAC 101.3013; Education Code 39.023(a)–(c), (n); 34 C.F.R. 300.320(a)(6)*

END-OF-COURSE  
ASSESSMENTS

Beginning with students first enrolled in grade 9 in the 2011–12 school year, a student enrolled in a course for which an EOC assessment exists as required by Education 39.023(c) shall take the appropriate assessment. *19 TAC 101.3021(a)*

STUDENTS  
ENROLLED BELOW  
HIGH SCHOOL  
LEVEL

Beginning in the 2011–12 school year, a student in grade 8 or lower who takes a high school course for credit is required to take the applicable EOC assessment. The EOC assessment result shall be applied toward the student's assessment graduation requirements, as specified in 19 Administrative Code 101.3022. *19 TAC 101.3021(d)*

ASSESSMENT  
REQUIREMENTS  
FOR GRADUATION

A student must meet satisfactory performance on an EOC assessment listed in Education Code 39.023(c) only for a course in which the student is enrolled and for which an EOC assessment instrument is administered in order to be eligible to receive a Texas diploma.

EXCEPTIONS  
ENGLISH I OR  
ENGLISH II

A student who was administered separate reading and writing EOC assessments under Education Code 39.023(c), for the English I or English II course has met that course's assessment graduation requirement if the student has:

1. Achieved satisfactory performance on either the reading or writing EOC assessment for that course;
2. Met at least the minimum score on the other EOC assessment for that course; and
3. Achieved an overall scale score of 3750 or greater when the scale scores for reading and writing are combined for that course.

Exceptions related to English I also apply to English language learners who meet the criteria in 19 Administrative Code 101.1007. [See EKBA]

CREDITS  
EARNED  
PRIOR TO  
ENROLLMENT

If a student earned high school credit for a course with an EOC assessment prior to enrollment in a Texas public school district and the credit has been accepted by a Texas public school district, or a student completed a course for Texas high school credit in a course with an EOC assessment prior to the 2011–12 spring administration, the student is not required to take the corresponding EOC assessment.

*19 TAC 101.3021(e), .3022*

SUBSTITUTE  
ASSESSMENTS

A student may use certain assessments as substitute assessments in place of an EOC assessment, to meet the student's assessment graduation requirements in accordance with the commissioner's chart at 19 Administrative Code 101.4002(b). An approved substitute assessment may be used in place of only one specific EOC assessment.

A student is eligible to use a substitute assessment if the student:

1. Was administered an approved substitute assessment for an equivalent course in which the student was enrolled;
2. Received a satisfactory score on the substitute assessment as determined by the commissioner and provided in the chart at 19 Administrative Code 101.4002(b); and
3. Using a Texas Success Initiative (TSI) assessment also meets the following criteria:
  - a. A student must have been enrolled in a college preparatory course for English language arts or mathematics and, in accordance with Education Code 39.025(a-1), have been administered an appropriate TSI assessment at the end of that course.
    - (1) A student under this provision who meets all TSI English language arts score requirements provided in the chart at 19 Administrative Code 101.4002(b) satisfies both the English I and English II EOC assessment graduation requirements.
    - (2) A student under this provision may satisfy an assessment graduation requirement in such a manner regardless of previous performance on an Algebra I, English I, or English II EOC assessment.
  - b. In accordance with Education Code 39.025(a-3), a student who did not meet satisfactory performance on the Algebra I or English II EOC assessment after retaking

the assessment may use the corresponding TSI assessment in place of that EOC assessment.

- (1) For a student under this provision who took separate reading and writing assessments for the English II EOC assessment and who did not meet the English II assessment graduation requirement using those tests as specified in 19 Administrative Code 101.3022(b) (relating to Assessment Requirements for Graduation), the separate TSI reading or writing assessment may not be used to substitute for the corresponding English II reading or writing EOC assessment.
- (2) The provisions of this paragraph expire September 1, 2017. A student may meet the assessment graduation requirements under this provision using the TSI if the student has met the necessary score requirements as specified in the chart at 19 Administrative Code 101.4002(b) prior to September 1, 2017.

A student electing to substitute an assessment for graduation purposes must still take the required EOC assessment if the student does not meet the eligibility requirements above.

A student who fails to perform satisfactorily on the PSAT or the ACT-PLAN as indicated in the chart at 19 Administrative Code 101.4002(b) must take the appropriate EOC assessment to meet the assessment graduation requirements for that subject.

VERIFICATION OF RESULTS

An eligible student is responsible for providing a district an official copy of the student's scores from the substitute assessment.

Upon receipt of official results of an approved substitute assessment, a district must:

1. Verify the student's score on the substitute assessment; and
2. Determine whether the student met the performance standard required to qualify for a public high school diploma in Texas as established by the commissioner.

*19 TAC 101.4002, .4005*

SATISFACTORY PERFORMANCE

A student is required to achieve a scale score that indicates satisfactory performance, as determined by the commissioner on each EOC assessment instrument administered to the student. *Education Code 39.025(a)*

INDIVIDUAL  
GRADUATION  
COMMITTEE

A student in grade 11 or 12 who has failed to comply with the EOC assessment instrument performance requirements under Education Code 39.025 for not more than two courses may qualify to graduate on the basis of a review by an individual graduation committee (IGC). [See EIF]

Starting with the 2014-15 school year, a student who has taken but failed to achieve the EOC assessment graduation requirements for no more than two courses may receive a Texas high school diploma if the student has qualified to graduate by means of an IGC under Education Code 28.0258.

A student may not graduate under an IGC if the student did not take each required EOC assessment or an approved substitute assessment for each course in which the student was enrolled in a Texas public school for which there is an EOC assessment. A district shall determine whether the student took each required EOC assessment or an approved substitute assessment. Under this provision, a student who does not make an attempt to take all required EOC assessments may not qualify to graduate by means of an IGC.

ENGLISH  
LANGUAGE  
LEARNERS

A student who is an English language learner (ELL) and qualifies for the English I special provision in 19 Administrative Code 101.1007 [see EKBA] may graduate without an IGC if the student achieves satisfactory performance on the remaining EOC assessments that the student is required to take.

The qualifying ELL becomes eligible for IGC review by failing to achieve satisfactory performance on the English I EOC assessment and one other EOC assessment or by failing to achieve satisfactory performance on no more than two of the remaining EOC assessments if the student achieved satisfactory performance on the English I EOC assessment.

If a qualifying ELL does graduate by means of an IGC, the student is required to complete IGC requirements for each course in which the student did not achieve satisfactory performance on the EOC assessment for that course.

RETAKES

Notwithstanding any action taken by a student's IGC, a district must provide a student an opportunity to retake an EOC assessment under Education Code 39.023(c), if the student has not previously achieved satisfactory performance on an assessment for that course. A student is not required to retake a course in order to be administered a retest of an EOC assessment.

APPLICATION  
AND EXPIRATION

This provision only applies to a student classified by the district as an 11th or 12th grade student in the 2014–15, 2015–16, or 2016–17 school year.

This provision expires September 1, 2017. A student may graduate by means of an IGC if the student has qualified for an IGC under Education Code 28.0258 and that IGC convened prior to September 1, 2017.

*Education Code 28.0258, 39.025(a-2); 19 TAC 101.3022(e)*

SPECIAL  
EDUCATION

A student receiving special education services is not subject to the IGC requirements in Education Code 28.0258. As provided in 19 Administrative Code 89.1070 (relating to Graduation Requirements) and 19 Administrative Code 101.3023 (relating to Participation and Graduation Assessment Requirements for Students Receiving Special Education Services), a student's ARD committee determines whether a student is required to achieve satisfactory performance on an EOC assessment to graduate.

A student dismissed from a special education program who achieved satisfactory performance on an alternate EOC assessment while enrolled in a special education program is not required to take and achieve satisfactory performance on the general EOC assessment to graduate. A student who took an EOC assessment while enrolled in a special education program is not required to re-take and achieve satisfactory performance on the EOC assessment if the student's ARD committee determined that the student was not required to achieve satisfactory performance on the EOC assessment to graduate. A student dismissed from a special education program must achieve satisfactory performance on any remaining EOC assessments that the student is required to take. If the student fails to achieve satisfactory performance on no more than two of the remaining EOC assessments, the student is eligible for IGC review under Education Code 28.0258 and is subject to the IGC provisions above. [See INDIVIDUAL GRADUATION COMMITTEE, above]

*19 TAC 101.3022(f)*

A student receiving special education services who successfully completes the requirements of his or her IEP, including performance on a state assessment required for graduation, shall receive a Texas high school diploma. A student's ARD committee shall determine if the student will be required to meet satisfactory performance on an assessment for purposes of graduation.

Beginning with the 2011–12 school year, all grades 9–12 students with significant cognitive disabilities who are assessed with an al-

ternate assessment as specified in the student's IEP will be assessed using alternate versions of EOC assessments as listed in 19 Administrative Code 101.3011(b)(2).

A student who is receiving special education services and who is first enrolled in grade 9 or below in the 2011–12 school year shall be administered an EOC assessment instrument upon completion of the corresponding course as required by the student's IEP.

*19 TAC 101.3023*

CREDIT BY EXAMINATION	An EOC assessment administered under Education Code 39.023(c) cannot be used for purposes of credit by examination under 19 Administrative Code 74.24. [See EHDB, EHDC] <i>19 TAC 101.3021(c)</i>
ADDITIONAL STATE ASSESSMENTS	TEA may adopt EOC assessment instruments for courses not listed in statute, as described above. A student's performance on these EOC assessment instruments is not subject to the performance requirements established for the statutory assessments. <i>Education Code 39.023(c-2)</i>
RETAKES	<p>Each time an EOC assessment instrument is administered, a student who failed to achieve a score requirement may retake the assessment instrument. [See SATISFACTORY PERFORMANCE, above]</p> <p>A student is not required to retake a course as a condition of retaking an EOC assessment instrument.</p> <p>If a student failed a course but achieved satisfactory performance on the applicable EOC assessment, that student is not required to retake the assessment if the student is required to retake the course.</p> <p><i>Education Code 39.025(b); 19 TAC 101.3021(f), .3022(d)</i></p>
REPORTING RESULTS TO THE PUBLIC	Overall student performance data, aggregated by ethnicity, sex, grade level, subject area, campus, and district, shall be made available to the public, with appropriate interpretations, at regularly scheduled meetings of a board, after receipt from TEA. The information shall not contain the names of individual students or teachers. <i>Education Code 39.030(b)</i>
TO THE BOARD	A superintendent shall accurately report all test results with appropriate interpretations to a board according to the schedule in the applicable test administration materials.
TO PARENTS, STUDENTS, AND TEACHERS	A district shall notify each of its students, his or her parent or guardian, and his or her teacher for that subject of test results, observing confidentiality requirements stated at CONFIDENTIALITY,

below. All test results shall be included in each student's academic achievement record and shall be furnished for each student transferring to another district or school. Upon receipt of the assessment results from the test contractor, a district shall disclose a student's assessment results to a student's teacher in the same subject area as the assessment for that school year. [See BQ series, FD, and FL]

*19 TAC 101.3014; No Child Left Behind Act, 20 U.S.C. 6311(h)(6)*

TEA shall adopt a series of questions to be included in an EOC assessment instrument administered under Education Code 39.023(c) to be used for purposes of identifying students who are likely to succeed in an advanced high school course. A district shall notify a student who performs at a high level on the questions and the student's parent or guardian of the student's performance and potential to succeed in an advanced high school course. A district may not require a student to perform at a particular level on the questions to be eligible to enroll in an advanced high school course. *Education Code 39.0233(b)*

PARENTAL ACCESS

A parent is entitled to access to a copy of each state assessment instrument administered to the parent's child. This right of access does not apply, however, to those instruments or particular questions that are being field-tested by TEA. *Education Code 26.005, .006(a)(2)*

OUT-OF-STATE  
TRANSFERS

A district shall accurately report to TEA whether that student transferred into the district from out of state during the current school year.

Procedures for the reporting of out-of-state-transfer students to TEA shall be established in the applicable test administration materials. A district shall follow procedures specified in those test administration materials.

The assessment results of the out-of-state transfer students shall be reported separately to districts from the results of the district's other students in addition to the current reporting of assessment results for all students and other student subsets.

*19 TAC 101.3014*

FURTHER  
INSTRUCTION  
ACCELERATED  
INSTRUCTION

Each time a student fails to perform satisfactorily on an assessment instrument administered under Education Code 39.023(a) in the third, fourth, fifth, sixth, seventh, or eighth grade, the school district in which the student attends school shall provide to the student accelerated instruction in the applicable subject area. Accelerated instruction may require participation of the student before or after normal school hours and may include participation at times of

the year outside normal school operations. *Education Code 28.0211(a-1)*

A district shall provide each student who fails to perform satisfactorily on an EOC assessment instrument with accelerated instruction in the subject assessed by the assessment instrument. *Education Code 39.025(b-1)* [See EHBC]

COLLEGE  
READINESS

Each district shall partner with at least one institution of higher education to develop and provide courses in college preparatory mathematics and English language arts. The courses must be designed:

1. For students at the twelfth grade level whose performance on:
  - a. An EOC assessment instrument required under Education Code 39.023(c) does not meet college readiness standards; or
  - b. Coursework, a college entrance examination, or an assessment instrument designated under Education Code 51.3062(c) indicates that the student is not ready to perform entry-level college coursework; and
2. To prepare students for success in entry-level college courses.

A course must be provided on the campus of the high school offering the course or through distance learning or as an online course provided through the institution of higher education with which the district partners.

FACULTY

Appropriate faculty of each high school offering courses and appropriate faculty of each institution of higher education with which the district partners shall meet regularly as necessary to ensure that each course is aligned with college readiness expectations.

NOTICE

Each district shall provide a notice to each eligible student and the student's parent or guardian regarding the benefits of enrolling in a course.

CREDIT  
EARNED

A student who successfully completes an English language arts course may use the credit earned toward satisfying the advanced English language arts curriculum requirement for the foundation high school program under Education Code 28.025(b-1)(1). A student who successfully completes a mathematics course may use the credit earned in the course toward satisfying an advanced mathematics curriculum requirement under Education Code 28.025 after completion of the mathematics curriculum requirements for the foundation high school program under Education Code 28.025(b-1)(2).



DUAL CREDIT	<p>A course may be offered for dual credit at the discretion of the institution of higher education with which a district partners.</p>
INSTRUCTIONAL MATERIALS	<p>Each district, in consultation with the institution of higher education with which the district partners, shall develop or purchase instructional materials for a course consistent with Education Code Chapter 31. The instructional materials must include technology resources that enhance the effectiveness of the course and draw on established best practices.</p> <p><i>Education Code 28.014</i></p>
SECURITY	<p>To ensure that each assessment instrument is reliable and valid and meets applicable federal requirements for measurement of student progress, districts must comply with all of the applicable requirements specified in the test administration materials, which include general testing program information, requirements for ensuring test security and confidentiality described in the annual Test Security Supplement, procedures for test administration, responsibilities of personnel involved in test administration, and procedures for materials control.</p> <p>Test coordinators and administrators must receive all applicable training as required in the test administration materials and districts must maintain records related to the security of assessment instruments for a minimum of five years.</p> <p><i>19 TAC 101.3031</i></p>
CONFIDENTIALITY	<p>Individual student performance results are confidential and may be released only in accordance with the Family Educational Rights and Privacy Act of 1974. <i>Education Code 39.030(b)</i> [See FL and GBA]</p>
PENALTIES	<p>Violation of security or confidentiality of any test is prohibited. A person who engages in conduct prohibited by the Test Security Supplement may be subject to sanction of credentials.</p> <p>Procedures for maintaining the security and confidentiality of state assessments are specified in the Test Security Supplement and in the appropriate test administration materials. Conduct that violates the security and confidentiality of a test is defined as any departure from the test administration procedures established in the Test Security Supplement and other test administration materials. Conduct of this nature may include the following acts and omissions:</p> <ol style="list-style-type: none"><li>1. Viewing a test before, during, or after an assessment unless specifically authorized to do so;</li><li>2. Duplicating secure examination materials;</li></ol>

3. Disclosing the contents of any portion of a secure test;
4. Providing, suggesting, or indicating to an examinee a response or answer to a secure test item or prompt;
5. Changing or altering a response or answer of an examinee to a secure test item or prompt;
6. Aiding or assisting an examinee with a response or answer to a secure test item or prompt;
7. Encouraging or assisting an individual to engage in the conduct described in the items listed above; or
8. Failing to report to an appropriate authority that an individual has engaged in conduct outlined in the items listed above.

Any person who violates, assists in the violation of, or solicits another to violate or assist in the violation of test security or confidentiality, as well as any person who fails to report such a violation is subject to the following penalties:

1. Placement of restrictions on the issuance, renewal, or holding of a Texas teacher certificate, either indefinitely or for a set term;
2. Issuance of an inscribed or non-inscribed reprimand;
3. Suspension of a Texas teacher certificate for a set term; or
4. Revocation or cancellation of a Texas teacher certificate without opportunity for reapplication either for a set term or permanently.

Release or disclosure of confidential test content could result in criminal prosecution under Education Code 39.0303, Government Code 552.352, and Penal Code 37.10. The State Board for Educator Certification may take any of the above actions based on satisfactory evidence that an educator has failed to cooperate with TEA in an investigation.

Any irregularities in test security or confidentiality may also result in the invalidation of student results.

The superintendent and campus principal must develop procedures to ensure the security and confidentiality of the tests, and will be responsible for notifying TEA in writing of conduct that violates the security or confidentiality of a test. Failure to report can subject the person responsible to the applicable penalties.

*19 TAC 101.3031(b)(2), 249.15*

MINIMIZE  
DISRUPTIONS

In implementing the commissioner's procedures for the administration of assessment instruments adopted or developed under Education Code 39.023, including procedures designed to ensure the security of the assessment, a district shall minimize disruptions to school operations and the classroom environment. *Education Code 39.0301(a-1)*

EQUAL EDUCATIONAL OPPORTUNITY

FB  
(LEGAL)

NONDISCRIMINATION	<p>A district shall provide equal opportunities to all individuals within its jurisdiction or geographic boundaries. <i>Education Code 1.002(a)</i></p> <p>No officer or employee of a district shall, when acting or purporting to act in an official capacity, refuse to permit any student to participate in any school program because of the student's race, religion, color, sex, or national origin. <i>Civ. Prac. &amp; Rem. Code 106.001</i></p> <p>A district may not deny services to any individual eligible to participate in its special education program, but it shall provide individuals with disabilities special educational services as authorized by law. <i>Education Code 1.002(b)</i></p>
FEDERAL FUNDING RECIPIENTS	<p>No person shall be excluded from participation in, denied the benefits of, or subjected to discrimination by any district that receives federal financial assistance, on the basis of any of the following protected characteristics:</p> <ol style="list-style-type: none"><li data-bbox="560 850 690 882">1. Sex.</li><li data-bbox="560 913 1015 945">2. Race, color, or national origin.</li><li data-bbox="560 966 1435 1039">3. Disability, or relationship or association with an individual with a disability. [See EHB, EHBA series, and GA]</li><li data-bbox="560 1060 690 1092">4. Age.</li></ol> <p><i>20 U.S.C. 1681 (Title IX); 42 U.S.C. 2000d (Title VI); 20 U.S.C. 1400 et seq. (Individuals with Disabilities Education Act); 29 U.S.C. 794 (Section 504); 42 U.S.C. 12132 (Americans with Disabilities Act [ADA]); 42 U.S.C. 6101 (Age Discrimination Act of 1975)</i></p>
SEXUAL HARASSMENT	<p>Sexual harassment of students is discrimination on the basis of sex under Title IX. <i>Franklin v. Gwinnett County Schools, 503 U.S. 60 (1992)</i> [See also DIA and FFH]</p>
HUMAN RIGHTS COORDINATOR	<p>A district shall designate at least one employee to coordinate its efforts to comply with Title IX, Section 504, and the ADA. The district shall notify all students and employees of the name, office address, and telephone number of the employee(s) so designated.</p>
GRIEVANCE PROCEDURES	<p>A district shall adopt and publish grievance procedures for prompt and equitable resolution of student complaints alleging discrimination under these statutes. [See FNG]</p> <p><i>34 C.F.R. 106.8 (Title IX), 104.7 (Section 504)</i></p>
RETALIATION	<p>A district shall not coerce, intimidate, threaten, retaliate against, or interfere with any person who attempts to assert a right protected by the above laws or cooperates with investigation and enforcement proceedings under these laws. <i>34 C.F.R. 100.7(e) (Title VI), 104.61 (Section 504), 106.71 (Title IX)</i></p>

STUDENTS WITH  
LEARNING  
DIFFICULTIES

The Texas Education Agency shall produce and provide to school districts a written explanation of the options and requirements for providing assistance to students who have learning difficulties or who need or may need special education. The explanation must state that a parent is entitled at any time to request an evaluation of the parent's child for special education services under Education Code 29.004. Each school year, each district shall provide the written explanation to a parent of each district student by including the explanation in the student handbook or by another means.  
*Education Code 26.0081*

DISABILITY  
DISCRIMINATION  
ADA

Under the Americans with Disabilities Act (ADA), no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a district, or be subjected to discrimination by the district. *42 U.S.C.A. 12132; 28 C.F.R. 35.130*

SECTION 504

Under Section 504 of the Rehabilitation Act, no otherwise qualified individual with a disability shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. *29 U.S.C.A. 794(a)*

DEFINITIONS  
"STUDENT WITH A  
DISABILITY"

A "student with a disability" is one who has a physical or mental impairment that substantially limits one or more of the student's major life activities, has a record of having such an impairment, or is being regarded as having such an impairment.

The determination of whether an impairment substantially limits a major life activity shall be made without regard to the ameliorative effects of mitigating measures, such as medication, medical supplies, low-vision devices (which do not include ordinary eyeglasses or contact lenses), prosthetics, hearing aids, mobility devices, oxygen therapy, assistive technology, or learned behavioral or adaptive neurological modifications.

An impairment that substantially limits one major life activity need not limit other major life activities in order to be considered a disability. An impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active.

A student meets the requirement of being "regarded as" having an impairment if the student establishes that he or she has been subjected to a prohibited action because of an actual or perceived physical or mental impairment whether or not the impairment limits or is perceived to limit a major life activity. This provision does not apply to impairments that are transitory or minor. A transitory im-

pairment is one with an actual or expected duration of 6 months or less.

*29 U.S.C. 705(20)(B), 42 U.S.C. 12102(1), (3)–(4)*

“QUALIFIED  
INDIVIDUAL WITH  
A DISABILITY”

The term “qualified individual with a disability” means an individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by a district. *42 U.S.C. 12131(2)*

“MAJOR LIFE  
ACTIVITIES”

“Major life activities” include caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. “Major life activity” also includes the operation of major bodily functions, including functions of the immune system, normal cell growth, and digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions. *42 U.S.C. 12102(2)*

REASONABLE  
MODIFICATION

A district shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the district can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity. *28 C.F.R. 35.130(b)(7)*

DIRECT THREAT

“Direct threat” means a significant risk to the health or safety of others that cannot be eliminated by a modification of policies, practices or procedures, or by the provision of auxiliary aids or services as provided below. *28 C.F.R. 35.104*

The ADA does not require a district to permit an individual to participate in or benefit from the services, programs, or activities of that district when that individual poses a direct threat to the health or safety of others.

In determining whether an individual poses a direct threat to the health or safety of others, a district must make an individualized assessment, based on reasonable judgment that relies on current medical knowledge or on the best available objective evidence, to ascertain:

1. The nature, duration, and severity of the risk;
2. The probability that the potential injury will actually occur; and

3. Whether reasonable modifications of policies, practices, or procedures or the provision of auxiliary aids or services will mitigate the risk.

*28 C.F.R. 35.139*

FREE APPROPRIATE  
PUBLIC EDUCATION  
(FAPE)

A district shall provide a free appropriate public education to each qualified student with a disability within the district's jurisdiction, regardless of the nature or severity of the student's disability.

A student with a disability is "qualified" if he or she is between the ages of three and 21, inclusive. *28 C.F.R. 35.104(l)(2)*

An appropriate education is the provision of regular or special education and related services that are:

1. Designed to meet the student's individual educational needs as adequately as the needs of students who do not have disabilities are met; and
2. Based on adherence to procedures that satisfy federal requirements for educational setting, evaluation and placement, and procedural safeguards, as set forth below.

*34 C.F.R. 104.33(b)*

Implementation of an individualized education program (IEP) under IDEA is one means for providing FAPE. *34 C.F.R. 104.33(b)(2)*

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**Note:** See EHBA series for policies regarding the provision of special education to students with disabilities under IDEA who require special education in order to benefit from a free appropriate public education.

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EDUCATIONAL  
SETTING

A district shall place a student with a disability in the regular educational environment, unless the district demonstrates that education in the regular environment with the use of supplemental aids and services cannot be achieved satisfactorily. *34 C.F.R. 104.34(a)*

In providing or arranging for nonacademic and extracurricular services and activities, a district shall ensure that a student with a disability participates with students who do not have disabilities to the maximum extent appropriate to the needs of the student with a disability. *34 C.F.R. 104.34(b), 104.37*

EVALUATION AND  
PLACEMENT

A district shall conduct an evaluation of any person who, because of disability, needs or is believed to need special education or related services before taking any action with respect to the initial placement of the person in regular or special education and any subsequent significant change in placement.

EVALUATION  
PROCEDURES

A district shall establish standards and procedures for the evaluation and placement which ensure that:

1. Tests and other evaluation materials have been validated for the specific purpose for which they are used and are administered by trained personnel in conformance with the instructions provided by their producer;
2. Tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient; and
3. Tests are selected and administered so as best to ensure that, when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level or whatever other factor the test purports to measure, rather than reflecting the student's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure).

PLACEMENT  
PROCEDURES

In interpreting evaluation data and in making placement decisions, a district shall:

1. Draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social and cultural background, and adaptive behavior;
2. Establish procedures to ensure that information obtained from all such sources is documented and carefully considered;
3. Ensure that the placement decision is made by a group of persons, including persons knowledgeable about the child, the meaning of the evaluation data, and the placement options; and
4. Ensure that the placement decision is made in conformity with 34 C.F.R. 104.34.

REEVALUATION

A district shall establish procedures for periodic reevaluation of students who have been provided special education and related services. A reevaluation procedure consistent with the Education for the Handicapped Act [now IDEA] is one means of meeting this requirement.

*34 C.F.R. 104.35*

MILITARY  
DEPENDENTS

In compliance with the requirements of Section 504, and with Title II of the Americans with Disabilities Act (42 U.S.C. Sections 12131–



12165), the District shall make reasonable accommodations and modifications to address the needs of incoming military dependents with disabilities, subject to an existing Section 504 or Title II Plan, to provide the student with equal access to education. This does not preclude the district from performing subsequent evaluations to ensure appropriate placement of the student. *Education Code 162.002 art. V, § C* [See FDD]

PROCEDURAL  
SAFEGUARDS

A district shall establish a system of procedural safeguards with respect to the identification, evaluation, and educational placement of persons who need or are believed to need special instruction or related services.

The system shall include notice, an opportunity for the student's parent or guardian to examine relevant records, an impartial hearing with the opportunity for participation by the student's parents or guardian and representation by counsel, and a review procedure. Compliance with the procedural safeguards of IDEA is one means of meeting this requirement. *34 C.F.R. 104.36*

HOMELESS CHILDREN

A district shall adopt policies and practices to ensure that homeless children are not stigmatized or segregated on the basis of their homeless status. [See FDC]

LIAISON

A district shall designate an appropriate staff person as the district liaison for homeless children. A district shall inform school personnel, service providers, and advocates working with homeless families of the duties of the liaison. [See FFC]

*No Child Left Behind Act of 2001, 42 U.S.C. 11432(g)(1)(J)(i), (ii)*

RELIGIOUS FREEDOM

A district may not substantially burden a student's free exercise of religion, unless the burden is in furtherance of a compelling governmental interest and is the least restrictive means of furthering that interest. *Civ. Prac. & Rem. Code 110.003* [See also DAA and GA]

DISCRIMINATION ON  
THE BASIS OF SEX

No person in the United States shall, on the basis of sex, be excluded from participation in, denied the benefits of, or be subjected to discrimination by any district receiving federal financial assistance. *20 U.S.C. 1681(a)*

A district shall not provide any course or otherwise carry out any of its educational programs or activities separately on the basis of sex, or require or refuse participation therein on the basis of sex, including health, physical education, industrial, business, vocational, technical, home economics, music, and adult education courses. *34 C.F.R. 106.34*

SEPARATE FACILITIES	A district may provide separate toilet, locker room, and shower facilities on the basis of sex, but the facilities provided for one sex shall be comparable to the facilities provided for the other sex. <i>34 C.F.R. 106.33</i>
HUMAN SEXUALITY CLASSES	Portions of classes in elementary and secondary school that deal exclusively with human sexuality may be conducted in separate sessions for boys and girls.
VOCAL MUSIC ACTIVITIES	A district may make requirements based on vocal range or quality that may result in a chorus or choruses of one or predominantly one sex.  <i>34 C.F.R. 106.34</i>
SINGLE-SEX PROGRAMS	A district shall not, on the basis of sex, exclude any student from admission to an institution of vocational education or any other school or educational unit operated by the district unless the district otherwise makes available to the student, pursuant to the same policies and criteria of admission, comparable courses, services, and facilities. <i>34 C.F.R. 106.35</i>
PREGNANCY AND MARITAL STATUS	A recipient shall not apply any rule concerning a student's actual or potential parental, family, or marital status that treats students differently on the basis of sex. <i>34 C.F.R. 106.40</i> [See FND]
PHYSICAL EDUCATION CLASSES	A district may group students in physical education classes and activities by ability as assessed by objective standards of individual performance developed and applied without regard to sex.
SKILLS ASSESSMENT	Where use of a single standard of measuring skill or progress in physical education classes has an adverse effect on members of one sex, a district shall use appropriate standards that do not have such effect.
CONTACT SPORTS	A district may separate students by sex within physical education classes or activities during participation in wrestling, boxing, rugby, ice hockey, football, basketball, and other sports the purpose or major activity of which involves bodily contact.  <i>34 C.F.R. 106.34</i>
ATHLETIC PROGRAMS	A district shall not discriminate, on the basis of sex, in interscholastic or intramural athletics or provide any such athletics separately on such basis.
SINGLE-SEX TEAMS	A district may operate or sponsor separate teams for members of each sex where selection for such teams is based upon competitive skill or the activity involved is a contact sport. However, where a recipient operates or sponsors a team in a particular sport for members of one sex but not for members of the other sex, and ath-

letic opportunities for members of that sex have previously been limited, members of the excluded sex must be allowed to try-out for the team offered unless the sport involved is a contact sport.

EQUAL ATHLETIC  
OPPORTUNITIES

A district that operates or sponsors interscholastic or intramural athletics shall provide equal athletic opportunity for members of both sexes. The following factors shall be considered in determining whether a district provides equal athletic opportunities:

1. Whether the selection of sports and levels of competition effectively accommodate the interests and abilities of members of both sexes;
2. Provision of equipment and supplies;
3. Scheduling of games and practice time;
4. Travel and per diem allowance;
5. Opportunity to receive coaching and academic tutoring;
6. Assignment and compensation of coaches and tutors;
7. Provision of locker rooms and practice and competitive facilities;
8. Provision of medical and training facilities and services;
9. Provision of housing and dining facilities and services; and
10. Publicity.

*34 C.F.R. 106.41*

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**Note:** The following provisions address equal educational opportunity for all students in accordance with law. For provisions addressing discrimination, harassment, and retaliation involving District students, see FFH.

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TITLE IX  
COORDINATOR

The District has designated a Title IX coordinator for students to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended. [See FB(EXHIBIT)]

ADA / SECTION 504  
COORDINATOR

The District has designated an ADA/Section 504 coordinator for students to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973 ("Section 504"), as amended. [See FB(EXHIBIT)]

SUPERINTENDENT

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

EQUAL EDUCATIONAL  
OPPORTUNITY

GENERAL  
EDUCATION

The District shall provide necessary services and supports to provide students equal access to educational opportunities. [See EHBC] Certain instructional or other accommodations, including on state-mandated assessments, may be made when necessary, when allowable, and when these accommodations do not modify the rigor or content expectations of a subject, course, or assessment. [See EKB]

ADDITIONAL  
SERVICES AND  
SUPPORTS

If the District has reason to believe that a student has a disability that may require additional services and supports in order for the student to receive an appropriate education as this term is defined by law, Section 504 and/or the Individuals with Disabilities Education Act (IDEA) shall govern the evaluation, services, and supports provided by the District. [See also EHBA series]

[For information regarding dyslexia and related disorders, see EHB.]

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**Note:** The following provisions address the District's compliance efforts and system of procedural safeguards as required by federal regulations for a student with a disability as defined by Section 504. A report of discrimination or harassment based on a student's disability shall be made in accordance with FFH.

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SECTION 504  
COMMITTEES

The District shall form Section 504 committees as necessary. The Section 504 coordinator and members of each Section 504 committee shall receive training in the procedures and requirements for

identifying and providing educational and related services and supports to a student who has a disability that results in a substantial limitation of a major life activity.

Each Section 504 committee shall be composed of a group of persons knowledgeable about the student, the meaning of the evaluation data, placement options, and the legal requirements regarding least restrictive environment and comparable facilities for students with disabilities.

REFERRALS

If a teacher, school counselor, administrator, or other District employee has reason to believe that a student may have a disability as defined by Section 504, the District shall evaluate the student. A student may also be referred for evaluation by the student's parent.

NOTICE AND  
CONSENT

The District shall seek written parental consent prior to conducting a formal evaluation. Ordinary observations in the classroom or other school setting shall not require prior parental consent.

EVALUATION AND  
PLACEMENT

The results of an evaluation shall be considered before any action is taken to place a student with a disability or make a significant change in placement in an instructional program. The Superintendent shall ensure that the District's procedures for tests and other evaluation materials comply with the minimum requirements of law. In interpreting evaluation data and when making decisions related to necessary services and supports, each Section 504 committee shall carefully consider and document information from a variety of sources in accordance with law.

REVIEW AND  
REEVALUATION  
PROCEDURE

To address the periodic reevaluation requirement of law, the District shall adhere to the reevaluation timelines in the IDEA regulations.

A parent, teacher, or other District employee may request a review of a student's services and supports at any time, but a formal reevaluation shall generally occur no more frequently than once a year.

EXAMINING  
RECORDS

A parent shall make any request to review his or her child's education records to the campus principal or other identified custodian of records. [See FL]

RIGHT TO  
IMPARTIAL  
HEARING

A parent shall be given written notice of the due process right to an impartial hearing if the parent has a concern or complaint about the District's actions regarding the identification, evaluation, or educational placement of a student with a disability. The impartial hearing shall be conducted by a person who is knowledgeable about Section 504 issues and who is not employed by the District or related to a member of the Board in a degree that would be prohibit-

ed under the nepotism statute [see DBE]. The impartial hearing officer is not required to be an attorney. The District and the parent shall be entitled to legal representation at the impartial hearing.

RECORDS  
RETENTION

Records specific to identification, evaluation, and placement as these pertain to Section 504 shall be retained by the District in accordance with law and the District's local records retention schedules. [See CPC]

The District designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended, for students:

Name: Dr. Thomas Price  
Position: Chief Academic Officer/Deputy Superintendent  
Address: 20200 Eastway Village Drive, Humble, TX 77347  
Telephone: (281) 641-8005

The District designates the following 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, for students:

Name: Dr. Thomas Price  
Position: Chief Academic Officer/Deputy Superintendent  
Address: 20200 Eastway Village Drive, Humble, TX 77347  
Telephone: (281) 641-8005

ADMISSIONS

FD  
(LEGAL)

GENERAL ELIGIBILITY A board or its designee shall admit into the public schools of a district free of tuition all persons who are over five and younger than 21 years of age on September 1 of any school year in which admission is sought, and may admit a person who is at least 21 and under 26 for the purpose of completing the requirements for a high school diploma, if any of the following conditions exist:

- STUDENT AND PARENT 1. The person and either parent reside in the district.
- CONSERVATOR 2. The person does not reside in the district, but one of the parents resides in the district and that parent is a joint managing conservator or the sole managing conservator or possessory conservator of the person.
- GUARDIAN OR PERSON HAVING LAWFUL CONTROL 3. The person and his or her guardian or other person having lawful control under an order of a court reside in the district.
- STUDENTS LIVING SEPARATE AND APART 4. The person is under the age of 18 and has established a separate residence in the district apart from his or her parent, guardian, or other person having lawful control under an order of a court and has established that the person's presence in the district is not for the primary purpose of participation in extracurricular activities. A board is not required to admit such person, however, if the person has:
  - a. Engaged in conduct that resulted in removal to a disciplinary alternative education program or expulsion within the preceding year;
  - b. Engaged in delinquent conduct or "conduct in need of supervision" and is on probation or other conditional release for that conduct; or
  - c. Been convicted of a criminal offense and is on probation or other conditional release.

*Education Code 25.001(a)–(b), (d)*

- HOMELESS STUDENTS 5. The person is a homeless child. [See also FDC]
  - a. A child is "homeless," under the McKinney-Vento Homeless Education Act, if the child lacks a fixed, regular, and adequate nighttime residence. This includes:
    - (1) Children who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in



emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;

- (2) Children who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- (3) Children who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- (4) Migratory children living in circumstances described above.

“Migratory child” means a child who is, or whose parent, spouse, or guardian is, a migratory agricultural worker, including a migratory dairy worker, or a migratory fisher, and who, in the preceding 36 months, in order to obtain, or accompany such parent, spouse, or guardian in order to obtain, temporary or seasonal employment in agricultural or fishing work:

- (a) Has moved from one school district to another; or
  - (b) Resides in a school district of more than 15,000 square miles, and migrates a distance of 20 miles or more to a temporary residence to engage in a fishing activity.
- b. A child is homeless, under state law, regardless of the residence of the child, either parent, or the child’s guardian or other person having lawful control, if:
- (1) The child lacks a fixed, regular, and adequate nighttime residence; or
  - (2) The child has a primary nighttime residence in a supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill), an institution providing temporary residence for individuals intended to be institutionalized, or a public or private place not designated for, or ordinarily used as, a regular sleeping accommodation for human beings.

*Education Code 25.001(b); 20 U.S.C. 6399; 42 U.S.C. 11434a*

ADMISSIONS

FD  
(LEGAL)

FOREIGN  
EXCHANGE  
STUDENTS

6. The person is a foreign exchange student placed with a host family that resides in the district by a nationally recognized foreign exchange program, unless the district has applied for and been granted a waiver by the commissioner of education (“commissioner”) because:
  - a. This requirement would impose a financial or staffing hardship on the district;
  - b. The admission would diminish the district’s ability to provide high-quality education services for the district’s domestic students; or
  - c. The admission would require domestic students to compete with foreign exchange students for educational resources.

*Education Code 25.001(b)(6), (e)*

STUDENTS IN  
RESIDENTIAL  
FACILITY

7. The person resides at a residential facility, as defined in Education Code 5.001, located in the district. For purposes of enrollment, a person who resides in a residential facility is considered a resident of the district in which the facility is located. *Education Code 25.001(b)(7), 29.012(c)*

STUDENTS  
OVER 18

8. The person resides in the district and is 18 or older or the person’s disabilities of minority have been removed. *Education Code 25.001(b)(8)*

RESIDENT  
GRANDPARENT

9. The person does not reside in the district but the grandparent of the person:
  - a. Resides in the district; and
  - b. Provides a substantial amount of after-school care for the person as determined by the board.

*Education Code 25.001(b)(9)*

PROOF OF ELIGIBILITY

A district may require evidence that a person is eligible to attend the public schools of the district at the time it considers an application for admission of the person. A board or its designee shall establish minimum proof of residency acceptable to a district. A board or its designee may make reasonable inquiries to verify a person’s eligibility for admission. When admission is sought under item 4 above, a board shall determine whether an applicant qualifies as a resident of a district and may adopt reasonable guidelines for making that determination as necessary to protect the best interest of students. *Education Code 25.001(c), (d)*

"RESIDENCE" DEFINED	<p>"Residence" requires living in the district and having the present intention to remain there. <i>Martinez v. Bynum</i>, 461 U.S. 321 (1983)</p> <p>A district may withdraw any student who ceases to be a resident. <i>Daniels v. Morris</i>, 746 F.2d 271 (5th Cir. 1984)</p>
IMMIGRATION STATUS	<p>Denying enrollment based upon immigration status to children who are not legally admitted into the United States violates the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution. <i>Plyler v. Doe</i>, 457 U.S. 202 (1982)</p>
HIGH SCHOOL EQUIVALENCY CERTIFICATE	<p>A student who has received a high school equivalency certificate is entitled to enroll in a public school in the same manner as any other student who has not received a high school diploma. <i>Education Code 29.087(h)</i></p>
SUBSTITUTE FOR PARENT OR GUARDIAN	<p>A board by policy may allow a person showing evidence of legal responsibility for a child other than an order of a court to substitute for a guardian or other person having lawful control of the child under court order. <i>Education Code 25.001(j)</i></p>
AUTHORIZATION AGREEMENT	<p>A parent, as defined in Family Code 101.024, or both parents of a child may enter into an authorization agreement with the child's grandparent, adult sibling, or adult aunt or uncle to authorize the relative to perform acts described in Family Code 34.002 in regard to the child, such as:</p> <ol style="list-style-type: none"><li data-bbox="560 1142 1422 1276">1. Authorizing medical, dental, psychological, or surgical treatment and immunization of the child, including executing any consents or authorizations for the release of information as required by law relating to the treatment or immunization;</li><li data-bbox="560 1304 1097 1333">2. Enrolling the child in the district; and</li><li data-bbox="560 1360 1422 1453">3. Authorizing the child to participate in age-appropriate extra-curricular, civic, social, or recreational activities, including athletic activities.</li></ol> <p>A parent may also enter into an authorization agreement with a relative or other person with whom a child is placed under a parental child safety placement agreement approved by the Department of Family and Protective Services (DFPS) to allow the person to perform the acts described above with regard to the child during an investigation of abuse or neglect or while DFPS is providing services to the parent.</p> <p>The authorization agreement must conform to the requirements of Family Code Chapter 34.</p> <p>Only one authorization agreement may be in effect for a child at any time. Execution of a subsequent authorization agreement</p>

does not by itself supersede, invalidate, or terminate a prior authorization agreement. An authorization agreement is void if it is executed while a prior authorization agreement remains in effect.

IMMUNITY

A person who is not a party to the authorization agreement who relies in good faith on the authorization agreement, without actual knowledge that the authorization agreement is void, revoked, or invalid, is not subject to civil or criminal liability to any person, and is not subject to professional disciplinary action, for that reliance if the agreement is completed as required by Family Code Chapter 34.

*Family Code 34.001–.009*

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**Note:** The Authorization Agreement for Nonparent Relative is available at <http://www.dfps.state.tx.us/Application/Forms/showFile.aspx?NAME=2638.pdf>.

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STUDENTS IN FOSTER CARE

A student placed in foster care by an agency of the state or a political subdivision, and whose foster parents reside in a district, shall be permitted to attend district schools free of any charge to the foster parents or to the agency. No durational residency requirement shall be used to prohibit such a student from fully participating in all activities sponsored by a district. *Education Code 25.001(f)*

A student who was enrolled in a primary or secondary public school before the student entered the conservatorship of DFPS and who is placed at a residence outside the attendance area for a school or outside a district is entitled to continue to attend the school in which the student was enrolled immediately before entering conservatorship until the student successfully completes the highest grade level offered by the school at the time of placement without payment of tuition. The student is entitled to continue to attend the school regardless of whether the student remains in the conservatorship of DFPS for the duration of the student's enrollment in the school. *Education Code 25.001(g)*

If a student who is in the conservatorship of DFPS is enrolled in a primary or secondary public school, other than the school in which the student was enrolled at the time the student was placed in the conservatorship of DFPS, the student is entitled to continue to attend that school without payment of tuition until the student successfully completes the highest grade level offered by the school at the time of enrollment in the school, even if the child's placement is changed to a residence outside the attendance area for that school or outside the district. The student is entitled to continue to attend the school regardless of whether the student remains in the con-

servatorship of DFPS for the duration of the student's enrollment in the school. *Education Code 25.001(g-1)*

The appropriate state agency shall coordinate with the district to ensure that the case plan for a student placed in foster care contains a plan for ensuring the educational stability of the child while in foster care, including ensuring that the child remains in the school in which the child is enrolled at the time of each placement, or if remaining in that school is not in the best interests of the child, providing immediate and appropriate enrollment in a new school, with all of the educational records of the child provided to the school. *42 U.S.C. 675(1)(G)*

TRANSFERS FROM  
OTHER STATES

A district shall charge tuition for a student who resides in a residential facility and whose maintenance or expenses are paid in whole or in part by another state or the United States. Any such tuition charge must be submitted to the commissioner for approval. The attendance of students admitted under this provision shall not be counted for purposes of allocating state funds to a district. *Education Code 25.003*

STUDENTS HOLDING  
F-1 STUDENT VISAS

If a student is required, as a condition of obtaining or holding the appropriate U.S. student visa, to pay tuition to the district that the student attends to cover the cost of the student's education provided by the district, the district shall accept tuition for the student in an amount equal to the full unsubsidized per capita cost of providing the student's education for the period of the student's attendance at school in the district.

The commissioner shall develop guidelines for determining the amount of the full unsubsidized per capita cost of providing a student's education. A district may not accept tuition in an amount greater than the amount computed under the commissioner's guidelines unless the commissioner approves a greater amount as a more accurate reflection of the cost of education to be provided by the district.

The attendance of a student for whom a school district accepts tuition is not counted for purposes of allocating state funds to the district.

*Education Code 25.0031*

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**Note:** Enrolling students with F-1 visas is optional. If the district is interested in enrolling students with F-1 visas, it must comply with the federal Student and Exchange Visitor Program (SEVP) under the Department of Homeland Security. Detailed information regarding SEVP can be found at <http://www.ice.gov/sevis/>.

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TEXAS JUVENILE  
JUSTICE  
DEPARTMENT

A school-age child of an employee of the Texas Juvenile Justice Department (TJJD) residing in an adjacent district may attend school in a district free of charge to his or her parents or guardian. Any tuition required by the admitting district shall be paid by the district from which the student transfers out of any funds appropriated to the TJJD facility. *Education Code 25.042*

ENROLLMENT

A child must be enrolled by the child's parent, guardian, or other person with legal control under a court order. A district shall record the name, address, and date of birth of the person enrolling the child. *Education Code 25.002(f)*

LEGAL SURNAME

A student must be identified by the student's legal surname as it appears on the student's birth certificate or other document suitable as proof of the student's identity, or in a court order changing the student's name. *Education Code 25.0021*

REQUIRED  
DOCUMENTATION

If a parent or other person with legal control of a child enrolls the child in a district school, the parent or other person, or the school district in which the child most recently attended school, shall furnish to the district all of the following:

1. The child's birth certificate, or another document suitable as proof of the child's identity as defined by the commissioner in the *Student Attendance Accounting Handbook*.
2. A copy of the child's records from the school the child most recently attended if he or she was previously enrolled in a school in Texas or in another state.

Students shall not be denied enrollment or be removed solely because they fail to provide the documentation required in items 1 and 2, above.

3. A record showing that the child has the immunizations required by Education Code 38.001, proof that the child is not required to be immunized, or proof that the child is entitled to provisional admission. [See FFAB]

*Education Code 25.002(a); 19 TAC 129.1(a)-(b)*

A district must furnish information under items 1 and 2 not later than the tenth working day after the date the district receives a request for the information.

A parent or other person with legal control of a child under a court order must furnish information under items 1 and 2 not later than the 30th day after the date a child is enrolled in a public school.

If a parent or other person with legal control of a child under a court order requests that a district transfer a child's student records, the district to which the request is made shall notify the parent or other person as soon as practicable that the parent or other person may request and receive an unofficial copy of the records for delivery in person to a school in another district.

*Education Code 25.002(a-1)*

SUMMER SCHOOL  
ENROLLMENT

A district shall permit a person who is eligible under Education Code 25.001 [see GENERAL ELIGIBILITY, above] to attend school in the district but who is not enrolled in school in the district to enroll in a district summer school course on the same basis as a district student, including satisfaction of any course eligibility requirement and payment of any fee authorized under Education Code 11.158 [see FP] that is charged in connection with the course.

This requirement does not apply to enrollment in a Summer Intensive Mathematics Instruction Program under Education Code 29.088, a Summer Intensive Science Instruction Program under Education Code 29.090, or an Intensive Summer Program under Education Code 29.098 or in a similar intensive program.

*Education Code 25.008*

FOOD ALLERGY  
INFORMATION

On enrollment, a district shall request, by providing a form or otherwise, that a parent or other person with legal control of the child under a court order disclose whether the child has a food allergy or a severe food allergy that, in the judgment of the parent or other person with legal control, should be disclosed to the district to enable the district to take any necessary precautions regarding the child's safety [see FB and FFAF]; and specify the food to which the child is allergic and the nature of the allergic reaction.

The district shall maintain the confidentiality of the provided information, and may disclose the information to teachers, school counselors, school nurses, and other appropriate school personnel only to the extent consistent with district policy under Education Code 38.009 and permissible under the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. Section 1232g. [See FL]

“Severe food allergy” means a dangerous or life-threatening reaction of the human body to a food-borne allergen introduced by inhalation, ingestion, or skin contact that requires immediate medical attention.

*Education Code 25.0022(a)–(c)*

CHILD IN DFPS  
POSSESSION

A district shall enroll a child without the required documentation if DFPS has taken possession of the child. DFPS shall ensure that the required documentation is furnished to a district not later than the 30th day after the date the child is enrolled. *Education Code 25.002(g)*

INCONSISTENT  
DOCUMENTATION

If a child is enrolled under a name other than the name that appears in the identifying documents or records, a district shall notify the missing children and missing persons information clearinghouse of the child’s name as shown on the identifying records and the name under which the child is enrolled.

MISSING  
DOCUMENTATION

If the required documents and other records are not furnished to a district within 30 days after enrollment, the district shall notify the police department of the city or the sheriff’s department of the county in which the district is located and request a determination of whether the child has been reported as missing.

*Education Code 25.002(b)–(c)*

STUDENTS UNDER 11

On enrollment of a child under 11 years of age in a school for the first time at the school, the school shall:

1. Request from the person enrolling the child the name of each previous school attended by the child;
2. Request from each school identified in item 1 the school records for the child and, if the person enrolling the child provides copies of previous school records, request verification from the school of the child’s name, address, date, and grades and dates attended; and
3. Notify the person enrolling the student that not later than the 30th day after enrollment, or the 90th day if the child was not born in the United States, the person must provide:
  - a. A certified copy of the child’s birth certificate; or
  - b. Other reliable proof of the child’s identity and age and a signed statement explaining the person’s inability to produce a copy of the child’s birth certificate.

If a person enrolls a child under 11 years of age in school and does not provide the valid prior school information or documentation re-



quired, the school shall notify the appropriate law enforcement agency before the 31st day after the person fails to comply.

*Code of Criminal Procedure 63.019*

FALSE INFORMATION

When accepting a child for enrollment, a district shall inform the parent or other person enrolling the child that presenting a false document or false records in connection with enrollment is a criminal offense under Penal Code 37.10 (Tampering with Governmental Records) and that enrolling the child under false documents makes the person liable for tuition or other costs as provided below. *Education Code 25.002(d)*

In addition to the penalty under Penal Code 37.10, a person who knowingly falsifies information on a form required for a student's enrollment in a district is liable to the district if the student is not eligible for enrollment, but is enrolled on the basis of false information. For the period during which the ineligible student is enrolled, the person is liable for the maximum tuition fee a district may charge [see FDA] or the amount a district has budgeted per student as maintenance and operating expense, whichever is greater. *Education Code 25.001(h)*

A district may include on its enrollment form notice of the legal penalties and liability for falsifying information on the form. *Education Code 25.001(i)*

PLACEMENT OF  
TRANSFERS

CREDITS AND  
RECORDS

A district shall accept all credits earned toward state graduation requirements by students in accredited Texas school districts, including credits earned in accredited summer school programs. Credits earned in local credit courses may be transferred at a district's discretion. Transfer students shall not be prohibited from attending school pending receipt of transcripts or academic records from the district the student previously attended. *19 TAC 74.26(a)(1)*

A district shall grant a student credit toward the academic course requirements for high school graduation for courses the student successfully completes in TJJD educational programs. *Education Code 30.104*

Each district shall consider course credit earned by a student while in a juvenile justice alternative education program as credit earned in a district school. *Education Code 37.011(d)*

NONPUBLIC  
SCHOOLS

Records and transcripts of students from Texas nonpublic schools or from out of state or out of the country (including foreign exchange students) shall be evaluated, and students shall be placed promptly in appropriate classes. A district may use a wide variety

of methods to verify the content of courses for which a transfer student has earned credit. *19 TAC 74.26(a)(2)*

FOUNDATION SCHOOL  
PROGRAM

A person is entitled to the benefits of the available school fund for a school year if:

1. On September 1 of the year, the person:
  - a. Is at least five years of age and under 21 years of age, and has not graduated from high school;
  - b. Is at least 21 years of age and under 26 years of age and is admitted by a school district to complete the requirements for a high school diploma; or
  - c. Is at least 19 years of age and under 26 years of age and is enrolled in an adult high school diploma and industry certification charter school pilot program under Education Code 29.259.
2. The person is enrolled in prekindergarten under Education Code 29.153 or Subchapter E-1, Chapter 29 [see EHBG].
3. The person is younger than five years of age and performs satisfactorily on the state assessment instrument administered to third graders and a district has adopted a policy to admit students younger than five years of age.
4. The person is enrolled in the first grade and is at least six years of age at the beginning of the current school year or has been enrolled in the first grade, or has completed kindergarten, in the public schools of another state before transferring to a Texas public school.

*Education Code 25.001(a), 42.003*

SCREENING

The principal of each district school shall ensure that each student admitted to that school has complied with requirements for screening of special senses and communication disorders, spinal screening, and a risk assessment for Type 2 diabetes, or has submitted an affidavit of exemption. *Health and Safety Code 36.005, 37.002, 95.003(c)* [See FFAA]

PEST CONTROL  
INFORMATION

At the time a student is registered, district personnel shall inform parents, guardians, or managing conservators that the school periodically applies pesticides indoors and that information on the application of pesticides is available on request. *Occupations Code 1951.455* [See CLB]

ADMISSIONS

FD  
(LOCAL)

PERSONS AGE 21 AND OVER	The District shall not admit into its public schools any person age 21 or over unless otherwise required by law.
REGISTRATION FORMS	The student's parent, legal guardian, or other person having lawful control shall annually complete registration forms. A student who has reached age 18 shall be permitted to complete these forms.
PROOF OF RESIDENCY	At the time of initial registration and on an annual basis thereafter, the parent, guardian, or other person having lawful control of the student under order of a court shall present proof of residency in accordance with administrative regulations developed by the Superintendent. The District may investigate stated residency as necessary.
MINOR LIVING APART PERSON STANDING IN PARENTAL RELATION	A minor student residing in the District but whose parent, guardian, or other person having lawful control under a court order does not reside in the District shall present a power of attorney or an authorization agreement as provided in Chapter 34 of the Family Code assigning responsibility for the student in all school-related matters to an adult resident of the District.
MISCONDUCT	A minor student living apart who has engaged in misconduct that results in any of the consequences found in Education Code 25.001(d) shall not be permitted to attend a District school.
EXCEPTIONS	Based on an individual student's circumstance, the Superintendent shall have authority to grant exceptions to the requirement for a power of attorney or authorization agreement and to the exclusion for misconduct.
EXTRACURRICULAR ACTIVITIES	The Superintendent shall determine whether a minor student living apart is present in the District for the primary purpose of participating in extracurricular activities.
NONRESIDENT STUDENT IN GRANDPARENT'S AFTER-SCHOOL CARE	<p>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.</p> <p>The Superintendent shall have authority to approve or deny such admissions requests in accordance with criteria approved by the Board.</p>
"ACCREDITED" DEFINED	For the purposes of this policy, "accredited" shall be defined as accreditation by TEA, an equivalent agency from another state, or an accrediting association recognized by the commissioner of education.

ADMISSIONS

FD  
(LOCAL)

GRADE-LEVEL  
PLACEMENT

ACCREDITED  
SCHOOLS

The parent, guardian, or other person having lawful control of a student enrolling in a District school from an accredited public, private, or parochial school shall provide evidence of the prior schooling outside the District. The student shall be placed initially at the grade level reached elsewhere, pending observation by the classroom teacher, guidance personnel, and the principal. On the basis of these observations and results of tests that may be administered by appropriate District personnel, the principal shall determine the final grade placement.

NONACCREDITED  
SCHOOLS

A student enrolling in a District school from a nonaccredited public, private, or parochial school, including a homeschool, shall be placed initially at the discretion of the principal, pending observation by classroom teachers, guidance personnel, and the principal. Criteria for placement may include:

1. Scores on achievement tests, which may be administered by appropriate District personnel.
2. Recommendation of the sending school.
3. Prior academic record.
4. Chronological age and social and emotional development of the student.
5. Other criteria deemed appropriate by the principal.

TRANSFER OF CREDIT

ACCREDITED  
TEXAS PUBLIC  
SCHOOLS

Credit toward state graduation requirements earned in an accredited public school district in Texas shall be transferable and recognized by the District.

OTHER  
ACCREDITED OR  
NONACCREDITED  
SCHOOLS

Before recognizing credit in a course earned in an accredited non-public school, an accredited school outside of Texas, or a nonaccredited school, appropriate personnel shall evaluate a student's records and transcript. The District may require the student to demonstrate mastery of the content or use alternative methods to verify course content for the award of credit. [See EI]

WITHDRAWAL

A parent or guardian wishing to withdraw a minor student shall present a signed statement that includes the reason for the withdrawal. A student who is 18 or older may submit a withdrawal statement without a parent's or guardian's signature.

[For District withdrawal of students no longer in attendance, see FEA(LOCAL).]

ATTENDANCE  
ACCOUNTING SYSTEM

The Superintendent shall be responsible for maintaining a student attendance accounting system in accordance with statutory and TEA requirements. [See also FD for admissions and residency requirements.]

ALTERNATIVE  
RECORDING TIME

When appropriate, the Superintendent shall establish written procedures permitting a campus to specify an alternative time for taking attendance other than the second or fifth instructional hour. Exceptions may be authorized for an entire campus or for a designated group of students at a campus. The alternative time for recording attendance shall be determined in accordance with TEA's *Student Attendance Accounting Handbook*.

PARENTAL CONSENT  
TO LEAVE CAMPUS

The Superintendent shall establish procedures regarding parental consent for a student to leave campus, including procedures for documenting a student's absence. The procedures shall be communicated in the employee and student handbooks.

WELLNESS POLICY

Each district participating in a program authorized by the Richard B. Russell National School Lunch Act, 42 U.S.C. 1751 et seq., or the Child Nutrition Act, 42 U.S.C. 1771 et seq., shall establish a local school wellness policy for schools in the district.

GUIDELINES

The U.S. Secretary of Agriculture shall promulgate regulations that provide the framework and guidelines for districts to establish local school wellness policies, including, at a minimum:

1. Goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness;
2. For all foods available on each school campus during the school day, nutrition guidelines that are consistent with sections 9 and 17 of the National School Lunch Act and sections 4 and 10 of the Child Nutrition Act, and promote student health and reduce childhood obesity;
3. A requirement that a district permit parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the school board, school administrators, and the general public to participate in the development, implementation, and periodic review and update of the local school wellness policy;
4. A requirement that a district inform and update the public (including parents, students, and others in the community) about the content and implementation of the local school wellness policy.
5. A requirement that a district periodically measure and make available to the public an assessment on the implementation of the local school wellness policy, including:
  - a. The extent to which schools in the district are in compliance with the local school wellness policy;
  - b. The extent to which the district's local school wellness policy compares to model local school wellness policies; and
  - c. A description of the progress made in attaining the goals of the local school wellness policy; and
6. A requirement that a district designate one or more district or school officials, as appropriate, to ensure that each school complies with the local school wellness policy.

LOCAL DISCRETION     A district shall use the guidelines to determine specific policies appropriate for the schools in the district.

*Healthy, Hunger-Free Kids Act of 2010, Pub. L. No. 111-296, sec. 204, 124 Stat. 3183 (2010) [42 U.S.C. 1758b]*

[See EHAA for state law requirements relating to health education]

CHANGE IN HEALTH SERVICES     Before a district or a school may expand or change the health-care services available at a school in the district from those that were available on January 1, 1999, the board must:

1.    Hold a public hearing at which the board provides an opportunity for public comment and discloses all information on the proposed health-care services, including:
  - a.    All health-care services to be provided;
  - b.    Whether federal law permits or requires any health-care service provided to be kept confidential from parents;
  - c.    Whether a child's medical records will be accessible to the parent;
  - d.    Information concerning grant funds to be used;
  - e.    The titles of persons who will have access to the medical records of a student; and
  - f.    The security measures that will be used to protect the privacy of students' medical records.
2.    Approve the expansion or change by a record vote.

*Education Code 38.012*

Humble ISD  
101913

STUDENT WELFARE  
STUDENT SUPPORT SERVICES

FFC  
(EXHIBIT)

The District has designated the following employee as the liaison for homeless students:

Position: Homeless Liaison

Address: 4810 Magnolia Cove Drive, Kingwood, TX 77345

Telephone: (281) 641-8408



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**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.

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STATEMENT OF  
NONDISCRIMINATION

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

DISCRIMINATION

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

BY OTHERS

Sexual harassment of a student, including harassment committed by another student, includes unwelcome sexual advances; requests for sexual favors; or sexually motivated physical, verbal, or nonverbal conduct when the conduct is sufficiently 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.

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 sufficiently 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.

Any form of sex-based harassment or gender-based harassment shall not be permitted whether the perpetrator is a member of the opposite sex or the same sex or whether the perpetrator is another student, employee, or a third party.

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 sufficiently 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;

STUDENT WELFARE  
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH  
(LOCAL)

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

EXAMPLES

Examples of dating violence against a student may include physical or sexual assaults; name-calling; put-downs; or threats directed at the student, the student's family members, or members of the student's household. Additional examples may include destroying property belonging to the student, threatening to commit suicide or homicide if the student ends the relationship, attempting to isolate the student from friends and family, stalking, threatening a student's spouse or current dating partner, or encouraging others to engage in these behaviors.

RACIAL HARASSMENT

Racial harassment is defined as conduct based on a student's race, color, or national origin that creates a hostile environment that is sufficiently severe, pervasive, or persistent that it affects, interferes with, or limits the ability of the student experiencing the conduct to participate in or benefit from the school's education program. Harassment may be perpetrated by a member of the staff, a student, or a third party.

EXAMPLES

Examples of racial harassment may include offensive or derogatory language, offensive jokes, name-calling, slurs, or rumors directed at a student's race, color, or national origin; threatening, intimidating or humiliating conduct on the basis of race, color, or national origin of the student; display of graffiti or printed material promoting racial or ethnic stereotypes; or other aggressive conduct such as theft or damage to property.

DISABILITY  
HARASSMENT

Disability harassment is defined as conduct based on a student's disability that creates a hostile environment that is sufficiently severe, pervasive, or persistent that it affects, interferes with, or limits the ability of the student experiencing the conduct to participate in or benefit from the school's education program. Harassment may be perpetrated by a member of the staff, a student, or a third party.

EXAMPLES

Examples of disability harassment may include offensive or derogatory language, offensive jokes, name-calling, slurs, or rumors directed at a student's disability; threatening, intimidating, or humiliating conduct on the basis of a student's disability; display of graffiti or printed material; or other aggressive conduct such as theft or damage to property.

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

STUDENT WELFARE  
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH  
(LOCAL)

	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, school counselor, principal, other District employee, or the appropriate District official listed in this policy.
STUDENT REPORT	
EMPLOYEE REPORT	Any District employee who 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 or an appropriate campus designee 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.
TITLE IX COORDINATOR	Reports of discrimination based on sex, including sexual harassment or gender-based harassment, may be directed to the Title IX coordinator for students or appropriate campus designee. [See FFH(EXHIBIT)]
ADA / SECTION 504 COORDINATOR	Reports of discrimination based on disability may be directed to the designated ADA/Section 504 coordinator for students or appropriate campus designee.
SUPERINTENDENT	The Superintendent shall serve as coordinator for purposes of District compliance with all other nondiscrimination 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 coordi-

	<p>nator or ADA/Section 504 coordinator, may be directed to the Superintendent.</p> <p>A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.</p>
TIMELY REPORTING	<p>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.</p>
NOTICE TO PARENTS	<p>The District official or designee shall promptly notify the parents of any student alleged to have experienced prohibited conduct by a District employee or another adult.</p>
INVESTIGATION OF THE REPORT	<p>The District may request, but shall not require, a written report. If a report is made orally, the District official or appropriate campus designee shall reduce the report to written form.</p>
INITIAL ASSESSMENT	<p>Upon receipt of a report or notice of possible prohibited conduct even through a formal report has not been made, the District official or appropriate campus designee 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 or appropriate campus designee determines that the allegations, if proven, would not constitute prohibited conduct as defined by this policy, the District official or appropriate campus designee shall refer the complaint for consideration under FFI.</p>
INTERIM ACTION	<p>If appropriate and regardless of whether a criminal or regulatory investigation regarding the alleged conduct is pending, the District shall promptly take interim action calculated to address prohibited conduct or bullying prior to the completion of the District's investigation.</p>
DISTRICT INVESTIGATION	<p>The investigation may be conducted by the District official or appropriate campus designee 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 and witnesses suggested by the person making the report and the person against whom the report was made. The in-</p>

vestigation may also include analysis of other information or documents related to the allegations.

The District official may designate a campus administrator to carry out all actions regarding an investigation of a report.

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 investigator shall take additional time if necessary to complete a thorough investigation.

The investigator shall prepare a written report of the investigation. The report shall include a determination of whether prohibited conduct or bullying occurred based on a preponderance of the evidence standard. Based on this standard, the investigator shall determine whether it is more likely than not that prohibited conduct occurred. The report shall be filed with the District official overseeing the investigation.

NOTIFICATION OF  
OUTCOME

Written notification of the outcome of the investigation shall be provided to both parties in compliance with FERPA.

DISTRICT ACTION  
PROHIBITED  
CONDUCT

If the results of an investigation indicate that prohibited conduct occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the Student Code of Conduct and may take corrective action reasonably calculated to address the conduct. Where appropriate, the District may refer complaints to law enforcement authorities.

CORRECTIVE  
ACTION

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

STUDENT WELFARE  
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FFH  
(LOCAL)

	areas where prohibited conduct has occurred, and reaffirming the District's policy against discrimination and harassment.
BULLYING	If the results of an investigation indicate that bullying occurred, as defined by FFI, the District official shall refer to FFI for appropriate notice to parents and District action. The District official shall refer to FDB for transfer provisions.
IMPROPER CONDUCT	If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take disciplinary action in accordance with the Student Code of Conduct or other corrective action reasonably calculated to address the conduct.
CONFIDENTIALITY	To the extent possible, school officials shall keep information from reports of harassment isolated to parties who are essential to the investigation and to the resolution of a report of harassment on the basis of sex, gender, race, or disability.
APPEAL	A student or parent who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level. The student or parent shall file an appeal under FNG(LOCAL) within 15 District business days of the date the student or parent received written notification of the outcome of the complaint. 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.
RECORDS RETENTION	The District shall retain copies of allegations, investigation reports, and related records regarding any prohibited conduct in accordance with the District's records retention schedules, but for no less than the minimum amount of time required by law. [See CPC]
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.



Humble ISD  
101913

STUDENT WELFARE  
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH  
(EXHIBIT)

The District designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended, for students:

Name: Dr. Thomas Price  
Position: Chief Academic Officer/Deputy Superintendent  
Address: 20200 Eastway Village Drive, Humble, TX 77347  
Telephone: (281) 641-8005

The District designates the following 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, for students:

Name: Dr. Thomas Price  
Position: Chief Academic Officer/Deputy Superintendent  
Address: 20200 Eastway Village Drive, Humble, TX 77347  
Telephone: (281) 641-8005

STUDENT RECORDS

FL  
(LEGAL)

This introductory page outlines the contents of this policy on student records. See the following sections for statutory provisions on:

SECTION I	Education Records	pages 2–4
	<ol style="list-style-type: none"><li>1. Definition of 'education records'</li><li>2. Screening records</li><li>3. Immunization records</li><li>4. Medical records</li><li>5. Food allergy information</li><li>6. Assessment instruments</li><li>7. Academic achievement record (transcript)</li><li>8. Enrollment records</li></ol>	
SECTION II	Access, Disclosure, and Amendment	pages 5–17
	<ol style="list-style-type: none"><li>1. Access to education records</li><li>2. Information collection</li><li>3. Subpoenaed and sex offender records</li><li>4. Request procedure</li><li>5. Destruction of requested records</li><li>6. De-Identified records, authenticating requestors' identities</li><li>7. Transfer by third parties to other persons</li><li>8. Record of access to student records</li><li>9. Right to amend records</li><li>10. Fees for copies</li><li>11. Records of students with disabilities</li><li>12. Annual notification of rights</li></ol>	
SECTION III	Directory Information	pages 17–20
	<ol style="list-style-type: none"><li>1. Definition and disclosure of directory information</li><li>2. Designation of directory information</li><li>3. Annual notice, contents</li><li>4. Student recruiting information, parental consent to release</li></ol>	
SECTION IV	Videotapes and Recordings	pages 20–21
	<ol style="list-style-type: none"><li>1. Parental consent</li><li>2. Exceptions to consent</li></ol>	
SECTION V	Information from Law Enforcement	pages 21–23
	<ol style="list-style-type: none"><li>1. Criminal records</li><li>2. Duty to flag records of missing children</li></ol>	

**SECTION I: EDUCATION RECORDS**

**“EDUCATION  
RECORDS” DEFINED**

For the purposes of this policy, the term “education records” means those records, files, documents, and other materials that contain information directly related to a student and are maintained by an education agency or institution or by a person acting for such agency or institution.

The term “education records” does not include:

1. Records that are created or received by a district after an individual is no longer a student in attendance and that are not directly related to the individual’s attendance as a student.
2. Records made by district personnel that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to anyone other than a temporary substitute for the maker of the record.
3. Records maintained by a law enforcement unit of a district that were created by that law enforcement unit for the purpose of law enforcement.
4. Records on a student who is 18 years of age or older, or who is attending an institution of postsecondary education, that are:
  - a. Made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in a paraprofessional capacity;
  - b. Made, maintained, or used only in connection with treatment of the student; and
  - c. Disclosed only to individuals providing the treatment. For the purpose of this definition, “treatment” does not include remedial educational activities or activities that are part of the program of instruction at the agency or institution.
5. Grades on peer-graded papers before they are collected and recorded by a teacher.

*20 U.S.C. 1232g; 34 C.F.R. 99.3*

**SCREENING  
RECORDS**

The principal of each school shall maintain records of screening for special senses and communication disorders, spinal screening, and assessment for type 2 diabetes for each student in the school. Records shall be open for inspection by the state or local health department. The Texas-Mexico Border Health Coordination Office

may, directly or through local health departments, enter a school and inspect records relating to assessment for type 2 diabetes. Individual screening records may be transferred among schools in accordance with provisions below concerning ACCESS BY OTHER PERSONS. *20 U.S.C. 1232g; Health and Safety Code 36.006, 37.003, 95.004; 25 TAC 37.148(o)* [See FFAA]

IMMUNIZATION  
RECORDS

A district shall maintain an individual immunization record during the period of attendance for each student admitted. The records shall be open for inspection at all reasonable times by the Texas Education Agency or by representatives of local health departments or the Texas Department of State Health Services. A district shall cooperate with other districts in transferring students' immunization records between other schools. Specific approval from students, parents, or guardians is not required prior to making such record transfers. *Education Code 38.002* [See FFAB]

MEDICAL RECORDS

The parent or guardian of a student is entitled to access to the student's medical records maintained by a district. On request of a student's parent or guardian, a district shall provide a copy of the student's medical records to the parent or guardian. A district may not impose a charge that exceeds the amount authorized by Section 552.261 of the Government Code [see GBAA]. *Education Code 38.0095*

PRIVACY RULE FOR  
NON-"EDUCATION  
RECORDS"

To the extent a district is a covered entity under the Health Insurance Portability and Accountability Act (HIPAA), the district must comply with the Privacy Rule, 45 C.F.R. Part 164, with respect to protected health information that is not an education record. *45 C.F.R. 160.103, 164.501* [See CRD]

FOOD ALLERGY  
INFORMATION

Information regarding a child's food allergy, regardless of how it is received by the school or school district, shall be retained in the child's student records but may not be placed in the health record maintained for the child by the district.

EXCEPTIONS

If the school receives documentation of a food allergy from a physician, that documentation shall be placed in the health record maintained for the child by the district.

A registered nurse may enter appropriate notes about a child's possible food allergy in the health record maintained for the child by the district, including a notation that the child's student records indicate that a parent has notified the district of the child's possible food allergy.

*Education Code 25.0022(d)-(f)*

STUDENT RECORDS

FL  
(LEGAL)

ASSESSMENT  
INSTRUMENTS

The results of individual student performance on basic skills assessment instruments or other achievement tests administered by a district are confidential and may be made available only to the student, the student's parent or guardian, and to the school personnel directly involved with the student's educational program. However, overall student performance data shall be aggregated by ethnicity, sex, grade level, subject area, campus, and district, and made available to the public, with appropriate interpretations, at regularly scheduled board meetings. The information may not contain the names of individual students or teachers. *Education Code 39.030(b)* [See EKB]

ACADEMIC  
ACHIEVEMENT  
RECORD  
(GRADES 9–12)

Following guidelines developed by the commissioner of education ("commissioner"), a district shall use an academic achievement record (transcript) form that includes student demographics, school data, student data, and the record of courses and credits earned. The academic achievement record (transcript) shall serve as the academic record for each student and shall be maintained permanently by the district. Copies of the record shall be made available to students transferring to another district. A district shall respond promptly to all requests for student records from receiving districts. *19 TAC 74.5(b)* [See EI]

ENROLLMENT  
RECORDS

If a parent or other person with legal control of a child enrolls the child in a district school, the parent or other person, or the school district in which the child most recently attended school, shall furnish to the district all of the following:

1. The child's birth certificate, or another document suitable as proof of the child's identity as defined by the commissioner in the *Student Attendance Accounting Handbook*.
2. A copy of the child's records from the school the child most recently attended if he or she was previously enrolled in a school in Texas or in another state.

*Education Code 25.002(a)*

A district must furnish information under items 1 and 2 not later than the tenth working day after the date the district receives a request for the information.

If a parent or other person with legal control of a child under a court order requests that a district transfer a child's student records, the district to which the request is made shall notify the parent or other person as soon as practicable that the parent or other person may request and receive an unofficial copy of the records for delivery in person to a school in another district.

*Education Code 25.002(a-1)* [See FD]

**SECTION II: ACCESS, DISCLOSURE, AND AMENDMENT**

ACCESS TO  
EDUCATION RECORDS  
DEFINITIONS

“ATTENDANCE”

“Attendance” includes, but is not limited to:

1. Attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunications technologies for students who are not physically present in the classroom; and
2. The period during which a person is working under a work-study program.

“DISCLOSURE”

“Disclosure” means to permit access to or the release, transfer, or other communication of personally identifiable information contained in education records by any means, including oral, written, or electronic means, to any party except the party identified as the party that provided or created the record.

“PARENT”

“Parent” includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or guardian.

“PERSONALLY  
IDENTIFIABLE  
INFORMATION”

“Personally identifiable information” includes, but is not limited to:

1. The student’s name;
2. The name of the student’s parent or other family members;
3. The address of the student or student’s family;
4. A personal identifier, such as the student’s biometric record, defined as a record of one or more measurable biological or behavioral characteristics that can be used for automated recognition of an individual (e.g., fingerprints, retina and iris patterns, voiceprints, DNA sequence, facial characteristics, and handwriting); social security number; or student number;
5. Other indirect identifiers, such as the student’s date of birth, place of birth, and mother’s maiden name;
6. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or
7. Information requested by a person who the district reasonably believes knows the identity of the student to whom the education record relates.

“RECORD”

“Record” means any information recorded in any way, including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche.

“AUTHORIZED REPRESENTATIVE”

“Authorized representative” means any entity or individual designated by a state or local educational authority or an agency headed by an official listed in 34 C.F.R. 99.31(a)(3) to conduct—with respect to federal- or state-supported education programs—any audit, evaluation, or any compliance or enforcement activity in connection with federal legal requirements that relate to these programs.

“EDUCATION PROGRAM”

“Education program” means any program that is principally engaged in the provision of education, including, but not limited to, early childhood education, elementary and secondary education, postsecondary education, special education, job training, career and technical education, and adult education, and any program that is administered by an educational agency or institution.

*34 C.F.R. 99.3*

“SIGNED AND DATED WRITTEN CONSENT”

“Signed and dated written consent” may include a record and signature in electronic form that:

1. Identifies and authenticates a particular person as the source of the electronic consent; and
2. Indicates such person’s approval of the information contained in the electronic consent.

*34 C.F.R. 99.30(d)*

ACCESS BY PARENTS

Access to the education records of a student who is or has been in attendance at a school in a district shall be granted to the parent of the student who is a minor or who is a dependent for tax purposes.  
*34 C.F.R. 99.10, .31(a)(8)*

A district shall presume that a parent has authority to inspect and review the student’s records unless it has been provided with evidence that there is a court order, state statute, or legally binding document that specifically revokes these rights. A court may order the custodian of records to delete all references in a child’s records to the place of residence of either party appointed as conservator before their release to another party appointed as conservator.

*34 C.F.R. 99.4; Family Code 153.012, .073*

A parent is entitled to access to all written records of a district concerning the parent’s child, including attendance records, test scores, grades, disciplinary records, counseling records, psychological records, applications for admission, health and immunization information, teacher and school counselor evaluations, and reports of behavioral patterns. *Education Code 26.004*

STUDENT RECORDS

FL  
(LEGAL)

ACCESS BY  
STUDENT

Whenever a student has attained 18 years of age or is attending an institution of postsecondary education, the rights accorded to, and consent required of, parents transfer from the parents to the student.

Nothing in this section prevents a district from disclosing education records, or personally identifiable information from education records, to a parent without prior written consent of an eligible student if the disclosure meets the conditions in 34 C.F.R. 99.31(a), including if the student is a dependent for tax purposes or in the case of a health or safety emergency.

*34 C.F.R. 99.5*

If material in the education record of a student includes information on another student, only the portion of the material relating to the student whose records were requested may be inspected and reviewed. *34 C.F.R. 99.12(a)*

ACCESS BY OTHER  
PERSONS

Personally identifiable information in education records shall not be released without the written consent of the student's parents, except to the following:

SCHOOL  
OFFICIALS

1. School officials, including teachers, who have legitimate educational interests. An administrator, nurse, or teacher is entitled to access to a student's medical records maintained by a district for reasons determined in district policy.

A contractor, consultant, volunteer, or other party to whom a district has outsourced institutional services or functions may be considered a school official under this paragraph provided that the outside party:

- a. Performs an institutional service or function for which the district would otherwise use employees;
- b. Is under the direct control of the district with respect to the use and maintenance of education records; and
- c. Is subject to the requirements of 34 C.F.R. 99.33(a) governing the use and redisclosure of personally identifiable information from education records.

A district must use reasonable methods to ensure that school officials obtain access to only those education records in which they have legitimate educational interests. A district that does not use physical or technological access controls must ensure that its administrative policy for controlling access to education records is effective and that it remains in



compliance with the legitimate educational interest requirement.

*34 C.F.R. 99.31, .36; Education Code 38.009*

OFFICIALS OF  
OTHER SCHOOLS

2. Officials of other schools or school systems in which the student seeks or intends to enroll, or where the student is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer, provided that a district either:
  - a. Includes in its policies a statement that notifies the parent or student that it forwards education records on request of the other school to such officials; or
  - b. Makes a reasonable attempt to notify the parent (unless the record transfer is initiated by the parent).

In either case, a district shall furnish a copy of the transferred records to the parent if requested and shall give the parent an opportunity for a hearing to challenge the content of the record.

*34 C.F.R. 99.34*

AUTHORIZED  
GOVERNMENTAL  
REPRESENTATIVES

3. Authorized representatives of the officials or agencies headed by the Comptroller General of the United States, the Attorney General of the United States, the Secretary of Education, or state and local educational authorities who require access to student or other records necessary in connection with the audit and evaluation of federal- or state-supported education programs or in connection with the enforcement of or compliance with federal legal requirements that relate to such programs. *34 C.F.R. 99.35*

A district may not refuse to report information concerning a student holding an F, J, or M visa on the basis of the Family Educational Rights and Privacy Act (FERPA) and any regulation implementing FERPA. A district is authorized and required to report information that would ordinarily be protected by FERPA only to the extent required by 8 U.S.C. 1372, 8 C.F.R. 214.3, or any corresponding regulation. *8 U.S.C. 1372(c)(2); 8 C.F.R. 214.1(h)*

FINANCIAL AID  
PERSONNEL

4. Personnel involved with a student's application for, or receipt of, financial aid.

JUVENILE  
JUSTICE  
OFFICIALS

5. State and local officials to whom such information is specifically allowed to be reported or disclosed by state statute if:

- a. The allowed reporting or disclosure concerns the juvenile justice system and its ability to effectively serve, prior to adjudication, the student whose records are released; and
- b. The officials and authorities to whom such information is disclosed certify in writing to the district that the information will not be disclosed to any other party except as provided under state law without the prior written consent of the parent of the student.

A school district superintendent or the superintendent's designee shall disclose information contained in a student's educational records to a juvenile service provider as required by Family Code 58.0051 [see GRAC].

*Education Code 37.084(a)*

ORGANIZATIONS  
CONDUCTING  
STUDIES

6. Organizations conducting studies for, or on behalf of, districts for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction. Such studies must be conducted so that personal identification of students and their parents will not be revealed to persons other than authorized personnel of the organizations conducting the studies who have legitimate interests in the information. Such information must be destroyed when no longer needed for the original purposes of the studies.

The district must enter into a written agreement with the organization that:

- a. Specifies the purpose, scope, and duration of the study or studies and the information to be disclosed;
- b. Requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study as stated in the written agreement;
- c. Requires the organization to conduct the study in a manner that does not permit personal identification of parents and students, as defined in this part, by anyone other than representatives of the organization with legitimate interests; and
- d. Requires the organization to destroy all personally identifiable information when the information is no longer needed for the purposes for which the study was con-

ducted and specifies the time period in which the information must be destroyed.

A district that enters into an agreement with an organization conducting a study may redisclose personally identifiable information from education records on behalf of educational agencies and institutions that disclosed the information to the district in accordance with the requirements of 34 C.F.R. 99.33(b).

A district is not required to initiate a study or agree with or endorse the conclusions or results of the study.

ACCREDITING  
ORGANIZATIONS

7. Accrediting organizations that require the information for purposes of accreditation.

HEALTH OR  
SAFETY  
EMERGENCY

8. Appropriate persons, including the student's parents, who, in an emergency, must have such information in order to protect the health or safety of the student or other person.

In making a determination, a district may take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. If the district determines that there is an articulable and significant threat to the health or safety of a student or other individuals, it may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals. If, based on the information available at the time of the determination, there is a rational basis for the determination, the U.S. Department of Education (DOE) will not substitute its judgment for that of the district in evaluating the circumstances and making its determination.

*34 C.F.R. 99.36*

SECRETARY OF  
AGRICULTURE

9. The Secretary of Agriculture, or authorized representative from the Food and Nutrition Service, for the purposes of conducting program monitoring, evaluations, and performance measurements of districts receiving funding or providing benefits of programs authorized under the National School Lunch Act or the Child Nutrition Act. *20 U.S.C. 1232g(b)(1)(K)*

STATE OR LOCAL  
CHILD WELFARE  
AGENCY

10. An agency caseworker or other representative of a state or local child welfare agency who has the right to access a student's case plan when the agency is legally responsible, in accordance with state law, for the care and protection of the student. Records of the student shall not be disclosed by the agency, except to an individual or entity engaged in addressing the student's education needs and authorized by the

agency to receive the disclosure. Any subsequent disclosure must be consistent with state laws applicable to protecting the confidentiality of a student's education records. *20 U.S.C. 1232g(b)(1)(L)*

DIRECTORY  
INFORMATION

11. Any person requesting directory information after a district has given public notice of that definition. *34 C.F.R. 99.37*

*20 U.S.C. 1232g(b); 34 C.F.R. 99.31*

WRITTEN  
CONSENT

The parent shall provide a signed and dated written consent before a district discloses personally identifiable information from a student's education records to any individual, agency, or organization other than the parent, the student, or those listed above. Such consent shall specify records to be released, the reason for such release, and to whom the records are to be released. *34 C.F.R. 99.30*

INFORMATION  
COLLECTION

U.S. DOE-FUNDED  
SURVEYS

No student shall be required, as part of any program funded in whole or in part by the U.S. DOE, to submit to a survey, analysis, or evaluation that reveals information concerning the following topics without the prior consent of the student (if the student is an adult or emancipated minor), or, in the case of an unemancipated minor, without the prior written consent of the parent:

1. Political affiliations or beliefs of the student or the student's parents.
2. Mental and psychological problems of the student or the student's family.
3. Sex behavior and attitudes.
4. Illegal, anti-social, self-incriminating, and demeaning behavior.
5. Critical appraisals of other individuals with whom students have close family relationships.
6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers.
7. Religious practices, affiliations, or beliefs of the student or student's parent.
8. Income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program.

*20 U.S.C. 1232h(b)*

STUDENT RECORDS

FL  
(LEGAL)

INFORMATION COLLECTION FUNDED BY OTHER SOURCES	Except as provided by 20 U.S.C. 1232h(a) or (b), as a condition of receiving funds from programs funded in whole or in part by the U.S. DOE, a district shall develop and adopt policies, in consultation with parents, pursuant to 20 U.S.C. 1232h(c)(1), and provide for parent notification in accordance with 20 U.S.C. 1232h(c)(2). <i>20 U.S.C. 1232h(c)(1)–(4)</i> [See EF]
SUBPOENAED RECORDS	A district shall release student records to an entity or persons designated in a subpoena. A district shall not disclose to any person the existence or contents of the subpoena if a court orders the district to refrain from such disclosure. Unless the court or other issuing agency orders the district to refrain from such disclosure or the order is an ex parte court order obtained by the U.S. Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18 U.S.C. 2332b(g)(5)(B) or an act of domestic or international terrorism as defined in 18 U.S.C. 2331, the district shall make a reasonable effort to notify the parents and the student of all such subpoenas in advance of compliance, except when a parent is a party to a court proceeding involving child abuse and neglect or dependency matters, and the order is issued in the context of that proceeding. <i>20 U.S.C. 1232g(b)(1)(J), (b)(2)(B); 34 C.F.R. 99.31(a)(9)</i>
SEX OFFENDERS	A district may disclose personally identifiable information without consent if the disclosure concerns sex offenders and other individuals required to register under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. 14071, and the information was provided to the district under 42 U.S.C. 14071 and applicable federal guidelines. <i>34 C.F.R. 99.31(a)(16)</i>
REQUEST PROCEDURE	Upon request of a properly qualified individual, access to a student's education record shall be granted within a reasonable period of time, not to exceed 45 days. A district shall respond to reasonable requests for explanations and interpretations of the records. <i>34 C.F.R. 99.10</i>
DESTRUCTION OF RECORDS	A district shall not destroy any education records if there is an outstanding request to inspect and review the records. <i>34 C.F.R. 99.10(e)</i>
DE-IDENTIFIED RECORDS	A district, or a party that has received education records or information from education records, may release the records or information without the parent's written consent after the removal of all personally identifiable information provided that the district or other party has made a reasonable determination that a student's identity is not personally identifiable, whether through single or multiple releases, and taking into account other reasonably available information.

EDUCATION  
RESEARCH

A district, or a party that has received education records or information from education records, may release de-identified student level data from education records for the purpose of education research by attaching a code to each record that may allow the recipient to match information received from the same source, provided that:

1. A district or other party that releases de-identified data under this section does not disclose any information about how it generates and assigns a record code, or that would allow a recipient to identify a student based on a record code;
2. The record code is used for no purpose other than identifying a de-identified record for purposes of education research and cannot be used to ascertain personally identifiable information about a student; and
3. The record code is not based on a student's social security number or other personal information.

AUTHENTICATING  
REQUESTORS'  
IDENTITIES

A district must use reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other parties to whom the district discloses personally identifiable information from education records.

*34 C.F.R. 99.31(b)–(c)*

TRANSFER NOT  
PERMITTED

Personal information from student education records shall be transferred to a third party only on the condition that such party will not permit any other party to have access to such information without the written consent of the student's parent. If a third party permits access to information in violation of this policy, a district shall not permit access to information from education records to that third party for a period of not less than five years. *20 U.S.C. 1232g(b)(4)(B); 34 C.F.R. 99.33(a)(1)*

A district shall inform a party to whom a disclosure is made of the requirements of 34 C.F.R. 99.33, unless the disclosure is made pursuant to a court order, lawfully issued subpoena, or litigation; the disclosed information is directory information; the disclosure concerns sex offenders; or the disclosure is made to a parent of a student who is not an eligible student or to a student. *34 C.F.R. 99.33(c)–(d)*

A district may disclose personally identifiable information with the understanding that the party receiving the information may make further disclosures of the information on behalf of the district if:

1. The disclosures meet the requirements of 34 C.F.R. 99.31; and

2. The district has complied with the requirements of 34 C.F.R. 99.32(b) regarding the record of disclosure; or a state or local educational authority or federal official or agency listed requesting information through a subpoena or ex parte order has complied with the requirements of 34 C.F.R. 99.32(b)(2).

*34 C.F.R. 99.33(b)*

RECORD OF ACCESS  
TO STUDENT  
RECORDS

Each school shall maintain a record, kept with the education record of each student that indicates all individuals, agencies, or organizations that have requested or obtained access to a student's education records, as well as the names of state and local educational authorities and federal officials and agencies listed in 34 C.F.R. 99.31(a)(3) that may make further disclosures of personally identifiable information from the student's education records without consent. A district must obtain a copy of the record of further disclosures maintained by the named authorities, officials, and agencies under 34 C.F.R. 99.32(b)(2) and make it available in response to a parent's request to review the record.

A district must record the following information when it discloses personally identifiable information from education records under the health or safety emergency exception [see HEALTH OR SAFETY EMERGENCY, above]:

1. The articulable and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure; and
2. The parties to whom the district disclosed the information.

*34 C.F.R. 99.32*

The records shall include at least the name of the person or agency that made the request and the legitimate interest the person or agency had in the information. The record will be maintained as long as the district maintains the student's education record. The record of access shall be available only to parents, school officials responsible for custody of the records, and those state, local, and federal officials authorized to audit the operation of the system.

*20 U.S.C. 1232g(b)(4)(A)*

The record shall not include requests for access by, or access granted to, parents of the student or officials of a district, requests accompanied by prior written consent of the parent, requests for directory information, or a party seeking or receiving records in accordance with a subpoena or ex parte order. *34 C.F.R. 99.32(d)*

RIGHT TO AMEND  
RECORDS

The parent of a student whose records are covered by this policy may ask a district to amend the student's record if the parent be-

believes it contains information that is inaccurate, misleading, or in violation of the student's right of privacy or other rights. If a district decides not to amend the education records requested, it shall inform the parent of its decision and his or her right to a hearing to challenge the content of the student's education records.

If a district decides to amend the records as a result of the hearing, it shall inform the parent in writing. If, as a result of the hearing, the district decides not to amend the records, it shall inform the parent of the right to place a statement in the records commenting on the contested information and/or stating why the parent disagrees with the decision of the district. Any explanation shall be maintained with the contested part of the record for as long as the record is maintained and shall be disclosed whenever the contested portion of the record is disclosed.

*34 C.F.R. 99.20–.21*

FEES FOR COPIES

No fee shall be charged to search for or to retrieve the education records of a student. A fee may be charged for copies of education records that are made for the parents or students under this policy provided that the fee does not effectively prevent them from exercising their right to inspect and review those records. Hardship cases shall be dealt with on an individual basis. *20 U.S.C. 1232g; 34 C.F.R. 99.11; Education Code 26.012*

RECORDS OF  
STUDENTS WITH  
DISABILITIES

A district shall permit parents to inspect and review education records collected, maintained, or used for purposes of identifying, evaluating, placing, or educating students with disabilities. *34 C.F.R. 300.613(a)*

ACCESS RIGHTS

In addition to policies applicable to all student records, the following guidelines shall apply when parents of a student with disabilities request to review or inspect district records relating to the education of their child:

1. Parents may request that a representative inspect and review the records. *34 C.F.R. 300.613(b)(3)*
2. A district shall comply with a request without unnecessary delay and before any meeting regarding an individualized education program (IEP) or hearing relating to the identification, evaluation, or placement of the child, and in no case longer than 45 days after the request. *34 C.F.R. 300.613(a)*
3. A district shall keep a record of persons obtaining access to these student records (except access by parents and authorized employees), including name, date of access, and the purpose for which the person is authorized to use the records. *34 C.F.R. 300.614*



STUDENT RECORDS

FL  
(LEGAL)

LIST OF TYPES AND LOCATIONS OF INFORMATION	A district shall provide parents on request a list of types and locations of education records. <i>34 C.F.R. 300.616</i>
PARENTAL CONSENT	Parental consent must be obtained before personally identifiable information is used for any purpose other than meeting a requirement under the Individuals with Disabilities Education Act or disclosed to anyone other than officials of agencies collecting or using this information. A district may not release information from these records without parental consent except as provided in FERPA. <i>34 C.F.R. 300.622</i>
CONFIDENTIALITY	A district shall protect the confidentiality of personally identifiable information in collection, storage, disclosure, and destruction of records. One official in a district shall assume responsibility for ensuring confidentiality of personally identifiable information. All persons collecting or using this information shall receive training or instruction concerning the legal requirements involved in handling these records. A district shall maintain for public inspection a current listing of the names and positions of employees who may have access to this information. <i>34 C.F.R. 300.623</i>
DESTRUCTION OF INFORMATION	<p>A district shall inform parents when personally identifiable information collected, maintained, or used to provide special education and related services is no longer needed to provide educational services to the student. Such information shall be destroyed at the request of the parents.</p> <p>A permanent record of the student's name, address, phone number, grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation.</p> <p><i>34 C.F.R. 300.624</i></p>
ANNUAL NOTIFICATION OF RIGHTS	<p>A district shall give parents of students in attendance and eligible students in attendance annual notification of their rights under FERPA.</p> <p>The notice must inform parents or eligible students that they have the right to:</p> <ol style="list-style-type: none"><li>1. Inspect and review the student's education records;</li><li>2. Seek amendment of the student's education records that the parent or eligible student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights;</li><li>3. Consent to disclosures of personally identifiable information contained in the student's education records, except to the ex-</li></ol>

tent that the Act and 34 C.F.R. 99.31 authorize disclosure without consent; and

4. File with the U.S. DOE a complaint under 34 C.F.R. 99.63 and 99.64 concerning alleged failures by the district to comply with the requirements of the Act and 34 C.F.R. part 99.

The notice must include all of the following:

1. The procedure for exercising the right to inspect and review education records.
2. The procedure for requesting amendment of records under 34 C.F.R. 99.20.
3. If the district has a policy of disclosing education records under 34 C.F.R. 99.31(a)(1), a specification of criteria for determining who constitutes a school official and what constitutes a legitimate educational interest.

A district may provide this notice by any means that are reasonably likely to inform the parents or eligible students of their rights.

A district shall effectively notify parents who are disabled and parents of students who have a primary or home language other than English.

*20 U.S.C. 1232g(e); 34 C.F.R. 99.7*

### **SECTION III: DIRECTORY INFORMATION**

DIRECTORY  
INFORMATION  
DEFINITION

“Directory information” means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information includes the student’s name, address, telephone listing, electronic mail address, photograph, date and place of birth, dates of attendance, grade level, enrollment status, participation in officially recognized activities and sports, weight and height of members of athletic teams, honors and awards received, and the most recent educational agency or institution attended. “Directory information” does not include a student’s:

1. Social security number; or
2. Student identification (ID) number, unless:
  - a. The student ID number, user ID number, or other unique personal identifier used by a student for purposes of accessing or communicating in electronic systems cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user’s identity, such as a personal iden-

tification number (PIN), password, or other factor known or possessed only by the authorized user; or

- b. The student ID number or other unique personal identifier that is displayed on a student ID badge cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user.

DISCLOSURE OF  
DIRECTORY  
INFORMATION

A district may release directory information if it has given public notice of:

1. The types of personally identifiable information that it has designated as directory information.
2. The right of the parent to refuse to permit the district to designate any or all of that information about the student as directory information.
3. The period of time within which the parent must notify the district in writing that he or she does not want any or all of those types of information about the student designated as directory information.

IN CLASS

A parent or eligible student may not use the right of refusal to opt out of directory information disclosures to prevent a district from disclosing or requiring a student to disclose the student's name, identifier, or institutional e-mail address in a class in which the student is enrolled.

FORMER  
STUDENTS

A district may disclose directory information about former students without satisfying the public notice conditions above. However, the district must continue to honor any valid request to opt out of the disclosure of directory information made while a student was in attendance unless the student rescinds the opt-out request.

CONFIRMATION  
OF IDENTITY OR  
RECORDS

A district may not disclose or confirm directory information without meeting the written consent requirements in 34 C.F.R. 99.30 if a student's social security number or other non-directory information is used alone or combined with other data elements to identify or help identify the student or the student's records.

*34 C.F.R. 99.3, .37*

DESIGNATION OF  
DIRECTORY  
INFORMATION

A district may designate as directory information any or all information defined as directory information by FERPA. Directory information under that Act that is not designated by a district as di-

rectory information for that district is excepted from disclosure by the district under Government Code Chapter 552. [See GBA]

Directory information consented to by a parent for use only for a limited school-sponsored purpose, such as for a student directory, student yearbook, or district publication, if any such purpose has been designated by a district, remains otherwise confidential and may not be released under Government Code Chapter 552.

ANNUAL NOTICE

A district shall provide the following to the parent of each district student, at the beginning of each school year or on enrollment of the student after the beginning of the school year:

1. A written explanation of the provisions of FERPA regarding the release of directory information about the student; and
2. Written notice of the right of the parent to object to the release of directory information about the student under FERPA.

CONTENTS OF  
NOTICE

The notice must contain:

1. The following statement in boldface type that is 14-point or larger:

“Certain information about district students is considered directory information and will be released to anyone who follows the procedures for requesting the information unless the parent or guardian objects to the release of the directory information about this student. If you do not want [insert name of district] to disclose directory information from your child’s education records without your prior written consent, you must notify the district in writing by [insert date]. [Insert name of district] has designated the following information as directory information: [Here the district must include any directory information it chooses to designate as directory information for the district, such as a student’s name, address, telephone listing, electronic mail address, photograph, degrees, honors, and awards received, date and place of birth, major field of study, dates of attendance, grade level, most recent education institution attended, participation in officially recognized activities and sports, and the weight and height of members of athletic teams.]”;
2. A form, such as a check-off list or similar mechanism, that:
  - a. Immediately follows, on the same page or the next page, the required statement; and
  - b. Allows a parent to record:

- (1) The parent's objection to the release of all directory information or one or more specific categories of directory information if district policy permits the parent to object to one or more specific categories of directory information;
  - (2) The parent's objection to the release of a secondary student's name, address, and telephone number to a military recruiter or institution of higher education; and
  - (3) The parent's consent to the release of one or more specific categories of directory information for a limited school-sponsored purpose if such purpose has been designated by the district and is specifically identified, such as for a student directory, student yearbook, or district publication; and
3. A statement that federal law requires districts receiving assistance under the Elementary and Secondary Education Act of 1965 to provide a military recruiter or an institution of higher education, on request, with the name, address, or telephone number of a secondary student unless the parent has advised the district that the parent does not want the student's information disclosed without the parent's prior written consent.

*Education Code 26.013*

STUDENT  
RECRUITING  
INFORMATION

Notwithstanding the DIRECTORY INFORMATION provisions above, each district receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) shall provide, on a request made by military recruiters or an institution of higher education, access to secondary school students' names, addresses, and telephone listings.

CONSENT TO  
RELEASE

A secondary school student or the parent of the student may request that the student's name, address, and telephone listing described above not be released without prior written parental consent, and a district shall notify parents of the option to make a request and shall comply with any request.

*20 U.S.C. 7908*

**SECTION IV: VIDEOTAPES AND RECORDINGS**

VIDEOTAPES AND  
RECORDINGS

A district employee must obtain the written consent of a child's parent before the employee may make or authorize the making of a videotape of a child or record or authorize the recording of a child's voice.

EXCEPTIONS

A district employee is not required to obtain the consent of a child's parent before the employee may make a videotape of a child or authorize the recording of a child's voice if the videotape or voice recording is to be used only for:

1. The purposes of safety, including the maintenance of order and discipline in common areas of the school or on school buses;
2. A purpose related to a cocurricular or extracurricular activity;
3. A purpose related to regular classroom instruction;
4. Media coverage of the school; or
5. A purpose related to the promotion of student safety under Education Code 29.022.

*Education Code 26.009 [See EHA, EHBAF, FM, and FO]*

**SECTION V: INFORMATION FROM LAW ENFORCEMENT**

INFORMATION FROM  
LAW ENFORCEMENT

ORAL NOTICE OF  
ARREST OR  
REFERRAL

Upon receipt of oral notice from the head of a law enforcement agency or designee that the law enforcement agency has arrested a student or referred a student to the juvenile board for a specified offense [see GRAA], a superintendent shall immediately notify all instructional and support personnel who have responsibility for supervising the student. All personnel shall keep the information received confidential.

WRITTEN NOTICE  
OF ARREST OR  
REFERRAL

Upon subsequent receipt of confidential, written notice of the arrest or referral, a superintendent or designee shall send the information in the confidential notice to a district employee having direct supervisory responsibility over the student.

ORAL NOTICE OF  
CONVICTION OR  
ADJUDICATION

Upon receipt of oral notice from a prosecuting attorney of a student's conviction, deferred prosecution, or adjudication of a specified offense, including a statement as to whether the student is required to register as a sex offender, a superintendent shall, within 24 hours of receiving the notice, or before the next school day, whichever is earlier, notify all instructional and support personnel who have regular contact with the student.

NOTICE OF  
TRANSFER OR  
REENROLLMENT

Upon receipt of notice from a parole, probation, or community supervision office having jurisdiction over a student that a student has transferred or reenrolled, the superintendent of the district to which the student transfers or returns shall, within 24 hours of receiving the notice, or before the next school day, whichever is earlier, notify all instructional and support personnel who have regular contact with the student.

A person who receives information described above shall not disclose it except as specifically authorized by Code of Criminal Procedure 15.27.

CONTENTS OF  
NOTICE

Required oral or written notice must include all pertinent details of the offense or conduct, including details of any:

1. Assaultive behavior or other violence;
2. Weapons used in the commission of the offense or conduct;  
or
3. Weapons possessed during the commission of the offense or conduct.

*Code of Criminal Procedure 15.27(a)–(c), (k)*

Information received by a district under this provision shall not be attached to the permanent academic file of the student who is the subject of the report. A district shall destroy the information at the end of the academic year in which the report was filed. *Education Code 37.017*

DUTY TO FLAG  
RECORDS

Upon receipt of notification from a law enforcement agency or the missing children and missing persons information clearinghouse that a child under 11 years of age who attended or who is enrolled in the school is missing, the school shall flag the child's records and maintain the records in its possession so that on receipt of a request regarding the child, the school will be able to notify law enforcement or the missing children and missing persons information clearinghouse that a request for a flagged record has been made.

REQUEST IN  
PERSON

When a request for a flagged record is made in person, the school may not advise the requesting party that the request concerns a missing child and shall:

1. Require the person requesting the flagged record to complete a form stating the person's name, address, telephone number, and relationship to the child for whom a request is made, and the name, address, and birth date of the child;
2. Obtain a copy of the requesting party's driver's license or other photographic identification, if possible;
3. If the request is for a birth certificate, inform the requesting party that a copy of a certificate will be sent by mail; and
4. Immediately notify the appropriate law enforcement agency that a request has been made concerning a flagged record and include a physical description of the requesting party, the identity and address of the requesting party, and a copy of the

requesting party's driver's license or other photographic identification.

After providing the information listed above, the school shall mail a copy of the requested record to the requesting party on or after the 21st day after the date of the request.

REQUEST IN  
WRITING

When a request for a flagged record is made in writing, the school may not advise the requesting party that the request concerns a missing child and shall immediately notify the appropriate law enforcement agency that a request has been made concerning a flagged record and provide to the law enforcement agency a copy of the written request. After providing the notification, the school shall mail a copy of the requested record to the requesting party on or after the 21st day after the date of the request.

REMOVAL OF FLAG

On the return of a missing child under 11 years of age, the law enforcement agency shall notify each school that has maintained flagged records for the child that the child is no longer missing. On receipt of this notification, the school shall remove the flag from the records.

A school that has reason to believe that a missing child has been recovered may request confirmation that the missing child has been recovered from the appropriate law enforcement agency or the missing children and missing persons information clearinghouse. If a response is not received after the 45th day after the date of the request for confirmation, the school may remove the flag from the record and shall inform the law enforcement agency or the missing children and missing persons information clearinghouse that the flag has been removed.

*Code of Criminal Procedure 63.020-.022*



## (LOCAL) Policy Comparison Packet

Each marked-up (LOCAL) policy in this collection reflects an automated comparison of the updated policy with its precursor, as found in the TASB Policy Service records.

The comparison is generated by an automated process that shows changes as follows.

- *Deletions* are shown in a red strike-through font: ~~deleted text~~.
- *Additions* are shown in a blue, bold font: **new text**.
- Blocks of text that have been *moved* without alteration are shown in green, with double underline and double strike-through formatting to distinguish the text's destination from its origin: ~~moved text~~ becomes moved text.
- *Revision bars* appear in the right margin, as above.

While the annotation software competently identifies simple changes, large or complicated changes—as in an extensive rewrite—may be more difficult to follow.

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

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### Please Note:

At **Update 103** you may see some duplicated margin notes in the policy comparison documents. They look like a tracked change where no clear change has taken place, like so:

**MARGIN NOTE**

**MARGIN NOTE**

This is an unintended side effect of Policy Service's recent migration to Word 2013, which revealed formatting issues in some margin notes that had not been apparent in earlier versions of Word. Fixing those formatting issues during Update 103 editing has now caused Word to annotate some margin notes where the wording itself hasn't changed, resulting in the effect described above.

We apologize for any inconvenience. If you would like assistance cleaning up the tracked changes in your local policy comparison documents, please contact TASB Policy Service, and we'll be glad to help.

[Policy.Service@tasb.org](mailto:Policy.Service@tasb.org)

800-580-7529

512-467-0222

GENERAL EDUCATION

Consistent with TEA's *Student Attendance Accounting Handbook (SAAH)*, a student **may be eligible for general education homebound services if the student is** to be confined for a minimum of four weeks to a hospital or homebound **setting** for medical reasons specifically documented by a physician licensed to practice in the United States. **The weeks of confinement need not** ~~may be consecutive.~~ ~~eligible for general education homebound services.~~ The parent's request for services shall be **submitted to** ~~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 or guardian of the student 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, **if applicable** ~~when the student is able to return to the regular educational setting~~, the length of the transition period **to the school-based setting** based on current medical information.

SPECIAL EDUCATION

**Consistent with state rule and the SAAH, a student receiving** ~~For~~ special education **services may be eligible for special education homebound services if the student is to be confined for a minimum of four weeks to a hospital or homebound setting for medical reasons specifically documented by a physician licensed to practice in the United States. If a student is chronically ill, the student's admission, review, and dismissal (stu-** ~~dents, the~~ **ARD) committee shall determine whether the weeks of confinement need to be consecutive.**

**If the ARD committee determines that homebound instruction is appropriate, the** committee shall determine the type and amount of instruction to be provided **in accordance with law, and, if applicable** ~~and, when the student is able to return to the regular educational setting~~, the length of the transition period **to the school-based setting** based on current medical information.

DOCUMENTATION OF SERVICES

The District shall maintain ~~, in accordance with administrative procedures,~~ full documentation about students receiving homebound services, **in accordance with administrative procedures, the SAAH, and a student's individualized education program (IEP), as applicable.**

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**Note:** The following provisions address equal educational opportunity for all students in accordance with law. For provisions addressing discrimination, harassment, and retaliation involving District students, see FFH.

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TITLE IX  
COORDINATOR

The District **has designated a Title IX coordinator for students** ~~designates the following person~~ to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended. **[See FB(EXHIBIT)]:**

~~Name: — Dr. Thomas Price~~

~~Position: — Chief Academic Officer/Deputy Superintendent~~

~~Address: — 20200 Eastway Village Drive, Humble, TX 77347~~

~~Telephone: — (281) 641-8005~~

ADA / SECTION 504  
COORDINATOR

**The District has designated an** ~~Reports of discrimination based on disability may be directed to the~~ ADA/Section 504 coordinator **for students.** ~~The District designates the following 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 ("**Section 504**"),<sup>7</sup> as amended. **[See FB(EXHIBIT)]:**

~~Name: — Dr. Thomas Price~~

~~Position: — Chief Academic Officer/Deputy Superintendent~~

~~Address: — 20200 Eastway Village Drive, Humble, TX 77347~~

~~Telephone: — (281) 641-8005~~

SUPERINTENDENT

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

~~COMPLAINTS~~

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

~~RECORDS  
RETENTION~~

**EQUAL EDUCATIONAL  
OPPORTUNITY**

**GENERAL  
EDUCATION**

**The District shall provide necessary services and supports to provide students equal access to educational opportunities. [See EHBC] Certain instructional or other accommodations, including on state-mandated assessments, may be made when necessary, when allowable, and when these accommodations do not modify the rigor or content expectations of a subject, course, or assessment. [See EKB]**

**ADDITIONAL  
SERVICES AND  
SUPPORTS**

If the District has reason to believe that a student has a disability that may require additional services and supports in order for the student to receive an appropriate education as this term is defined by law, Section 504 and/or the Individuals with Disabilities Education Act (IDEA) shall govern the evaluation, services, and supports provided by the District. [See also EHBA series]

[For information regarding dyslexia and related disorders, see EHB.]

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**Note:** The following provisions address the District's compliance efforts and system of procedural safeguards as required by federal regulations for a student with a disability as defined by Section 504. A report of discrimination or harassment based on a student's disability shall be made in accordance with FFH.

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

**SECTION 504  
COMMITTEE  
COMMITTEES**

**The District shall form Section 504 committees as necessary.** The Section 504 coordinator and members of ~~each~~ the Section 504 committee shall receive training in the procedures and requirements for identifying and providing educational and related services **and supports to a student who has a disability that results in a substantial limitation of a major life activity.** ~~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]~~

~~Each~~The Section 504 committee shall be composed of **a group 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.

**REFERRALS**

**If a teacher, school counselor, administrator** ~~A student may be referred by parents, teachers, counselors, administrators, or any other District employee for evaluation to determine if the student has~~ **reason to believe that a student may have a disability as defined by** ~~disabilities and is in need of special instruction or services.~~

~~PARENTAL  
CONSENT~~

~~The Section 504, the District coordinator shall evaluate the 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. A student may also be referred for evaluation by the student's parent~~ Parental consent shall be obtained before the initial student evaluation procedures for the identification, diagnosis, and prescription of specific education services.

NOTICE AND  
~~CONSENT TO  
PARENTS~~

The District shall seek written parental consent prior to conducting a formal evaluation. Ordinary observations in the classroom or other school setting shall not require prior parental consent.

~~Parents shall be given written notice of the District's refusal to evaluate a student or to provide specific aids and services the parents have requested.~~

~~PREPLACEMENT  
EVALUATION AND  
PLACEMENT~~

The results of ~~an~~the evaluation shall be considered before any action is taken to place a student with a ~~disability~~disabilities or make a significant change in placement in an instructional program. The Superintendent shall ensure that the District's procedures for tests and other evaluation materials comply with the minimum requirements of law. In interpreting ~~The~~ evaluation data and when making decisions related to necessary services and supports, each Section 504 committee shall carefully consider and document information from a variety of sources in accordance with law.

REVIEW AND  
REEVALUATION  
PROCEDURE

To address the periodic reevaluation requirement of law, the District shall adhere to the reevaluation timelines in ~~shall include consideration of adaptive behavior. Adaptive behavior is the effectiveness with which the individual meets the~~ IDEA regulations.

A parent, teacher, or other District employee may request a review of a student's services and supports at any time, but a formal reevaluation shall generally occur no more frequently than once a year.

EXAMINING  
RECORDS

A parent shall make any request to review ~~standards of personal independence and social responsibility expected of his or her~~ child's education records to the campus principal or other identified custodian of records. [See FL] ~~age and cultural group.~~

RIGHT TO  
IMPARTIAL  
HEARING

A parent ~~Parents~~ shall be given written notice of ~~the~~their due process right to an impartial hearing if ~~the parent has~~they have a concern or complaint about the District's actions regarding the identification, evaluation, or educational placement of a student

with ~~a disability~~ disabilities. The impartial hearing shall be conducted by a person who is knowledgeable about ~~the issues involved in~~ Section 504 issues and who is not employed by the District or related to a member of the Board in a degree that would be prohibited under the nepotism statute [see DBE]. The impartial hearing officer is not required to be an attorney. **The District and the parent shall be entitled to legal representation at the impartial hearing.**

~~STATE-MANDATED ASSESSMENTS MODIFICATIONS IN TAKING THE STATE-MANDATED ASSESSMENTS MAY BE MADE FOR A SECTION 504 STUDENT WHEN THE MODIFICATIONS HAVE BEEN DETERMINED NOT TO DESTROY THE VALIDITY OF THE TEST, ARE NECESSARY FOR THE STUDENT TO TAKE THE TEST, ARE CONSISTENT WITH MODIFICATIONS PROVIDED THE STUDENT IN THE CLASSROOM, AND ARE APPROVED BY TEA. [SEE EKB] RECORDS RETENTION~~

**Records specific to identification, evaluation, and placement as these pertain to Section 504 shall be retained by the District in accordance with law and the District's local records retention schedules. [See CPC]**

PERSONS AGE 21  
AND OVER

The District shall not admit into its public schools any person age 21 or over unless otherwise required by law.

REGISTRATION  
FORMS

The student's parent, legal guardian, or other person having lawful control shall annually complete ~~and sign~~ registration forms. A student who has reached age 18 shall be permitted to complete ~~and sign~~ these forms.

**PROOF OF  
RESIDENCY**

**At the time of initial registration and on an annual basis thereafter, the parent, guardian, or other person having lawful control of the student under order of a court shall present proof of residency in accordance with administrative regulations developed by the Superintendent. The District may investigate stated residency as necessary.**

MINOR LIVING APART  
PERSON STANDING  
IN PARENTAL  
RELATION

A minor student residing in the District but whose parent, guardian, or other person having lawful control under a court order does not reside in the District shall present a power of attorney or an authorization agreement as provided in Chapter 34 of the Family Code assigning responsibility for the student in all school-related matters to an adult resident of the District.

MISCONDUCT

A minor student living apart who has engaged in misconduct that results in any of the consequences found in Education Code 25.001(d) shall not be permitted to attend a District school.

EXCEPTIONS

Based on an individual student's circumstance, the Superintendent shall have authority to grant exceptions to the requirement for a power of attorney or authorization agreement and to the exclusion for misconduct.

EXTRACURRICULAR  
ACTIVITIES

The Superintendent shall determine whether a minor student living apart is present in the District for the primary purpose of participating in extracurricular activities.

NONRESIDENT  
STUDENT IN  
GRANDPARENT'S  
AFTER-SCHOOL CARE

The parent and grandparent of a nonresident student requesting admission under Education Code 25.001(b)(9) shall provide to the Superintendent the required information on the grandparent's residency and complete a form provided by the District describing the extent of after-school care to be provided by the grandparent.

The Superintendent shall have authority to approve or deny such admissions requests in accordance with criteria approved by the Board.

**"ACCREDITED"  
DEFINED**

**For the purposes of this policy, "accredited" shall be defined as accreditation by TEA, an equivalent agency from another state, or an accrediting association recognized by the commissioner of education.**

**GRADE-LEVEL  
PLACEMENT**

**ACCREDITED  
SCHOOLS**

The parent, guardian, or other person having lawful control of a student enrolling in a District school from an accredited public, private, or parochial school shall provide evidence of the prior schooling outside the District. The student shall be placed initially at the grade level reached elsewhere, pending observation by the classroom teacher, guidance personnel, and the principal. On the basis of these observations and results of tests that may be administered by appropriate District personnel, the principal shall determine the final grade placement.

~~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.~~

**NONACCREDITED  
SCHOOLS**

A student enrolling in a District school from a nonaccredited public, private, or parochial school, including a homeschool, shall be placed initially at the discretion of the principal, pending observation by classroom teachers, guidance personnel, and the principal. Criteria for placement may include:

1. Scores on achievement tests, which may be administered by appropriate District personnel.
2. Recommendation of the sending school.
3. Prior academic record.
4. Chronological age and social and emotional development of the student.
5. Other criteria deemed appropriate by the principal.

**TRANSFER OF  
CREDIT**

**ACCREDITED  
TEXAS PUBLIC  
SCHOOLS  
OTHER  
ACCREDITED OR  
NONACCREDITED  
SCHOOLS**

**Credit toward state graduation requirements earned in an accredited public school district in Texas shall be transferable and recognized by the District.**

**Before recognizing credit in a course earned in an accredited nonpublic school, an accredited school outside of Texas, or a nonaccredited school, appropriate personnel shall evaluate a student's records and transcript. The District may require the student to demonstrate mastery of the content or use alternative methods to verify course content for the award of credit. [See EI]**

~~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]~~



WITHDRAWAL

A parent or guardian wishing to withdraw a minor student shall present a signed **statement that includes**~~request stating~~ the reason for the withdrawal. A student who is 18 or older may **submit** ~~are-~~~~quest~~ withdrawal **statement** without a parent's or guardian's signature.

[For District withdrawal of students no longer in attendance, see FEA(LOCAL).]]

ATTENDANCE  
ATTENDANCE ACCOUNTING

FEB  
(LOCAL)

ATTENDANCE  
ACCOUNTING SYSTEM

The Superintendent shall be responsible for maintaining a student attendance accounting system in accordance with statutory and TEA requirements. [\[See also FD for admissions and residency requirements.\]](#)

~~ALTERNATIVE~~  
~~ALTE~~  
~~RNATE~~ RECORDING  
TIME

When appropriate, the Superintendent shall establish written procedures permitting a campus to specify an ~~alternate~~ [alternative](#) time for taking attendance other than the second or fifth instructional hour. Exceptions may be authorized for an entire campus or for a designated group of students at a campus. The ~~alternate~~ [alternative-](#) time for recording attendance shall be determined in accordance with TEA's *Student Attendance Accounting Handbook*.

PARENTAL CONSENT  
TO LEAVE CAMPUS

The Superintendent shall establish procedures regarding parental consent for a student to leave campus, including procedures for documenting a student's absence. The procedures shall be communicated in the employee and student handbooks.

Humble ISD  
101913

STUDENT WELFARE  
STUDENT SUPPORT SERVICES

FFC  
(LOCAL)

LIAISON FOR  
HOMELESS  
STUDENTS

~~The District has designated the following staff person as the liaison  
for homeless students:~~

~~Position: — Homeless Liaison~~

~~Address: — 4810 Magnolia Cove Drive, Kingwood, TX 77345~~

~~Telephone: — (281) 641-8408~~

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**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.

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**STATEMENT OF  
NONDISCRIMINATION**

~~STATEMENT OF  
NONDISCRIMINATION~~

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

**DISCRIMINATION**  
~~DISCRIMINATION~~

Discrimination against a student is defined as conduct directed at a student on the basis of race, color, religion, **sex**, gender, national origin, disability, **age**, 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, **sex**, gender, national origin, disability, **age**, or any other basis prohibited by law that is sufficiently 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 stereotypes; or other kinds of aggressive conduct such as theft or damage to property.

**SEXUAL  
HARASSMENT**

**BY AN  
EMPLOYEE**

**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 sufficiently 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 **DHDF**]

**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 sufficiently 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.

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**

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 sufficiently 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**

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.

Any form of sex-based harassment or gender-based harassment shall not be permitted whether the perpetrator is a member of the opposite sex or the same sex or whether the perpetrator is another student, employee, or a third party.

**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 sufficiently 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~~

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.

**RACIAL HARASSMENT**

~~RACIAL HARASSMENT~~

Racial harassment is defined as conduct based on a student's race, color, or national origin that creates a hostile environment that is sufficiently severe, pervasive, or persistent that it affects, interferes with, or limits the ability of the student experiencing the conduct to participate in or benefit from the school's education program. Harassment may be perpetrated by a member of the staff, a student, or a third party.

**EXAMPLES**

~~EXAMPLES~~

Examples of racial harassment may include offensive or derogatory language, offensive jokes, name-calling, slurs, or rumors directed at a student's race, color, or national origin; threatening, intimidating or humiliating conduct on the basis of race, color, or national origin of the student; display of graffiti or printed material promoting racial or ethnic stereotypes; or other aggressive conduct such as theft or damage to property.

**DISABILITY  
HARASSMENT**

~~DISABILITY  
HARASSMENT~~

Disability harassment is defined as conduct based on a student's disability that creates a hostile environment that is sufficiently severe, pervasive, or persistent that it affects, interferes with, or limits the ability of the student experiencing the conduct to participate in or benefit from the school's education program. Harassment may be perpetrated by a member of the staff, a student, or a third party.

**EXAMPLES**

~~EXAMPLES~~

Examples of disability harassment may include offensive or derogatory language, offensive jokes, name-calling, slurs, or rumors directed at a student's disability; threatening, intimidating, or humiliating conduct on the basis of a student's disability; display of graffiti or printed material; or other aggressive conduct such as theft or damage to property.

**RETALIATION**

~~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~~

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~~  
~~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~~  
~~PROHIBITED~~  
~~CONDUCT~~

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

~~REPORTING~~  
~~PROCEDURES~~

~~STUDENT REPORT~~  
~~STUDENT REPORT~~

Any student who believes that he or she has experienced prohibited conduct or believes that another student has experienced prohibited conduct should immediately report the alleged acts to a teacher, **school** counselor, principal, other District employee, or the appropriate District official listed in this policy.

~~EMPLOYEE~~  
~~REPORT~~

~~EMPLOYEE REPORT~~

Any District employee who 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 or an appropriate campus designee and take any other steps required by this policy.

~~DEFINITION~~  
~~OF DEFINITION~~  
~~OF DISTRICT~~  
~~OFFICIALS~~  
~~TITLE IX~~  
~~COORDINATOR~~

For the purposes of this policy, District officials are the Title IX coordinator, the ADA/Section 504 coordinator, and the Superintendent.

Reports of discrimination based on sex, including sexual harassment or gender-based harassment, may be directed to the Title IX coordinator **for students** or appropriate campus designee. **[See FFH(EXHIBIT)]**~~The District designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended:~~

~~Name: \_\_\_\_\_~~ **Dr. Thomas Price**

~~Position: \_\_\_\_\_~~ **Chief Academic Officer/Deputy Superintendent**

~~Address: \_\_\_\_\_~~ **20200 Eastway Village Drive, Humble, TX 77347**

~~Telephone: \_\_\_\_\_~~ **(281) 641-8110**



ADA /  
SECTION 504  
COORDINATOR

Reports of discrimination based on disability may be directed to the **designated** ADA/Section 504 coordinator **for students** or appropriate campus designee. ~~The District designates the following 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:~~

**SUPERINTENDENT**

~~Name: — Dr. Thomas Price~~

~~Position: — Chief Academic Officer/Deputy Superintendent~~

~~Address: — 20200 Eastway Village Drive, Humble, TX 77347~~

~~Telephone: — (281) 641-8115~~

~~SUPERINTENDENT~~

The Superintendent shall serve as coordinator for purposes of District compliance with all other **nondiscrimination**~~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.

~~ALTERNATIVE  
REPORTING  
PROCEDURES~~

A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.

TIMELY REPORTING

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.

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 or appropriate campus designee shall reduce the report to written form.

~~INVESTIGATION OF  
THE REPORT~~

**INITIAL  
ASSESSMENT**

Upon receipt of a report or notice of possible prohibited conduct even through a formal report has not been made, the District official or appropriate campus designee 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.

~~INITIAL  
ASSESSMENT~~

If the District official or appropriate campus designee determines that the allegations, if proven, would not constitute prohibited conduct as defined by this policy, the District official or appropriate campus designee shall refer the complaint for consideration under FFI.

**INTERIM ACTION**  
~~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**  
~~DISTRICT INVESTIGATION~~

The investigation may be conducted by the District official or appropriate campus designee or by a third party designated by the District, such as an attorney. When appropriate, the principal shall be involved in or informed of the investigation.

The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations and witnesses suggested by the person making the report and the person against whom the report was made. The investigation may also include analysis of other information or documents related to the allegations.

The District official may designate a campus administrator to carry out all actions regarding an investigation of a report.

**CRIMINAL INVESTIGATION**  
~~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 investigator shall take additional time if necessary to complete a thorough investigation.

The investigator shall prepare a written report of the investigation. The report shall include a determination of whether prohibited conduct or bullying occurred based on a preponderance of the evidence standard. Based on this standard, the investigator shall de-

termine whether it is more likely than not that prohibited conduct occurred. The report shall be filed with the District official overseeing the investigation.

**NOTIFICATION OF  
OUTCOME**

Written notification of the outcome of the investigation shall be provided to both parties in compliance with FERPA.

~~DISTRICT ACTION~~  
~~NOTIFICATION OF  
OUTCOME~~

**PROHIBITED  
CONDUCT**

If the results of an investigation indicate that prohibited conduct occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the Student Code of Conduct and may take corrective action reasonably calculated to address the conduct. Where appropriate, the District may refer complaints to law enforcement authorities.

~~PROHIBITED  
CONDUCT~~

**CORRECTIVE  
ACTION**  
~~CORREC  
TIVE ACTION~~

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.

**BULLYING**  
~~BULLYING~~

If the results of an investigation indicate that bullying occurred, as defined by FFI, the District official shall refer to FFI for appropriate notice to parents and District action. The District official shall refer to FDB for transfer provisions.

**IMPROPER  
CONDUCT**

~~IMPROPER  
CONDUCT~~

If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take disciplinary action in accordance with the Student Code of Conduct or other corrective action reasonably calculated to address the conduct.

CONFIDENTIALITY

To the extent possible, school officials shall keep information from reports of harassment isolated to parties who are essential to the investigation and to the resolution of a report of harassment on the basis of sex, gender, race, or disability.

APPEAL

A student or parent who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level. The student or parent shall file an appeal under FNG(LOCAL) within 15 District business days of the date the student or parent received written notification of the outcome of the complaint. 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.

RECORDS RETENTION

The District shall retain copies of allegations, investigation reports, and related records regarding any ~~Retention of records shall be in accordance with FB(LOCAL) and CPC(LOCAL).~~

prohibited conduct in accordance with the District's records retention schedules, but for no less than the minimum amount of time required by law. [See CPC]

ACCESS TO POLICY  
AND  
PROCEDURES 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.

# Vantage Points

## A Board Member's Guide to Update 104

**Please note:** *Vantage Points* is an executive summary, prepared specifically for board members, of the TASB Localized Update. The topic-by-topic outline and the thumbnail descriptions focus attention on key issues to assist local officials in understanding changes found in the policies. **The description of policy changes in *Vantage Points* is highly summarized and should not substitute for careful attention to the more detailed, district-specific Explanatory Notes and the policies within the localized update packet.**

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

We welcome your comments or suggestions for improving *Vantage Points*. Please write to us at TASB Policy Service, P.O. Box 400, Austin, TX 78767-0400, e-mail us at [policy.service@tasb.org](mailto:policy.service@tasb.org), or call us at 800-580-7529 or 512-467-0222.

For more information about Policy Service, visit our website at <http://policy.tasb.org>.

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Update 104 is the second of two post-legislative updates, focusing primarily on amendments to the Administrative Code as a result of recent legislation. Major topics in Update 104 include taxes, financial reports and audits, reports to the State Board for Educator Certification (SBEC), video and audio recording in special education settings, partial credit requirements for students who are homeless or in foster care, credit-by-exam requirements for homeless students, substitutes for state assessments, and wellness policy requirements. Several of the local policy recommendations address new local policy requirements included in the 2015–16 TEA *Student Attendance Accounting Handbook*, including homebound instruction and residency and admissions. Other local policy recommendations address equal educational opportunities for students and student discrimination and harassment.

Unless otherwise noted, references to legislative bills refer to bills from the 84th Legislative Session. Throughout this document, House Bill is abbreviated as HB and Senate Bill as SB. For more information about the bills described below, download the [TASB 2015 Legislative Summary for TASB Members](#) (PDF), available free from the online TASB Store at <http://store.tasb.org>.

## **District Operations**

Several bills affect the calculation and collection of ad valorem taxes, addressed at CCG(LEGAL):

### **Ad Valorem Taxes**

- SB 1 and voter approval of a 2015 constitutional amendment increased the homestead exemption from \$15,000 to \$25,000.
- HB 992 and the constitutional amendment adopted in 2015 provide the residence homestead exemption to a surviving spouse of a 100 percent disabled veteran who died before the law authorizing the exemption took effect.
- When a district's tax rate will exceed the sum of the effective maintenance and operations tax rate and the district's current debt rate, SB 1760 requires that:
  - The board must have a record vote on the ordinance, resolution, or order setting the tax rate; and
  - At least 60 percent of the members of the board must vote in favor (at least five members of a seven-member board, regardless of the number of members present and voting).

**Financial Reports and Audits**

HB 1378 requires an annual compilation of certain financial information regarding the district’s debt obligations, credit rating, and other relevant information. Districts must make the report available for inspection and post the report on their websites. The contact information for a district’s main office must also be posted on its website. See CFA(LEGAL) and CQA(LEGAL).

Recent Administrative Code changes implementing provisions from HB 5 (83rd Legislative Session) have also been added at CFA(LEGAL) reflecting a district’s obligation to provide additional information to TEA or acquire professional services in the event the commissioner of education projects that a financial deficit will occur in a district’s general fund within the next three school years.

At CFC(LEGAL), provisions on the state’s financial accountability rating system have been added based on recently revised Administrative Code rules. The policy references that preliminary ratings must be issued by TEA on or before August 8 each year, as required by law.

**Personnel Issues**

Administrative Code changes prompted revisions to DBAA(LEGAL), DFE(LEGAL), and DHB(LEGAL) addressing SBEC enforcement actions against a superintendent who falsely or inaccurately certifies compliance with the required criminal history review provisions, as well as the district’s responsibility to complete investigations and notify SBEC if there is evidence of certain misconduct even when a resignation has been submitted by an employee.

**Student Issues**

**Homebound Instruction**

<b><i>EEH(LOCAL) POLICY CONSIDERATIONS</i></b>
<p>The <i>Student Attendance Accounting Handbook (SAAH)</i> published by TEA includes the official attendance accounting requirements, including funding mechanisms. The 2015–16 <i>SAAH</i> addresses both general education homebound instruction and special education homebound instruction when a student is expected to be confined for a minimum of four weeks to a hospital or homebound setting. The <i>SAAH</i> requires that a local policy be in place for a district to qualify for funding for general education homebound instruction. Recommended policy changes clarify that the four weeks need not be consecutive.</p>
<p>For special education homebound instruction eligibility, the text in the <i>SAAH</i> mirrors current Administrative Code rules in that, if a student is determined to be chronically ill, the confinement of four weeks need not be consecutive if district policy allows for this. To address the local policy requirement, recommended text referring to special education homebound</p>



instruction designates the admission, review, and dismissal (ARD) committee to determine whether the weeks need to be consecutive. Other recommendations in this EEH(LOCAL) policy are for clarification and to more closely mirror the requirements of the *SAAH*.

**Video Recording of Special Education Classrooms**

Beginning with the 2016–17 school year, SB 507 requires video and audio recording of certain special education classrooms and other settings on request of a staff member, parent, or board member. A new policy code, EHBAF, has been added at this Update and includes the statutory requirements for these video recordings. As described at EHBAF(LEGAL), districts must provide notice regarding these recordings to all school staff and to the affected parents. However, this type of recording is an exception to the requirement to obtain parental consent when a district employee makes a videotape or recording of a child or child’s voice, for which adjustments have been made at FL(LEGAL).

**Students who are Homeless or in Foster Care**

In an effort to provide flexibility for students who are homeless or in substitute (foster) care, recently amended Administrative Code rules direct districts to offer credit-by-exam opportunities to these students if they enroll in the district after the school year begins and to award partial credit when a student passes only one semester of a two-semester course. See EHDC(LEGAL) and EI(LEGAL).

***FFC(LOCAL) POLICY CONSIDERATIONS***

Federal law requires each district to designate an appropriate staff person to serve as the district’s liaison for homeless students. Most districts currently list this person’s name and contact information at FFC(LOCAL). In an effort to maintain the visibility of this information but eliminate the need for the board to readopt the policy every time a district’s liaison changes, the local policy at this code is recommended for deletion. In its place, a new FFC(EXHIBIT) is being issued with this Update and includes the contact information of the district’s liaison for homeless students.

**State Assessment**

EKB(LEGAL), addressing state assessments, has been amended to include Administrative Rule changes that implement HB 1613 and SB 149 regarding use of the Texas Success Initiative (TSI) assessment as a substitute for an end-of-course (EOC) assessment in certain circumstances. Administrative Code changes also require a district to report to TEA whether a student trans-

ferred into the district from out of state during the current school year; the assessment results for these students will be provided by TEA separately from other students.

**Health and Wellness**

To correspond with local policy development materials sent by TASB Policy Service in November 2015, FFA(LEGAL) has been revised in this Update to address the federal requirements for a school wellness policy, as directed by the Healthy, Hunger-Free Kids Act (HHFKA) of 2010.

**Equal Educational Opportunities / Discrimination and Harassment**

A reference to “age” has been added at FB(LEGAL) to accurately reflect the list of federally protected characteristics. In addition, information has been added to clarify a district’s required actions when evaluating a student believed to have a disability that requires additional services and supports.

***FB(LOCAL) AND FFH(LOCAL) POLICY CONSIDERATIONS***

FB(LOCAL), which addresses the district’s obligation to provide equal educational opportunities, including protections under Section 504 and other laws, has been significantly revised. The primary revisions reflect the overarching concept of equal educational opportunities and address Section 504 protections, using the federal Section 504 regulations as the basis for the recommended revisions. Revisions have been made to include in this local policy the procedural safeguard categories required by the regulations and to affirmatively mirror the Individuals with Disabilities Education Act (IDEA) in terms of required timelines for reevaluation of students.

To accommodate the addition of “age” as listed in the federally protected characteristics at FB(LEGAL), “age” is also a recommended addition at FFH(LOCAL) when referring to the district’s nondiscrimination statement and definition of discrimination. Also recommended for revision is text associated with retention of relevant records.

Most districts’ current local policies at both FB(LOCAL) and FFH(LOCAL) include the contact information of the district Title IX coordinator and ADA/Section 504 coordinator for students. To eliminate the need for the board to readopt these policies every time this information changes, we recommend removing this information from the local policy and moving it to corresponding (EXHIBIT)s at these codes. This will maintain the visibility of the information but will allow the superintendent to update the information as necessary. See FB(EXHIBIT) and FFH(EXHIBIT), included in this Update, for more information.

**Admissions and  
Residency  
Requirements**

The 2015–16 *SAAH* addresses in several ways the district’s duty to verify a student’s residency when enrolling a child in the district and how this duty relates to eligibility for state funding based on a student’s attendance. To assist districts in determining residency, a definition of that term, as used in a U.S. Supreme Court case, has been added at FD(LEGAL).

***FD(LOCAL) AND FEB(LOCAL) POLICY CONSIDERATIONS***

The *SAAH* requires a district to maintain written local board-adopted policies that provide detailed information on the district’s attendance accounting system and that include the district’s written policy for documentation to establish student residency. Informal guidance received from TEA would allow districts to continue the common practice of having the superintendent, as the board’s designee, maintain in administrative regulations a list of documents that may be used to verify residency. In this case, it would be crucial for a district to be able to provide this list should an attendance audit occur. To specifically address the superintendent’s responsibility to develop this list, a provision requiring a parent to present proof of residency in accordance with administrative regulations is recommended at FD(LOCAL) for most districts at this Update. For those districts that already list specific documents in their FD(LOCAL) policies, those lists have generally been retained, with additional recommendations made for clarity and consistency.

Also at FD(LOCAL) are provisions to clarify transfer of credit from accredited and nonaccredited schools to better reflect state rule regarding types of credit the district must accept, as opposed to when a district would be required to evaluate records before recognizing credit.

To accommodate the *SAAH*’s requirement for board policies related to residency and the attendance accounting system, a cross-reference is recommended at FEB(LOCAL), the policy regarding attendance accounting, to point to policy FD related to admissions and residency requirements.

***More  
Information***

For more information on these and other policy changes, refer to the policy-by-policy Explanatory Notes—customized for each district’s policies—and the policies themselves, found in your district’s localized update packet.

# Explanatory Notes

## TASB Localized Policy Manual Update 104

District: Humble ISD

ATTN (NOTE) GENERAL INFORMATION ABOUT THIS UPDATE

**Please note:** Unless otherwise noted, references to legislative bills in these Explanatory Notes refer to bills from the 84th Regular Legislative Session. All referenced bills have already gone into effect unless otherwise noted.

CCG (LEGAL) LOCAL REVENUE SOURCES  
AD VALOREM TAXES

Multiple bills affected this legally referenced policy on ad valorem taxes. Significant changes are described with the relevant bill number in parenthesis.

When a district's TAX RATE will exceed the sum of the effective maintenance and operations tax rate and the district's current debt rate, the board's vote on the ordinance, resolution, or order setting the tax rate must be by record vote, and at least 60 percent of the members of the board must vote in favor of the ordinance, resolution, or order. See page 4. (SB 1760)

The HOMESTEAD EXEMPTION, as reflected on page 10, increased from \$15,000 to \$25,000. (SB 1)

At EXEMPTION FOR SURVIVING SPOUSE on page 11, we have added a recently adopted constitutional amendment providing the residence homestead exemption to a surviving spouse of a 100 percent disabled veteran who died before the law authorizing the exemption for such a veteran took effect. (HB 992)

CFA (LEGAL) ACCOUNTING  
FINANCIAL REPORTS AND STATEMENTS

New provisions at REPORT OF DEBT INFORMATION, beginning on page 1, are from HB 1378 and require school districts to annually compile and report financial information related to the district's debt obligations, credit rating, and other relevant information. The district must make the annual report available for inspection and post the report on its website until the district posts the next annual report. A district must also post on its website the contact information for the main office of the district. As an alternative to providing an annual report, a district may provide the required information to the comptroller and provide a link to the comptroller's website, where the district's financial information may be viewed.

Other revisions throughout this legally referenced policy are based on amendments to the Texas Administrative Code, effective August 6, 2015. The rules were amended to remove outdated provisions and to align provisions with current statute.

The ratings at CORRECTIVE ACTION PLAN, on page 5, have been updated to refer to the new letter ratings.

At PROJECTED DEFICIT, also on page 5, the rule revisions implement changes from HB 5 (83rd Legislative Session). When the commissioner of education projects that a deficit will occur in a district's general fund within the next three school years, TEA will provide the district certain financial information to evaluate the district's budget situation. TEA may also require the district to submit additional information or to acquire professional services.

# Explanatory Notes

## TASB Localized Policy Manual Update 104

CFC (LEGAL) ACCOUNTING  
AUDITS

Newly added to the policy manual are provisions addressing the FINANCIAL ACCOUNTABILITY RATING SYSTEM, beginning on page 2, as revised in Administrative Code rules, effective August 6, 2015. The rules were revised to continue or update established practice. The provisions explain the DATA REVIEWED by TEA in calculating the financial accountability indicators and include a description of the items used as the BASIS FOR THE RATING, including clarification that ratings are based on the data for the prior fiscal year. At TYPES OF RATINGS is an explanation of each of the possible letter grade ratings. Regarding ISSUANCE OF RATINGS, TEA must issue the preliminary rating on or before August 8, and the preliminary rating will become final 31 days after issuance if the district does not file an appeal.

Administrative Code provisions on financial solvency were deleted from rule effective December 29, 2015, because the statute that directed TEA to develop a review process relating to financial solvency of districts and to take certain actions if the review indicated a projected deficit was repealed effective September 1, 2014. Current statute requires TEA to provide districts additional information if a projected deficit is found, as reflected at CFA(LEGAL), included in this update.

CQA (LEGAL) TECHNOLOGY RESOURCES  
DISTRICT, CAMPUS, AND CLASSROOM WEBSITES

Beginning on January 1, 2016, HB 1378 requires a district to continuously post on its website the district's annual financial report and the contact information for the district's main office. (See items 12 and 13 on page 2.)

DBAA (LEGAL) EMPLOYMENT REQUIREMENTS AND RESTRICTIONS  
CRIMINAL HISTORY AND CREDIT REPORTS

Amended Administrative Code rules addressing State Board for Educator Certification (SBEC) enforcement actions were adopted effective October 8, 2015, and resulted in a new provision on page 6 permitting SBEC to impose a SANCTION on a superintendent who falsely or inaccurately certifies to the commissioner of education that the district complied with the required criminal history review provisions in law.

DFE (LEGAL) TERMINATION OF EMPLOYMENT  
RESIGNATION

Amended Administrative Code rules addressing State Board for Educator Certification enforcement actions were adopted effective October 8, 2015, and resulted in minor rewording at INVESTIGATION, on page 2.

DHB (LEGAL) EMPLOYEE STANDARDS OF CONDUCT  
REPORTS TO STATE BOARD FOR EDUCATOR CERTIFICATION

Amended Administrative Code rules addressing State Board for Educator Certification (SBEC) enforcement actions were adopted effective October 8, 2015. The rules clarify that a superintendent must notify SBEC if an educator has submitted a notice of RESIGNATION and evidence exists that would support a finding that the educator had engaged in an act of misconduct as described in the policy.

# Explanatory Notes

## TASB Localized Policy Manual Update 104

### E (LEGAL) INSTRUCTION

We have revised the E section table of contents to add a new policy, EHBAF, on video and audio monitoring of special education classes and other settings.

### EEH (LOCAL) INSTRUCTIONAL ARRANGEMENTS HOMEBOUND INSTRUCTION

The 2015–16 TEA *Student Attendance Accounting Handbook (SAAH)* explains that a student who receives special education services is eligible to be placed in a special education homebound instructional setting if the student is expected to be confined for a minimum of four weeks to a hospital or homebound setting. However, the four weeks need not be consecutive if the student is chronically ill and if permitted by local district policy. To address the local policy requirement, recommended text at SPECIAL EDUCATION designates the ARD committee of a chronically ill student to determine whether the weeks of confinement need to be consecutive, since this decision would typically be made on a case-by-case basis. Other recommendations include clarification that in determining the type and amount of instruction, the ARD committee should do so in accordance with law and, if applicable, will determine the length of the transition period to the school-based setting based on current medical information.

Eligibility for GENERAL EDUCATION homebound services also requires confinement for a minimum of four weeks, which do not need to be consecutive, as clarified in the new sentence recommended for inclusion in the policy. Other recommended revisions at this margin note are to improve sentence structure and flow.

A recommended change at DOCUMENTATION OF SERVICES requires that documentation of homebound services be maintained in accordance with the *SAAH* and a student's IEP, if applicable, in addition to any other administrative procedures the district may have.

### EHBAF (LEGAL) SPECIAL EDUCATION VIDEO/AUDIO MONITORING

This new legally referenced policy addresses video and audio monitoring of special education classes and other settings, effective for the 2016–17 school year, as added by SB 507.

Upon request by a parent, board member, or staff member to promote student safety, a district must provide equipment, including a video camera, to each school in the district in which a student who receives special education services in a self-contained classroom or other special education setting is enrolled. Schools must operate the cameras in classrooms or special education settings as described in the policy.

There are specific requirements outlined in the policy for the VIDEO CAMERAS, such as the areas that must be visible and audible. Districts must provide WRITTEN NOTICE to all school staff and to the parents of students receiving special education services in the classroom or setting where cameras are placed.

The RETENTION PERIOD for the recordings is a minimum of six months after the date of the recording. A district may not allow regular or continual monitoring of the video recording or use the recording for teacher evaluations or any other purpose other than to promote the safety of students receiving special education services.

Recordings of a student are CONFIDENTIAL, with certain exceptions.

# Explanatory Notes

## TASB Localized Policy Manual Update 104

EHDC (LEGAL) ALTERNATIVE METHODS FOR EARNING CREDIT  
CREDIT BY EXAMINATION WITHOUT PRIOR INSTRUCTION

A new provision from amended State Board of Education rules effective November 20, 2015, requires a district to provide opportunities for credit by examination to STUDENTS WHO ARE HOMELESS OR IN SUBSTITUTE CARE who transfer into the district after the school year begins. (See page 3.)

EI (LEGAL) ACADEMIC ACHIEVEMENT

A new requirement from amended State Board of Education rules effective November 20, 2015, requires a district to award partial credit to a student who is homeless or in substitute (foster) care who successfully completes only one semester of a two-semester course.

Districts still have discretion regarding whether to award partial credit to other students who successfully complete only one semester of a two-semester course. However, if your district either does not award partial credit or places restrictions on the award of partial credit, please be aware of the new requirements for students who are homeless or in substitute care when applying partial credit.

EKB (LEGAL) TESTING PROGRAMS  
STATE ASSESSMENT

Amendments to the Administrative Code effective December 10, 2015, implement changes from HB 1613 and SB 149 regarding use of the Texas Success Initiative (TSI) as a substitute assessment for an end-of-course (EOC) assessment and HB 2349 regarding reporting the results separately for out-of-state transfer students. As explained at SUBSTITUTE ASSESSMENTS beginning on page 6, a student enrolled in a college preparatory English language arts or mathematics course who meets a certain score on the TSI at the end of the course satisfies the relevant EOC assessment graduation requirements. Under some circumstances, a student can satisfy both the English I and II EOC assessment requirements.

In addition, a student who did not meet satisfactory performance on the Algebra I or English II EOC assessment after retaking the assessment may use the TSI as a substitute assessment if the student has met certain TSI score requirements.

The amended rules also require a district to report to TEA whether a student transferred into the district from out of state during the current school year, and TEA must report the assessment results of these transfer students separately from other students. (See OUT-OF-STATE TRANSFERS on page 11.)

An existing statutory provision has been added requiring ACCELERATED INSTRUCTION for students who fail an assessment administered in grades three through eight.

FB (LEGAL) EQUAL EDUCATIONAL OPPORTUNITY

The U.S. Department of Education Office for Civil Rights (OCR) enforces the Age Discrimination Act of 1975, which prohibits discrimination based on age in programs or activities, including programs or activities of a local educational agency or other school system, that receive federal financial assistance. To accurately reflect this federal law in policy, we have added "age" to the list of protected characteristics at FEDERAL FUNDING RECIPIENTS on page 1.

Additional information on the Age Discrimination Act may be found at <http://www2.ed.gov/policy/rights/guid/ocr/ageoverview.html>.

# Explanatory Notes

## TASB Localized Policy Manual Update 104

We have revised the text at EVALUATION AND PLACEMENT, beginning on page 4, to provide additional detail from current regulations about a district's obligation to conduct an evaluation for a student with a disability who needs or is believed to need special education or related services. The text also outlines the items that need to be addressed in district procedures on evaluation and placement.

### FB (LOCAL) EQUAL EDUCATIONAL OPPORTUNITY

To eliminate the need for the board to readopt this policy every time the district's Title IX coordinator or ADA/Section 504 coordinator changes, we have moved the contact information for those positions to FB(EXHIBIT), which is not a board-adopted document. The Department of Education's Office for Civil Rights (OCR) emphasizes the duty of school districts to make these coordinators "visible" to the school community, but recognizes the cost and administrative burden associated with staffing changes. Moving the contact information to the exhibit will maintain the visibility of the coordinators while reducing the administrative burden. See U.S. Dep't of Educ., OCR, [Dear Colleague Letter \(PDF\)](#) (Apr. 24, 2015).

Along with this change, TASB Policy and Legal Services have revised the recommended text in this local policy to capture the district's obligation to provide equal educational opportunities to all students, including the protections under Section 504 and other laws. The changes are based on the Section 504 regulations as well as the requirements throughout federal and state law to provide equal educational opportunities to all students. Two new *Notes* in the policy clarify the distinction between the issues addressed in FB and in policy FFH, which governs the district's response to student discrimination and harassment.

New recommended provisions address the overarching concept of EQUAL EDUCATIONAL OPPORTUNITY for all students along with a district's obligation to consider ADDITIONAL SERVICES AND SUPPORTS as necessary. Because Texas law specifically overlaps the diagnosis and services provided to students with dyslexia and related disorders to Section 504, we have added a cross-reference to policy EHB for information related to dyslexia.

The existing policy provisions related to Section 504 have been revised significantly. The most substantive recommendations include:

- Revisions to the text associated with SECTION 504 COMMITTEES to acknowledge that the Section 504 coordinator for the district will not always be a member of each 504 committee. In addition, the text now refers to the "group of persons" required by regulation to serve on the committee, rather than referencing a specific number of persons.
- Placing more emphasis on the district's duty to evaluate when REFERRALS are made, along with revisions to the NOTICE AND CONSENT provisions to recognize guidance from the OCR and the procedural safeguards requirements of Section 504.
- Changing the text associated with EVALUATION AND PLACEMENT to mirror the requirements placed on the "recipient" of federal funding to ensure that the district's procedures for tests and other evaluation materials comply with the minimum requirements of law. Rather than specifically requiring an adaptive behavior evaluation in local policy, the recommended text refers to a variety of evaluations that each Section 504 committee will consider.
- A new provision addressing the REVIEW AND REEVALUATION PROCEDURE required in the Section 504 regulations. Because a district is required by the Section 504 regulations to periodically reevaluate a student's eligibility for services, and the Section 504 regulations allow a district to use the same timeline established in the Individuals with Disabilities Education Act (IDEA) to comply with the reevaluation requirement, the recommended text affirms that the district will abide by the IDEA timelines related to reevaluation (generally at least once every three years and not more than once a year). Also included is a provision addressing reviews of a student's services and supports.



# Explanatory Notes

## TASB Localized Policy Manual Update 104

- A new statement to accommodate a procedural safeguards requirement in the Section 504 regulations reflecting the parent's rights related to EXAMINING RECORDS of his or her child.
- Revisions to the existing text associated with a parent's RIGHT TO AN IMPARTIAL HEARING, to more accurately capture the requirements in the Section 504 regulations. Although a district may use the state-developed procedural safeguards document used for IDEA-eligible students to comply with the procedural safeguards required by the Section 504 regulations, the recommended text in the local policy addresses each component of the required Section 504-specific procedural safeguards topics.
- Revision of text regarding state-mandated assessments, as accommodations on state assessments are only one type of accommodation provided to students with disabilities. See EQUAL EDUCATIONAL OPPORTUNITY.
- Relocation and revision of text associated with RECORDS RETENTION to remove provisions associated with records of discrimination, harassment, and retaliation, since these concepts are addressed at policy FFH, and to focus on the retention requirements for records pertaining to Section 504.

### FB (EXHIBIT) EQUAL EDUCATIONAL OPPORTUNITY

To eliminate the need for the board to readopt policy every time the district's Title IX coordinator or ADA/Section 504 coordinator changes, we have moved the contact information for those positions to this exhibit, which is not a board-adopted document.

Please confirm the contact information included in this exhibit and contact your policy consultant if any adjustments are needed.

### FD (LEGAL) ADMISSIONS

To assist districts in determining residency of students seeking admission to district schools, a definition of "residence" has been added from a U.S. Supreme Court case at PROOF OF ELIGIBILITY, beginning on page 3. The definition provides that residence requires living in the district and having the present intention to remain there.

### FD (LOCAL) ADMISSIONS

The 2015–16 TEA *Student Attendance Accounting Handbook (SAAH)* requires districts to maintain written local board-adopted policies that provide detailed information on the district's attendance accounting system and that include the district's written policy for documentation to establish student residency. Informal guidance from TEA would allow districts to continue the common practice of the superintendent maintaining in administrative regulations a list of documents that may be used to verify residency. However, districts will need to provide auditors with the district's list of documents that may be used to establish residency. Recommended local policy text aligns with this practice and requires the parent to present proof of residency in accordance with administrative regulations. The text also allows the district to investigate stated residency as necessary. Please note that FD(REGULATION) will be updated in the next *TASB Regulations Resource Manual* update. If the district would like to include in policy a list of accepted documents, please contact your policy consultant for appropriate language.

To better accommodate the completion of REGISTRATION FORMS electronically, the reference to a signature is recommended for deletion. The requirement to *complete* registration forms can incorporate either a written signature on paper forms or an electronic acknowledgment or affirmation on an electronic form.

# Explanatory Notes

## TASB Localized Policy Manual Update 104

New provisions are also recommended to clarify TRANSFER OF CREDIT from accredited and nonaccredited schools and are broad enough to replace the current local policy provisions, which are limited to transfer of credit from nonaccredited schools. In accordance with state rule and as reflected in the recommended text, the district must accept credits for state graduation requirements earned in an accredited public school district in Texas. However, before recognizing credits earned in any other school, including an accredited nonpublic school, an accredited school outside of Texas, or a nonaccredited school, a district must evaluate the records or transcripts and may use a variety of methods to verify course content. The recommended local policy text also clarifies that the district may require the student to demonstrate mastery of the course content.

The definition of "accredited" that was already included in the policy has been moved to the beginning of the section addressing transfer students, since this definition is relevant to placement decisions as well as transfer of credit.

Revisions at WITHDRAWAL reflect that a parent wishing to withdraw a student presents a statement of withdrawal rather than a request.

### FEB (LOCAL) ATTENDANCE ATTENDANCE ACCOUNTING

To match wording in state rule, we have revised the text in this local policy to refer to "alternative" times for taking attendance. See ALTERNATIVE RECORDING TIME.

The 2015–16 TEA *Student Attendance Accounting Handbook (SAAH)* requires districts to maintain written local board-adopted policies that provide detailed information on the district's attendance accounting system, including the district's written policy for documentation to establish student residency. To tie this policy on attendance accounting with the district's residency provisions at FD(LOCAL), we have added, at ATTENDANCE ACCOUNTING SYSTEM, a cross-reference to FD for admissions and residency requirements related to student attendance accounting.

### FFA (LEGAL) STUDENT WELFARE WELLNESS AND HEALTH SERVICES

Revisions to this legally referenced policy on student wellness and health services reflect the repeal of the 2004 federal school wellness policy requirements and the addition of new wellness policy requirements from the Healthy, Hunger-Free Kids Act (HHFKA) of 2010. The 2010 HHFKA places greater emphasis on implementation, evaluation, and transparency to the public.

Specifically, the HHFKA added requirements for:

- Including wellness goals for nutrition promotion;
- Permitting additional stakeholders, including teachers of physical education and school health professionals, to participate in the development, implementation, and periodic review of the wellness policy;
- Informing the public about the content and implementation of the policy;
- Providing an assessment of the implementation of the policy; and
- Designating one or more district employees to ensure that each campus complies with the policy.

The U.S. Secretary of Agriculture must develop regulations that provide the framework and guidelines for districts to establish their wellness policies. Final federal regulations are still pending and will be added to the policy when effective.

# Explanatory Notes

## TASB Localized Policy Manual Update 104

**Please note:** TASB Policy Service has created new policy development materials to assist you in revising your FFA(LOCAL) for appropriate compliance with the HHFKA statutory requirements, available on myTASB at <https://www.tasb.org/Services/Policy-Service/myTASB/Starting-Points/Wellness/Wellness-Policy-and-Wellness-Plan.aspx>.

FFC (LOCAL) STUDENT WELFARE  
STUDENT SUPPORT SERVICES

To eliminate the need for the board to readopt policy every time the district's liaison for homeless students changes, we have moved the contact information for this position to FFC(EXHIBIT), which is not a board-adopted document. As a result, this local policy is recommended for deletion.

FFC (EXHIBIT) STUDENT WELFARE  
STUDENT SUPPORT SERVICES

To eliminate the need for the board to readopt policy every time the district's liaison for homeless students changes, we have moved the contact information for this position to this new exhibit, which is not a board-adopted document.

Please confirm the contact information included in this exhibit and contact your policy consultant if any adjustments are needed.

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

Recommended revisions update the STATEMENT OF NONDISCRIMINATION and the definition of DISCRIMINATION to add "sex" and "age" in accordance with Title IX and the Age Discrimination Act of 1975, respectively. Both statutes are enforced by the Department of Education's Office for Civil Rights (OCR).

In addition, to eliminate the need for the board to readopt this policy every time the district's Title IX coordinator or ADA/Section 504 coordinator changes, we have moved the contact information for those positions to FFH(EXHIBIT), which is not a board-adopted document. The OCR emphasizes the duty of school districts to make these coordinators "visible" to the school community, but recognizes the cost and administrative burden associated with staffing changes. Moving the contact information to the exhibit will maintain the visibility of the coordinators while reducing the administrative burden. See U.S. Dep't of Educ., OCR, [Dear Colleague Letter \(PDF\)](#) (Apr. 24, 2015).

The provision explaining the district's RECORDS RETENTION obligations for allegations, investigation reports, and other related records regarding prohibited conduct has been moved from FB(LOCAL) and revised to replace the stated retention periods with a reference to law. FFH is a more appropriate policy for this provision, since FFH addresses complaints of discrimination, harassment, and retaliation.

We have retained the district's extensive locally developed text throughout this policy.

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

To eliminate the need for the board to readopt policy every time the district's Title IX coordinator or ADA/Section 504 coordinator changes, we have moved the contact information for those positions to this exhibit, which is not a board-adopted document.

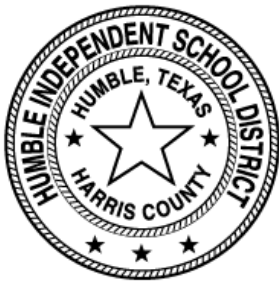
# Explanatory Notes

## TASB Localized Policy Manual Update 104

Please confirm the contact information included in this exhibit and contact your policy consultant if any adjustments are needed.

FL (LEGAL) STUDENT RECORDS

Although new provisions from SB 507 that require video cameras in certain special education classrooms are not effective until the 2016–17 school year, the bill makes immediate changes regarding the list of EXCEPTIONS for which consent is not required when a district employee makes VIDEOTAPES AND RECORDINGS of a child or child's voice. Parental consent is not required when a videotape or recording is related to the promotion of student safety under the new law pertaining to recordings in special education settings. See pages 20 and 21.



## Board of Trustees Agenda Item

**Meeting Date: August 9, 2016**

**Meeting Type**

- Regular Meeting  
 Special Meeting/  
Workshop

**Agenda Item Type**

- Information/  
Discussion Item

**Agenda Placement**

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Governance       | <input type="checkbox"/> Human Resources Department |
| <input type="checkbox"/> Superintendent's Division   | <input type="checkbox"/> Support Services Division  |
| <input type="checkbox"/> Learning Division           | <input type="checkbox"/> District-Wide              |
| <input type="checkbox"/> Financial Services Division |   |

**District Pillars (Check All That Apply):**

- Student Achievement – Prepare Students to be College and Career Ready  
 Service – Provide Quality Service to Internal and External Customers  
 People – Provide a Quality Work Environment So Every Employee can Perform at the Highest Levels  
 Finance – Create Efficiencies at All Levels of the Organization

**Information: 2016-2017 Humble ISD Parent Student Handbook**

**Board Policy/State Regulation/Law Reference (If Applicable):**

**Overview:**

The handbook section of the 2016-2017 Humble ISD Parent Student Handbook is provided to the Board of Trustees for review. Revision to last year's handbook are based on TASB recommendations based on legislative change, recommendations from department heads that are based on district practice changes, input from various key personnel regarding aligning information with district practice, and legal review.

**Attachments:** 2016-2017 Humble ISD Handbook

**Department(s) Submitting Form:** Legal Department

**Division Approval:** Dr. Elizabeth Fagen

**Date Submitted:** June 20, 2016

## **2015–16 vs 2016-17 Model Student Handbook**

This is Letter from Superintendent Page.

## Notice of Nondiscrimination and Prohibition of Harassment

It is the policy of Humble Independent School District to comply fully with the nondiscrimination provisions of all Federal and State laws and regulations by assuring that no student shall be discriminated against, or harassed, on the basis of race, color, religion, national origin, sex, gender, disability, age or any other basis prohibited by law in its educational and vocations (CTE) programs, or activities as required by Title IX, Title VI, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act. The District encourages students, parents, and employees to work together to prevent discrimination or harassment on the basis of race, color, religion, national origin, sex, gender, disability or age.

### **Title IX Coordinator (Sex and Gender)**

Dr. Thomas Price  
Humble ISD  
20200 Eastway Village Drive  
Humble, TX 77338  
283-641-8005

### **Title VI Coordinator (Race, Color, National Origin)**

Dr. Thomas Price  
Humble ISD  
20200 Eastway Village Drive  
Humble, TX 77338  
281-641-8005

### **Section 504 and ADA: Programs & Services (Disability)**

Rick Meyer  
Humble ISD  
4810 Magnolia Cove  
Kingwood, TX 77345  
281-641-8316

### **ADA: Facilities Accessibility**

Dr. Roger Brown  
Humble ISD  
1703 Wilson Road  
Humble, TX 77347  
281-641-1083

Complaints regarding unlawful discrimination or prohibited harassment, including retaliation, on the basis of race, color, religion, national origin, sex, gender, disability or age, including sexual harassment, shall be made according to Humble ISD Board Policy FFH (LOCAL). The District encourages any student, parent, or employee who believes a student has been subjected to, or who has witnessed a student subjected to, an incident of discrimination or harassment on the basis of race, color, religion, national origin, sex, gender, disability or age, or subjected to retaliation, to report as set forth in Policy FFH (LOCAL) so that the District can do a prompt investigation. Students and/or employees found to have engaged in acts of discrimination or harassment against a student based on the student's race, color, religion, national origin, sex, gender, disability, or age, or to have engaged in retaliation in response to a report or complaint, will be disciplined. Students may be disciplined up to and including expulsion if warranted by the investigation. Employees may be disciplined up to and including termination if warranted by the investigation. If a parent or student is dissatisfied with the outcome of the District's investigation conducted pursuant to Humble ISD Board Policy FFH (LOCAL), he or she may file a complaint under Humble ISD Board Policy FNG (LOCAL).

Policy FFH (LOCAL) and Policy FNG (LOCAL) can be found in the District's Board Policy Manual. A copy of the Humble ISD Board Policy Manual is kept on file at each campus and at the administration building. In addition, parents and students may access the policy manual on the District's website at [www.humbleisd.net](http://www.humbleisd.net).

This form replaced several forms that are obsolete because of online enrollment.

## Enrollment and Required Forms

Humble ISD requires online enrollment for all new and returning students. District campuses have computers available to parents who do not have technology resources. Within that enrollment process, parents will be asked to either provide or deny consent or acknowledge and electronically sign for several forms that are referenced throughout this 2016-2017 Student Handbook/Student Code of Conduct.

*The following forms are included in that enrollment process:*

1. *Contact Information*
2. *Additional Information*
  - *Student Health Inventory*
  - *Food Allergy Questionnaire*
  - *Health Information*
  - *Military Dependent Questionnaire*
  - *Foster Care Questionnaire*
  - *Family Survey*
  - *Student Residency Questionnaire*
  - *Permissions and Consent*
    - *Compulsory Attendance Notice Acknowledgment*
    - *Computer Access Permission*
    - *Parent's Directory Information Consent/Opt-Out Form (School Use/Non-School Use)*
    - *Parent's Objection to Release of Student Information to Military Recruiters and Institutions of Higher Education (applicable to secondary levels only)*
    - *Student Residency Verification*
    - *Immunization Acknowledgment*
    - *Medical Consent for Emergency Medical Treatment*
    - *Responsible Use Guidelines for Students*
    - *Child Nutrition*



## **Notice Regarding Directory Information and Parent's Response Regarding Release of Student Information**

Certain information about district students is considered directory information and will be released to anyone who follows the procedures for requesting the information unless the parent or guardian objects to the release of the directory information about the student. If you do not want Humble ISD to disclose directory information from your child's education records without your prior written consent, you must notify the district in writing within ten school days of your child's first day of instruction for this school year. This means that the district must give certain personal information (called "directory information") about your child to any person who requests it unless you have told the district in writing not to do so. Understand that once information on your child is included in student publications, district publications, yearbooks or on the district's webpage or social media, it may be subject to public release.

[See **Objecting to the Release of Directory Information** on page [REDACTED] for more information.]

Humble ISD has designated the following information as directory information:

- Student's name
- Address
- Telephone listing
- E-mail address
- Photograph and Video of student and/or student work
- Date and place of birth
- Major field of study; degrees, honors, and awards received
- Dates of attendance; grade level
- Most recent school previously attended
- Participation in officially recognized activities and sports and weight and height of members of athletic teams.

### **School Use**

The directory information listed in items bulleted above may be released on your child for school use (i.e. student publications, district publications, yearbooks, district websites, social media, district-sponsored publicity). You understand that once this information of your child is included in student publications, district publications, yearbooks, district websites, social media and district-sponsored publicity, which includes video and school work, it may be subject to public release.

### **Non-School Use**

Directory information, which is your child's name, address, and phone number, may be released for non-school use (i.e. vendors, sales persons and in response to request for records under the Texas Public Information Act.)

## **PREFACE**

To Students and Parents:

Welcome to school year 2016-17! Education is a team effort, and we know that students, parents, teachers, and other staff members all working together can make this a wonderfully successful year for our students.

The Humble Independent School District (ISD) Student Handbook is designed to provide basic information that you and your child will need during the school year. The handbook is divided into two sections:

**Section I—PARENTAL RIGHTS**—with information to assist you in responding to school-related issues. We encourage you to take some time to closely review this section of the handbook.

**Section II—OTHER IMPORTANT INFORMATION FOR STUDENTS AND PARENTS**—organized alphabetically by topic, and, where possible, further divided by applicability to ages and/or grade levels, for quick access when searching for information on a specific issue.

Please be aware that the term “parent,” unless otherwise noted, is used to refer to the parent, legal guardian, any person granted some other type of lawful control of the student, or any other person who has agreed to assume school-related responsibility for a student.

Both students and parents should become familiar with the Humble ISD Student Code of Conduct, which is a document adopted by the board and intended to promote school safety and an atmosphere for learning. That document may be found on the district’s website at [www.humbleisd.net](http://www.humbleisd.net) and is available in hard copy upon request.

The Student Handbook is a general reference guide only and is designed to be in harmony with board policy and the Student Code of Conduct. Please be aware that it is not a complete statement of all policies, procedures, or rules that may be applicable in a given circumstance.

In case of conflict between board policy (including the Student Code of Conduct) and any provisions of the Student Handbook, the current provisions of board policy and the Student Code of Conduct are to be followed.

Also, please be aware that the Student Handbook is updated yearly, while policy adoption and revision may occur throughout the year. The district encourages parents to stay informed of proposed board policy changes by attending board meetings. Changes in policy or other rules that affect Student Handbook provisions will be made available to students and parents through newsletters or other communications. The district reserves the right to modify provisions of the Student Handbook at any time, whenever it is deemed necessary. Notice of any revision or modification will be given as is reasonably practical under the circumstances.

Although the Student Handbook may refer to rights established through law or district policy, the Student Handbook does not create any additional rights for students and parents. It does not, nor is it intended to, create contractual or legal rights between any student or parent and the district.

If you or your child has questions about any of the material in this handbook, please contact a teacher, the school counselor, or the principal.

Your child’s school will request that you provide contact information, such as your current phone number and e-mail address, in order for the school to communicate items specific to your child,

your child's school, or the district. If you consent to receive such information through a landline or wireless phone, please ensure that you notify the school's administration office immediately upon a change in or disconnection of your phone number. The district or school may generate automated or pre-recorded messages, text messages, or real-time phone or e-mail communication, so prompt notification of any change in contact information will be crucial to maintain timely communication with you. Standard messaging rates of your phone carrier may apply. If you have specific requests or needs related to how the district contacts you, please contact your child's principal. Please see **Safety** on page [REDACTED] for information regarding contact with parents during an emergency situation.

[See **Objecting to the Release of Directory Information** on page 4 and **Consent Required Before Student Participation in a Federally Funded Survey, Analysis, or Evaluation** on page 5 for more information.]

Please note that references to policy codes are included so that parents can refer to current board policy. The district's official policy manual is available for review in the district administration office, the general counsel's office, and an unofficial electronic copy is available at [www.humbleisd.net](http://www.humbleisd.net).

## **SECTION I: PARENTAL RIGHTS**

This section of the Humble ISD Student Handbook includes information related to certain rights of parents as specified in state or federal law.

### **CONSENT, OPT-OUT, AND REFUSAL RIGHTS**

#### **Consent to Conduct a Psychological Evaluation**

A district employee will not conduct a psychological examination, test, or treatment without obtaining prior written parental consent unless the examination, test, or treatment is required under state or federal law regarding requirements for special education or by the Texas Education Agency (TEA) for child abuse investigations and reports.

#### **Consent to Display a Student's Original Works and Personal Information**

Teachers may display students' work, which may include personally identifiable student information, in classrooms or elsewhere on campus as recognition of student achievement.

However, the district will seek parental consent before displaying students' artwork, special projects, photographs taken by students, original videos or voice recordings, and other original works on the district's website, a website affiliated or sponsored by the district, such as a campus or classroom website, and in district publications, which may include printed materials, videos, or other methods of mass communication.

#### **Consent to Receive Parenting and Paternity Awareness Instruction if Student is Under Age 14**

A child under the age of 14 must have parental permission to receive instruction in the district's parenting and paternity awareness program; otherwise, the child will not be allowed to participate in the instruction. This program, developed by the Office of the Texas Attorney General and the State Board of Education (SBOE), is incorporated into the district's health education classes.

#### **Consent to Video or Audio Record a Student When Not Otherwise Permitted by Law**

State law permits the school to make a video or voice recording without parental permission for the following circumstances:

- When it is to be used for school safety;
- When it relates to classroom instruction or a cocurricular or extracurricular activity;
- When it relates to media coverage of the school, or.
- When it relates to the promotion of student safety as provided by law for a student receiving special education services in certain settings.

The district will seek parental consent through a written request before making any video or voice recording of your child not otherwise allowed by law.

[See **Video Cameras** on page [REDACTED] for more information, including a parent’s right to request video and audio equipment be placed in certain special education settings.]

### **Prohibiting the Use of Corporal Punishment**

Use of corporal punishment as a method of student discipline is prohibited in the district. [See policy FQ(LOCAL).]

### **Limiting Electronic Communications with Students by District Employees**

Teachers and other approved employees are permitted by the district to communicate with students through the use of electronic media within the scope of the individual’s professional responsibilities. For example, a teacher may set up a social networking page for his or her class that has information related to class work, homework, and tests. As a parent, you are welcome to join or become a member of such a page.

An employee described above may also contact a student individually through electronic media to communicate about items such as homework or upcoming tests.

However, instant or text messages sent to an individual student are only allowed if a district employee with responsibility for an extracurricular activity needs to communicate with a student participating in the extracurricular activity.

If you prefer that your child not receive any one-to-one electronic communications from a district employee or if you have questions related to the use of electronic media by district employees, please contact the campus principal.

### **Objecting to the Release of Directory Information**

The Family Educational Rights and Privacy Act, or FERPA, permits the district to disclose appropriately designated “directory information” from a child’s education records without written consent. “Directory information” is information that is generally not considered harmful or an invasion of privacy if released. Examples include a student’s photograph for publication in the school yearbook; a student’s name and grade level for purposes of communicating class and teacher assignment; the name, weight, and height of an athlete for publication in a school athletic program; a list of student birthdays for generating schoolwide or classroom recognition; a student’s name and photograph posted on a district-approved and -managed social media platform; and the names and grade levels of students submitted by the district to a local newspaper or other community publication to recognize the A/B honor roll for a specific grading period. Directory information will be released to anyone who follows procedures for requesting it.

However, a parent or eligible student may object to the release of a student’s directory information. This objection must be made in writing to the principal. [See the “**Notice Regarding Directory Information and Parent’s Response Regarding Release of Student Information**” on page [REDACTED].]

You will be asked to answer statements in the on-line registration process for new and returning students.

The district has identified the following as directory information: student name; address; telephone listing; electronic mail address; photograph and video; date and place of birth; major

field of study; degrees, honors and awards received; dates of attendance; grade level; most recent educational institution attended; participation in officially recognized activities and sports; and weight and height of members of athletic teams. Please note that the district has designated specific directory information as “School Use” and other directory information as “Non-School Use”, as noted on the **Notice Regarding Directory Information and Parent’s Response Regarding Release of Student Information**, on page \_\_\_\_\_. If you object to the release of the student information included on the directory information response form, your decision will also apply to the use of that information for school-sponsored purposes, such as the honor roll, school newspaper, the yearbook, recognition activities, news releases, and athletic programs.

Also review the information at **Authorized Inspection and Use of Student Records** on page 8

### **Objecting to the Release of Student Information to Military Recruiters and Institutions of Higher Education (Secondary Grade Levels Only)**

The district is required by federal law to comply with a request by a military recruiter or an institution of higher education for students’ names, addresses, and telephone listings, unless parents have advised the district not to release their child’s information without prior written consent.

### **Participation in Third-Party Surveys**

#### ***Consent Required Before Student Participation in a Federally Funded Survey, Analysis, or Evaluation***

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

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

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

### ***“Opting Out” of Participation in Other Types of Surveys or Screenings and the Disclosure of Personal Information***

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

- Any survey concerning the private information listed above, regardless of funding.
- School activities involving the collection, disclosure, or use of personal information gathered from your child for the purpose of marketing, selling, or otherwise disclosing that information. Note that this does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions.
- Any nonemergency, invasive physical examination or screening required as a condition of attendance, administered and scheduled by the school in advance and not necessary to protect the immediate health and safety of the student. Exceptions are hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under state law. [See policies EF and FFAA.]

As a parent, you may inspect a survey created by a third party before the survey is administered or distributed to your child.

### **REMOVING A STUDENT FROM INSTRUCTION OR EXCUSING A STUDENT FROM A REQUIRED COMPONENT OF INSTRUCTION**

#### **Human Sexuality Instruction**

As a part of the district’s curriculum, students receive instruction related to human sexuality. The School Health Advisory Council (SHAC) is involved with the selection of course materials for such instruction.

State law requires that any instruction related to human sexuality, sexually transmitted diseases, or human immunodeficiency virus (HIV) or acquired immune deficiency syndrome (AIDS) must:

- Present abstinence from sexual activity as the preferred choice of behavior in relationship to all sexual activity for unmarried persons of school age;
- Devote more attention to abstinence from sexual activity than to any other behavior;
- Emphasize that abstinence is the only method that is 100 percent effective in preventing pregnancy, sexually transmitted diseases, and the emotional trauma associated with adolescent sexual activity;
- Direct adolescents to a standard of behavior in which abstinence from sexual activity before marriage is the most effective way to prevent pregnancy and sexually transmitted diseases; and
- If included in the content of the curriculum, teach contraception and condom use in terms of human use reality rates instead of theoretical laboratory rates.

In accordance with state law, below is a summary of the district's curriculum regarding human sexuality instruction:

The District curriculum meets the Texas Essential Knowledge and Skills.

As a parent, you are entitled to review the curriculum materials. In addition, you may remove your child from any part of the human sexuality instruction with no academic, disciplinary, or other penalties. You may also choose to become more involved with the development of curriculum used for this purpose by becoming a member of the district's SHAC. Please see the campus principal for additional information.

### **Reciting a Portion of the Declaration of Independence in Grades 3–12**

You may request that your child be excused from recitation of a portion of the Declaration of Independence. State law requires students in social studies classes in grades 3–12 to recite a portion of the text of the Declaration of Independence during Celebrate Freedom Week unless (1) you provide a written statement requesting that your child be excused, (2) the district determines that your child has a conscientious objection to the recitation, or (3) you are a representative of a foreign government to whom the United States government extends diplomatic immunity. [See policy EHBK(LEGAL).]

### **Reciting the Pledges to the U.S. and Texas Flags**

As a parent, you may request that your child be excused from participation in the daily recitation of the Pledge of Allegiance to the United States flag and the Pledge of Allegiance to the Texas flag. The request must be in writing. State law does not allow your child to be excused from participation in the required minute of silence or silent activity that follows. [See **Pledges of Allegiance and a Minute of Silence** on page 84 and policy EC(LEGAL).]

### **Religious or Moral Beliefs**

You may remove your child temporarily from the classroom if an instructional activity in which your child is scheduled to participate conflicts with your religious or moral beliefs. The removal cannot be for the purpose of avoiding a test and may not extend for an entire semester. Further, your child must satisfy grade-level and graduation requirements as determined by the school and by state law.

### **Tutoring or Test Preparation**

Based on informal observations, evaluative data such as grades earned on assignments or tests, or results from diagnostic assessments, a teacher may determine that a student is in need of additional targeted assistance in order for the student to achieve mastery in state-developed essential knowledge and skills. The school will always attempt to provide tutoring and strategies for test-taking in ways that prevent removal from other instruction as much as possible. In accordance with state law and policy EC, the school will not remove a student from a regularly scheduled class for remedial tutoring or test preparation for more than ten percent of the school days on which the class is offered, unless the student's parent consents to this removal.

The school may also offer tutorial services, which students whose grades are below 70 will be required to attend.



[Also refer to policies EC and EHBC, and contact your student’s teacher with questions about any tutoring programs provided by the school.]

## **RIGHT OF ACCESS TO STUDENT RECORDS, CURRICULUM MATERIALS, AND DISTRICT RECORDS/Policies**

### **Instructional Materials**

As a parent, you have a right to review teaching materials, textbooks, and other teaching aids and instructional materials used in the curriculum, and to examine tests that have been administered to your child.

You are also entitled to request that the school allow your child to take home any instructional materials used by the student. If the school determines that sufficient availability exists to grant the request, the student must return the materials at the beginning of the next school day if requested to do so by the child’s teacher.

### **Notices of Certain Student Misconduct to Noncustodial Parent**

A noncustodial parent may request in writing that he or she be provided, for the remainder of the school year, a copy of any written notice usually provided to a parent related to his or her child’s misconduct that may involve placement in a disciplinary alternative education program (DAEP) or expulsion. [See policy FO(LEGAL) and the Student Code of Conduct.]

### **Participation in Federally Required, State-Mandated, and District Assessments**

You may request information regarding any state or district policy related to your child’s participation in assessments required by federal law, state law, or the district.

## **Student Records**

### ***Accessing Student Records***

You may review your child’s student records. These records include:

- Attendance records,
- Test scores,
- Grades,
- Disciplinary records,
- Counseling records,
- Psychological records,
- Applications for admission,
- Health and immunization information,
- Other medical records,

- Teacher and school counselor evaluations,
- Reports of behavioral patterns,
- State assessment instruments that have been administered to your child, and
- Teaching materials and tests used in your child’s classroom.

***Authorized Inspection and Use of Student Records***

A federal law, known as the Family Educational Rights and Privacy Act, or FERPA, affords parents and eligible students certain rights with respect to the student’s education records. For purposes of student records, an “eligible” student is one who is 18 or older or who is attending an institution of postsecondary education. These rights, as discussed in this section as well as at **Objecting to the Release of Directory Information** on page 4, are:

- The right to inspect and review student records within 45 days after the day the school receives a request for access.
- The right to request an amendment to a student record the parent or eligible student believes is inaccurate, misleading, or otherwise in violation of FERPA.
- The right to provide written consent before the school discloses personally identifiable information from the student’s records, except to the extent that FERPA authorizes disclosure without consent.
- The right to file a complaint with the U.S. Department of Education concerning failures by the school to comply with FERPA requirements. The name and address of the office that administers FERPA are:

Family Policy Compliance Office  
 U.S. Department of Education  
 400 Maryland Avenue, SW  
 Washington, DC 20202-5901

Both FERPA and state laws safeguard student records from unauthorized inspection or use and provide parents and eligible students certain rights of privacy. Before disclosing any personally identifiable information from a student’s records, the district must verify the identity of the person, including a parent or the student, requesting the information.

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

Inspection and release of student records is primarily restricted to an eligible student or a student’s parents—whether married, separated, or divorced—unless the school is given a copy of a court order terminating parental rights or the right to access a student’s education records.

Federal law requires that, as soon as a student reaches the age of 18, is emancipated by a court, or enrolls in a postsecondary institution, control of the records goes to the student. The parents may continue to have access to the records, however, if the student is a dependent for tax purposes and under limited circumstances when there is a threat to the health and safety of the student or other individuals.

FERPA permits the disclosure of personally identifiable information from a student's education records, without written consent of the parent or eligible student, in the following circumstances:

- When district school officials have what federal law refers to as a “legitimate educational interest” in a student's records. School officials would include board members and employees, such as the superintendent, administrators, and principals; teachers, school counselors, diagnosticians, and support staff (including district health or district medical staff); a person or company with whom the district has contracted or allowed to provide a particular institutional service or function (such as an attorney, consultant, third-party vendor that offers online programs or software, auditor, medical consultant, therapist, school resource officer, or volunteer); a parent or student serving on a school committee; or a parent or student assisting a school official in the performance of his or her duties. “Legitimate educational interest” in a student's records includes working with the student; considering disciplinary or academic actions, the student's case, or an individualized education program for a student with disabilities; compiling statistical data; reviewing an educational record to fulfill the official's professional responsibility to the school and the student; or investigating or evaluating programs.
- To authorized representatives of various governmental agencies, including juvenile service providers, the U.S. Comptroller General's office, the U.S. Attorney General's office, the U.S. Secretary of Education, TEA, the U.S. Secretary of Agriculture's office, and Child Protective Services (CPS) caseworkers or other child welfare representatives, in certain cases.
- To individuals or entities granted access in response to a subpoena or court order.
- To another school, school district/system, or institution of postsecondary education to which a student seeks or intends to enroll or in which he or she is already enrolled.
- In connection with financial aid for which a student has applied or which the student has received.
- To accrediting organizations to carry out accrediting functions.
- To organizations conducting studies for, or on behalf of, the school, in order to develop, validate, or administer predictive tests; administer student aid programs; or improve instruction.
- To appropriate officials in connection with a health or safety emergency.
- When the district discloses information it has designated as directory information [see **Objecting to the Release of Directory Information** on page 4 for opportunities to prohibit this disclosure].

Release of personally identifiable information to any other person or agency—such as a prospective employer or for a scholarship application—will occur only with parental or student permission as appropriate.

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

A parent or eligible student who wishes to inspect the student's records should submit a written request to the records custodian identifying the records he or she wishes to inspect. Records may

be inspected by a parent or eligible student during regular school hours. The records custodian or designee will respond to reasonable requests for explanation and interpretation of the records.

A parent or eligible student who provides a written request and pays copying costs of ten cents per page may obtain copies. If circumstances prevent inspection during regular school hours and the student qualifies for free or reduced-price meals, the district will either provide a copy of the records requested or make other arrangements for the parent or student to review these records. The address of the superintendent's office is 20200 Eastway Village Drive, Humble, TX 77338.

The address(es) of the principals' offices are included in the front of this Student Handbook and available at [www.humbleisd.net](http://www.humbleisd.net).

A parent (or eligible student) may inspect the student's records and request a correction or amendment if the records are considered inaccurate, misleading, or otherwise in violation of the student's privacy rights. A request to correct a student's record should be submitted to the appropriate records custodian. The request must clearly identify the part of the record that should be corrected and include an explanation of how the information in the record is inaccurate. If the district denies the request to amend the records, the parent or eligible student has the right to request a hearing. If the records are not amended as a result of the hearing, the parent or eligible student has 30 school days to exercise the right to place a statement commenting on the information in the student's record.

Although improperly recorded grades may be challenged, contesting a student's grade in a course or on an examination is handled through the general complaint process found in policy FNG(LOCAL). A grade issued by a classroom teacher can be changed only if, as determined by the board of trustees, the grade is arbitrary, erroneous, or inconsistent with the district's grading policy. [See FINALITY OF GRADES at FNG(LEGAL), **Report Cards/Progress Reports and Conferences** on page 87, and **Complaints and Concerns** on page 25 for an overview of the process.]

The district's policy regarding student records found at policy FL is available from the principal's or superintendent's office [www.humbleisd.net](http://www.humbleisd.net).

The parent's or eligible student's right of access to and copies of student records do not extend to all records. Materials that are not considered educational records—such as a teacher's personal notes about a student that are shared only with a substitute teacher—do not have to be made available to the parents or student.

### **Teacher and Staff Professional Qualifications**

You may request information regarding the professional qualifications of your child's teachers, including whether a teacher has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction; whether the teacher has an emergency permit or other provisional status for which state requirements have been waived; and whether the teacher is currently teaching in the field of discipline of his or her certification. You also have the right to request information about the qualifications of any paraprofessional who may provide services to your child.

## STUDENTS WITH EXCEPTIONALITIES OR SPECIAL CIRCUMSTANCES

### Children of Military Families

Children of military families will be provided flexibility regarding certain district requirements, including:

- Immunization requirements.
- Grade level, course, or educational program placement.
- Eligibility requirements for participation in extracurricular activities.
- Graduation requirements.

In addition, absences related to a student visiting with his or her parent, including a stepparent or legal guardian, who has been called to active duty for, is on leave from, or is returning from a deployment of at least four months will be excused by the district. The district will permit no more than five excused absences per year for this purpose. For the absence to be excused, the absence must occur no earlier than the 60th day before deployment or no later than the 30th day after the parent's return from deployment.

Additional information may be found at <http://tea.texas.gov/index2.aspx?id=7995>.

### Parental Role in Certain Classroom and School Assignments

#### *Multiple Birth Siblings*

As a parent, if your children are multiple birth siblings (e.g., twins, triplets, etc.) assigned to the same grade and campus, you may request that they be placed either in the same classroom or in separate classrooms. Your written request must be submitted no later than the 14th day after the enrollment of your children. [See policy FDB(LEGAL).]

#### *Safety Transfers/Assignments*

As a parent, you may:

- Request the transfer of your child to another classroom or campus if your child has been determined by the district to have been a victim of bullying as the term is defined by Education Code 37.0832. Transportation is not provided for a transfer to another campus. Contact the Assistant Superintendent of Schools at 281-641-8000 for information.
- Consult with district administrators if your child has been determined by the district to have engaged in bullying and the board decides to transfer your child to another classroom or campus. Transportation is not provided for a transfer to another campus.  
[See **Bullying** on page 20, policy FDB, and policy FFI.]
- Request the transfer of your child to attend a safe public school in the district if your child attends school at a campus identified by TEA as persistently dangerous or if your child has been a victim of a violent criminal offense while at school or on school grounds. [See policy FDE.]

- Request the transfer of your child to another district campus if your child has been the victim of a sexual assault by another student assigned to the same campus, whether the assault occurred on or off campus, and that student has been convicted of or placed on deferred adjudication for that assault. If the victim does not wish to transfer, the district will transfer the assailant in accordance with policy FDE.

### **Service/Assistance Animal Use by Students**

A parent of a student who uses a service/assistance animal because of the student's disability must submit a request in writing to the principal at least ten district business days before bringing the service/assistance animal on campus.

### **Students in the Conservatorship of the State (Foster Care)**

A student who is currently in the conservatorship (custody) of the state and who enrolls in the district after the beginning of the school year, will be allowed credit-by-examination opportunities outside the district's established testing windows and the district will grand proportionate course credit by semester (partial credit) when a student does only passes one semester of a two-semester course.

A student who is currently in the conservatorship (custody) of the state and who is moved outside of the district's or school's attendance boundaries, or who is initially placed in the conservatorship of the state and who is moved outside the district's or school's boundaries, is entitled to continue in enrollment at the school he or she was attending prior to the placement or move until the student reaches the highest grade level at the particular school. In addition, if a student in grade 11 or 12 transfers to another district but does not meet the graduation requirements of the receiving district, the student can request to receive a diploma from the previous district if he or she meets the criteria to graduate from the previous district.

[See also **Credit by Examination for Advancement/Acceleration** on page [REDACTED], **Course Credit** on page [REDACTED], and **Students in Foster Care** on page 99 for more information.]

### **Students Who Are Homeless**

Children who are homeless will be provided flexibility regarding certain district provisions, including:

- Proof of residency requirements;
- Immunization requirements;
- Educational program placement, if the student is unable to provide previous academic records, or misses an application deadline during a period of homelessness;
- Credit-by-examination opportunities;
- The award of partial credit (awarding credit proportionately when a student passes only one semester of a two-semester course);
- Eligibility requirements for participation in extracurricular activities; and
- Graduation requirements.

If a student in grade 11 or 12 is homeless and transfers to another school district but does not meet the graduation requirements of the receiving district, the student can request to receive a diploma from the previous district if he or she meets the criteria to graduate from the previous district.

Federal law also allows a homeless student to remain enrolled in what is called the “school of origin” or to enroll in a new school in the attendance area where the student is currently residing.

[See also **Credit by Examination for Advancement/Acceleration** on page [REDACTED], **Course Credit** on page [REDACTED], and **Homeless Students** on page 73 for more information.]

## **Students Who Have Learning Difficulties or Who Need Special Education Services**

If a child is experiencing learning difficulties, the parent may contact the person listed below to learn about the district’s overall general education referral or screening system for support services. This system links students to a variety of support options, including referral for a special education evaluation. Students having difficulty in the regular classroom should be considered for tutorial, compensatory, and other academic or behavior support services that are available to all students including a process based on Response to Intervention (RtI). The implementation of RtI has the potential to have a positive impact on the ability of districts to meet the needs of all struggling students.

At any time, a parent is entitled to request an evaluation for special education services. Within a reasonable amount of time, the district must decide if the evaluation is needed. If the evaluation is needed, the parent will be notified and asked to provide informed written consent for the evaluation. The district must complete the evaluation and the report within the timeline prescribed by law once the district receives written consent. The district must give a copy of the evaluation report to the parent.

If the district determines that the evaluation is not needed, the district will provide the parent with prior written notice that explains why the child will not be evaluated. This written notice will include a statement that informs the parents of their rights, if they disagree with the district. The district is required to give parents the *Notice of Procedural Safeguards—Rights of Parents of Students with Disabilities*. Additional information regarding the Individuals with Disabilities Education Act (IDEA) is available from the school district in a companion document, *A Guide to the Admission, Review, and Dismissal Process*. Both documents may also be found at <http://framework.esc18.net/display/Webforms/LandingPage.aspx>.

The following websites provide information to those who are seeking information and resources specific to students with disabilities and their families:

- Texas Project First, at <http://www.texasprojectfirst.org>
- Partners Resource Network, at <http://www.partnerstx.org>

The designated person to contact regarding options for a child experiencing learning difficulties or a referral for evaluation for special education services is the Special Education Executive Director at 281-641-8095.

### **Students Who Receive Special Education Services with Other School-Aged Children in the Home**

If a student is receiving special education services at a campus outside his or her attendance zone, the parent or guardian may request that any other student residing in the household be transferred to the same campus, if the appropriate grade level for the transferring student is offered on that campus. However, the district is not required to provide transportation to the other children in the household. The parent or guardian should speak with the principal of the school regarding transportation needs prior to requesting a transfer for any other children in the home. [See policy FDB(LOCAL).]

### **Students Who Speak a Primary Language Other than English**

A student may be eligible to receive specialized support if his or her primary language is not English, and the student has difficulty performing ordinary class work in English. If the student qualifies for these extra services, the Language Proficiency Assessment Committee (LPAC) will determine the types of services the student needs, including accommodations or modifications related to classroom instruction, local assessments, and state-mandated assessments.

### **Students With Physical or Mental Impairments Protected Under Section 504**

A child determined to have a physical or mental impairment that substantially limits a major life activity, as defined by law, and who does not otherwise qualify for special education services, may qualify for protections under Section 504 of the Rehabilitation Act. Section 504 is a federal law designed to prohibit discrimination against individuals with disabilities. When an evaluation is requested, a committee will be formed to determine if the child is in need of services and supports under Section 504 to receive a free appropriate public education (FAPE), as this is defined in federal law.

The designated person to contact regarding a referral for evaluation applicable to Section 504 is the campus counselor, principal or the district 504 coordinator at 281-641-8316.

[Also see policy FB.]



## **SECTION II: OTHER IMPORTANT INFORMATION FOR STUDENTS AND PARENTS**

Topics in this section of the Student Handbook contain important information on academics, school activities, and school operations and requirements. Take a moment with your child to become familiar with the various issues addressed in this section. It is organized in alphabetical order to serve as a quick-reference when you or your child has a question about a specific school-related issue. Where possible, the topics are also organized to alert you to the applicability of each topic based on a student's age or grade level. Should you be unable to find the information on a particular topic, please contact the campus principal.

### **ABSENCES/ATTENDANCE**

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

#### **Compulsory Attendance**

##### ***Age 19 and Older***

A student who voluntarily attends or enrolls after his or her 19th birthday is required to attend each school day until the end of the school year. If a student age 19 or older has more than five unexcused absences in a semester, the district may revoke the student's enrollment. The student's presence on school property thereafter would be unauthorized and may be considered trespassing. [See policy FEA.]

##### ***Between Ages 6 and 19***

State law requires that a student between the ages of 6 and 19 attend school, as well as any applicable accelerated instruction program, extended year program, or tutorial session, unless the student is otherwise excused from attendance or legally exempt.

State law requires attendance in an accelerated reading instruction program when kindergarten, first grade, or second grade students are assigned to such a program. Parents will be notified in writing if their child is assigned to an accelerated reading instruction program as a result of a diagnostic reading instrument.

A student will be required to attend any assigned accelerated instruction program, which may occur before or after school or during the summer, if the student does not meet the passing standards on the state assessment for his or her grade level and/or applicable subject area.

##### ***Prekindergarten and Kindergarten***

Students enrolled in prekindergarten or kindergarten are required to attend school and are subject to the compulsory attendance requirements as long as they remain enrolled.

## **Exemptions to Compulsory Attendance**

### ***All Grade Levels***

State law allows exemptions to the compulsory attendance requirements for several types of absences if the student makes up all work. These include the following activities and events:

- Religious holy days;
- Required court appearances;
- Activities related to obtaining United States citizenship;
- Documented health-care appointments for the student or a child of the student, including absences for recognized services for students diagnosed with autism spectrum disorders, if the student comes to school or returns to school on the same day as the appointment. A note from the health-care provider must be submitted upon the student’s arrival or return to campus; and
- For students in the conservatorship (custody) of the state,
  - An activity required under a court-ordered service plan; or
  - Any other court-ordered activity, provided it is not practicable to schedule the student’s participation in the activity outside of school hours.

As listed in Section I at **Children of Military Families**, absences of up to five days will be excused for a student to visit with a parent, stepparent, or legal guardian who has been called to duty for, is on leave from, or immediately returned from certain deployments. Please see page 11 for that section.

### ***Secondary Grade Levels***

In addition, a junior or senior student’s absence of up to two days related to visiting a college or university will be considered an exemption, provided this has been authorized by the board under policy FEA(LOCAL), the student receives approval from the campus principal, follows the campus procedures to verify such a visit, and makes up any work missed.

Absences of up to two days in a school year will also be considered an exemption for:

- A student serving as an early voting clerk, provided the district’s board has authorized this in policy FEA(LOCAL), the student notifies his or her teachers, and the student receives approval from the principal prior to the absences; and
- A student serving as an election clerk, if the student makes up any work missed.

An absence of a student in grades 6–12 for the purpose of sounding “Taps” at a military honors funeral for a deceased veteran will also be excused by the district.

## **Failure to Comply with Compulsory Attendance**

### ***All Grade Levels***

School employees must investigate and report violations of the state compulsory attendance law. A student absent without permission from school; from any class; from required special

programs, such as additional special instruction, termed “accelerated instruction” by the state; or from required tutorials will be considered in violation of the compulsory attendance law and subject to disciplinary action.

### ***Age 19 and Older***

After a student age 19 or older incurs a third unexcused absence, the district will send the student a letter as required by law explaining that the district may revoke the student’s enrollment for the remainder of the school year if the student has more than five unexcused absences in a semester. As an alternative to revoking a student’s enrollment, the district may implement a behavior improvement plan.

### ***Between Ages 6 and 19***

When a student between ages 6 and 19 incurs unexcused absences for three or more days or parts of days within a four-week period, the school will send a notice to the student’s parent, as required by law, to remind the parent that it is the parent’s duty to monitor his or her child’s attendance and to require the student to come to school. The notice will also inform the parent that the district will initiate truancy prevention measures and request a conference between school administrators and the parent. These measures will include a behavior improvement plan, school-based community service, or referrals to either in-school or out-of-school counseling or other social services. Any other measures considered appropriate by the district will also be initiated.

The truancy prevention facilitator for the district is Carol Atwood. If you have questions about your student and the effect of his or her absences from school, please contact the facilitator at 281-641-8125, or any other campus administrator.

A court of law may also impose penalties against a student’s parent if a school-aged student is deliberately not attending school. A complaint against the parent may be filed in court if the student is absent without excuse from school on ten or more days or parts of days within a six-month period in the same school year.

If a student ages 12 through 18 incurs unexcused absences on ten or more days or parts of days within a six-month period in the same school year, the district, in most circumstances, will refer the student to truancy court.

[See policy FEA(LEGAL).]

### **Attendance for Credit or Final Grade (Kindergarten Through Grade 12)**

To receive credit or a final grade in a class, a student in kindergarten–grade 12 must attend at least 90 percent of the days the class is offered. A student who attends at least 75 percent but fewer than 90 percent of the days the class is offered may receive credit or a final grade for the class if he or she completes a plan, approved by the principal, that allows the student to fulfill the instructional requirements for the class. If a student is involved in a criminal or juvenile court proceeding, the approval of the judge presiding over the case will also be required before the student receives credit or a final grade for the class.

If a student attends less than 75 percent of the days a class is offered or has not completed the plan approved by the principal, then the student will be referred to the attendance review

committee to determine whether there are extenuating circumstances for the absences and how the student can regain credit or a final grade lost because of absences. [See policy FEC.]

All absences, whether excused or unexcused, must be considered in determining whether a student has attended the required percentage of days. In determining whether there were extenuating circumstances for the absences, the attendance committee will use the following guidelines:

- If makeup work is completed, absences for the reasons listed above at **Exemptions to Compulsory Attendance** will be considered extenuating circumstances for purposes of attendance for credit or the award of a final grade.
- A transfer or migrant student begins to accumulate absences only after he or she has enrolled in the district.
- In reaching a decision about a student's absences, the committee will attempt to ensure that it is in the best interest of the student.
- The committee will review absences incurred based on the student's participation in board-approved extracurricular activities. These absences will be considered by the attendance committee as extenuating circumstances in accordance with the absences allowed under FM(LOCAL) if the student made up the work missed in each class.
- The committee will consider the acceptability and authenticity of documented reasons for the student's absences.
- The committee will consider whether the absences were for reasons over which the student or the student's parent could exercise any control.
- The committee will consider the extent to which the student has completed all assignments, mastered the essential knowledge and skills, and maintained passing grades in the course or subject.
- The student or parent will be given an opportunity to present any information to the committee about the absences and to talk about ways to earn or regain credit or a final grade.

The student or parent may appeal the committee's decision to the board by following policy FNG(LOCAL).

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

### **Official Attendance-Taking Time (All Grade Levels)**

The district must submit attendance of its students to the TEA reflecting attendance at a specific time each day.

Each school determines its own official attendance time that will be announced at the beginning of the school year. This information will also be published on the school website. Students not in attendance during the official attendance time will be marked absent.

A student absent for any portion of the day, including at the official attendance-taking time, should follow the procedures below to provide documentation of the absence.

### **Documentation After an Absence (All Grade Levels)**

When a student is absent from school, the student—upon arrival or return to school—must bring a note signed by the parent that describes the reason for the absence. A note signed by the student, even with the parent’s permission, will not be accepted unless the student is age 18 or older or is an emancipated minor under state law. A phone call from the parent may be accepted, but the district reserves the right to require a written note.

The campus will document in its attendance records for the student whether the absence is considered by the district to be excused or unexcused. Please note that, unless the absence is for a statutorily allowed reason under compulsory attendance laws, the district is not required to excuse any absence, even if the parent provides a note explaining the absence.

### **Doctor’s Note After an Absence for Illness (All Grade Levels)**

Upon return to school, a student absent for more than 3 consecutive days because of a personal illness must bring a statement from a doctor or health clinic verifying the illness or condition that caused the student’s extended absence from school. Otherwise, the student’s absence may be considered unexcused and, if so, would be considered to be in violation of compulsory attendance laws.

Should the student develop a questionable pattern of absences, the principal or attendance committee may require a statement from a doctor or health clinic verifying the illness or condition that caused the student’s absence from school in order to determine whether the absence or absences will be excused or unexcused.

[See policy FEC(LOCAL).]

### **Driver License Attendance Verification (Secondary Grade Levels Only)**

For a student between the ages of 16 and 18 to obtain a driver license, written parental permission must be provided for the Texas Department of Public Safety (DPS) to access the student’s attendance records and, in certain circumstances, for a school administrator to provide the student’s attendance information to DPS. A verification of enrollment (VOE) form may be obtained from the office, which the student will need to submit to DPS upon application for a driver license.

### **ACCOUNTABILITY UNDER STATE AND FEDERAL LAW (All Grade Levels)**

Humble ISD and each of its campuses are held to certain standards of accountability under state and federal law. A key component of the accountability requirements is the dissemination and publication of certain reports and information, which include:

- The Texas Academic Performance Report (TAPR) for the district, compiled by TEA, the state agency that oversees public education, based on academic factors and ratings;
- A School Report Card (SRC) for each campus in the district compiled by TEA based on academic factors and ratings;
- The district’s financial management report, which will include the financial accountability rating assigned to the district by TEA;

- The performance ratings of the district’s evaluation of community and student engagement using the indicators required by law; and
- Information compiled by TEA for the submission of a federal report card that is required by federal law.

Information about all of these can be found on the district’s website at [www.humbleisd.net](http://www.humbleisd.net). Hard copies of any reports are available upon request to the district’s administration office.

TEA also maintains additional accountability and accreditation information at <http://www.texaschoolaccountabilitydashboard.org> and <http://www.tea.texas.gov>.

## **BULLYING (All Grade Levels)**

Bullying occurs when a student or group of students engages in written or verbal expression, expression through electronic methods, or physical conduct against another student on school property, at a school-sponsored or -related activity, or in a district operated vehicle, and the behavior:

- Results in harm to the student or the student’s property;
- Places a student in reasonable fear of physical harm or of damage to the student’s property; or
- Is so severe, persistent, and pervasive that it creates an intimidating, threatening, or abusive educational environment.

This conduct is considered bullying if it exploits an imbalance of power between the student perpetrator(s) and the student victim and if it interferes with a student’s education or substantially disrupts the operation of the school.

Bullying is prohibited by the district and could include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name-calling, rumor-spreading, or ostracism. In some cases, bullying can occur through electronic methods, called “cyberbullying.”

If a student believes that he or she has experienced bullying or has witnessed bullying of another student, it is important for the student or parent to notify a teacher, school counselor, principal, or another district employee as soon as possible to obtain assistance and intervention. The administration will investigate any allegations of bullying or other related misconduct.

If the results of an investigation indicate that bullying has occurred, the administration will take appropriate disciplinary action. Disciplinary or other action may be taken even if the conduct did not rise to the level of bullying. The district will also contact the parents of the victim and of the student who was found to have engaged in the bullying. Available counseling options will be provided to these individuals, as well as to any students who have been identified as witnesses to the bullying.

Any retaliation against a student who reports an incident of bullying is prohibited.

Upon the recommendation of the administration, the board may, in response to an identified case of bullying, decide to transfer a student found to have engaged in bullying to another classroom at the campus. In consultation with the student’s parent, the student may also be transferred to another campus in the district. The parent of a student who has been determined by the district to

be a victim of bullying may request that his or her child be transferred to another classroom or campus within the district. [Also see **Safety Transfers/Assignments** on page 12.]

A copy of the district's policy is available in the principal's office, superintendent's office, and on the district's website, and is included at the end of this handbook in the form of an appendix. Procedures related to reporting allegations of bullying may also be found on the district's website.

A student or parent who is dissatisfied with the outcome of an investigation may appeal through policy FNG(LOCAL).

[Also see **Safety Transfers/Assignments** on page 12, **Dating Violence, Discrimination, Harassment, and Retaliation** on page 29, **Hazing** on page 65, policy FFI, and the district improvement plan, a copy of which can be viewed in the campus office.]

## **CAREER AND TECHNICAL EDUCATION (CTE) PROGRAMS (Secondary Grade Levels Only)**

The district offers career and technical education programs in the following areas: Agriculture, arts and audio/video production, hospitality and tourism, information technology, law and public safety, human services, education and training, business, finance, health science, engineering, manufacturing, marketing, and transportation.

These programs will be offered without regard to race, color, national origin, sex, or disability. Humble ISD will take steps to ensure that lack of English language skills will not be a barrier to admission and participation in all educational and CTE programs. [Also see **Nondiscrimination Statement** on page 81 for the name and contact information for the Title IX coordinator and Section 504 coordinator, who will address certain allegations of discrimination.]

## **CELEBRATIONS (All Grade Levels)**

Although a parent or grandparent is not prohibited from providing food for a school-designated function or for children in the child's or grandchild's classroom for his or her birthday, please be aware that children in the school may have severe allergies to certain food products. Therefore, it is imperative to discuss this with the child's teacher prior to bringing any food in this circumstance. Occasionally, the school or a class may host certain functions or celebrations tied to the curriculum that will involve food. The school or teacher will notify students and parents of any known food allergies when soliciting potential volunteers for bringing food products.

[Also see **Food Allergies** on page 69.]

### **Elementary**

Students in pre-kindergarten through second grade are allowed to have 3 class parties each year – Winter Holiday, Valentine's Day and Spring. Students in grades three through five are allowed to have 2 class parties each year – Winter Holiday and Valentine's Day. These parties are to be held the last part of the instructional day.

- All parties and campus celebrations must have the authorization of the building principal.
- Parties for teachers or individual pupils will not be permitted during school hours.

Students may bring treats for the parties, such as the Winter Holiday, Valentine's, or Spring parties.

End-of-year activities for fifth graders may be conducted under the following guidelines:

- The activity must be held on school property or adjacent greenbelt or parkland during school hours.
- The activities may not exceed one hour.
- The activity must have the full approval of the campus principal.

Invitations to parties held outside of school, or events hosted or sponsored by parents, cannot be distributed at school.

## **CHILD SEXUAL ABUSE AND OTHER MALTREATMENT OF CHILDREN (All Grade Levels)**

The district has established a plan for addressing child sexual abuse and other maltreatment of children, which may be accessed at [www.humbleisd.net](http://www.humbleisd.net). As a parent, it is important for you to be aware of warning signs that could indicate a child may have been or is being sexually abused. Sexual abuse in the Texas Family Code is defined as any sexual conduct harmful to a child's mental, emotional, or physical welfare as well as a failure to make a reasonable effort to prevent sexual conduct with a child. A person who compels or encourages a child to engage in sexual conduct commits abuse. It is illegal to make or possess child pornography or to display such material to a child. 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).

Possible physical warning signs of sexual abuse could be difficulty sitting or walking, pain in the genital areas, and claims of stomachaches and headaches. Behavioral indicators may include verbal references or pretend games of sexual activity between adults and children, fear of being alone with adults of a particular gender, or sexually suggestive behavior. Emotional warning signs to be aware of include withdrawal, depression, sleeping and eating disorders, and problems in school.

A child who has experienced sexual abuse or any other type of abuse or neglect should be encouraged to seek out a trusted adult. Be aware as a parent or other trusted adult that disclosures of sexual abuse may be more indirect than disclosures of physical abuse and neglect, and it is important to be calm and comforting if your child, or another child, confides in you. Reassure the child that he or she did the right thing by telling you.

As a parent, if your child is a victim of sexual abuse or other maltreatment, the school counselor or principal will provide information regarding counseling options for you and your child available in your area. The Texas Department of Family and Protective Services (TDFPS) also manages early intervention counseling programs. To find out what services may be available in your county, see

[http://www.dfps.state.tx.us/Prevention\\_and\\_Early\\_Intervention/Programs\\_Available\\_In\\_Your\\_County/default.asp](http://www.dfps.state.tx.us/Prevention_and_Early_Intervention/Programs_Available_In_Your_County/default.asp).

The following websites might help you become more aware of child abuse and neglect:



- <https://www.childwelfare.gov/pubs/factsheets/whatiscan.pdf>
- [http://kidshealth.org/parent/positive/talk/child\\_abuse.html](http://kidshealth.org/parent/positive/talk/child_abuse.html)
- <http://taasa.org/resources-2/>
- [http://www.oag.state.tx.us/AG\\_Publications/txts/childabuse1.shtml](http://www.oag.state.tx.us/AG_Publications/txts/childabuse1.shtml)
- [http://www.oag.state.tx.us/AG\\_Publications/txts/childabuse2.shtml](http://www.oag.state.tx.us/AG_Publications/txts/childabuse2.shtml)

Reports of abuse or neglect may be made to:

The CPS division of the TDFPS (1 800-252-5400 or on the web at <http://www.txabusehotline.org>).

### **CLASS RANK/HIGHEST-RANKING STUDENT (Secondary Grade Levels Only)**

- Senior class rank shall be determined by adding all grade points earned from the first day of the school year of the freshman year through the last day of the third nine-week grading period of the senior year. High school courses taken in summer school after completing grade 8 shall be included when determining senior class rank as shall high school courses taken at Humble ISD high schools prior to the 9<sup>th</sup> grade year. All courses except aide positions shall be included in the calculations;
- For students who meet all graduation requirements prior to the graduation, GPA shall be determined during the eighth semester or the semester of graduation, whichever comes first.
- The total number of grade points shall be divided by the total number of all semester grades earned, including all failing marks, correspondence courses, and summer school;
- In computing grade points, only traditional marks shall be used. Marks such as pass/fail or S and U shall be excluded.
- Students who are denied credit because of excessive absences shall have both the course and the grade counted in computing the grade point average (GPA);
- Weighted grade points shall be used to compute class rank. Numerical grades shall be awarded for all courses. The number of grade points earned for a particular numeric grade in on-level courses or in advanced courses shall be different. The grade point scale by level of course shall be published annually in the Humble ISD High School Course Guide;
- All grades from other schools shall be converted to the District's grade equivalent. If a student took advanced courses in another district that are not offered in the District, these courses shall be treated as on-level courses when determining class rank but shall be noted as advanced courses on the transcript; and
- The average of the advanced third nine-week grades shall be counted as the semester grade for senior class rank and final GPA.

Due to enrollment, academic, disciplinary and course requirements, the highest ranking students may not necessarily be valedictorian or salutatorian. Specific requirements for determining the

honor of valedictorian and salutatorian can be found in policy. [For further information, see policy EIC.]

## **CLASS SCHEDULES (Secondary Grade Levels Only)**

All students are expected to attend school for the entire school day and maintain a class/course schedule to fulfill each period of the day. Exceptions may be made occasionally by the campus principal for students in grades 9–12 who meet specific criteria and receive parental consent to enroll in less than a full-day’s schedule.

[See **Schedule Changes** on page 89 for information related to student requests to revise their course schedule.]

## **COLLEGE AND UNIVERSITY ADMISSIONS (Secondary Grade Levels Only)**

For two school years following his or her graduation, a district student who graduates in the top ten percent and, in some cases, the top 25 percent, of his or her class is eligible for automatic admission into four-year public universities and colleges in Texas if the student:

- Completes the Recommended or Advanced/Distinguished Achievement Program\*; or
- Satisfies the ACT College Readiness Benchmarks or earns at least a 1500 out of 2400 on the SAT.

\*Beginning with ninth graders in the 2014–15 school year, to be eligible for automatic admission to a Texas four-year college or university, a student must be on track to graduate with the distinguished level of achievement under the foundation graduation program. This means that a student must graduate with at least one endorsement and must have taken Algebra II as one of the four required math courses.

In addition, the student must submit a completed application for admission in accordance with the deadline established by the college or university. The student is ultimately responsible for ensuring that he or she meets the admission requirements of the university or college to which the student submits an application.

The University of Texas at Austin may limit the number of students automatically admitted to 75 percent of the University’s enrollment capacity for incoming resident freshmen. For students who are eligible to enroll in the University of Texas at Austin during the summer or fall 2016/term, the University will be admitting the top seven percent of the high school’s graduating class who meet the above requirements. Additional applicants will be considered by the University through a holistic review process.

Should a college or university adopt an admissions policy that automatically accepts the top 25 percent of a graduating class, the provisions above will also apply to a student ranked in the top 25 percent of his or her class.

Students and parents should contact the school counselor for further information about automatic admissions, the application process, and deadlines.

[See also **Class Rank/Highest-Ranking Student** on page 23 for information specifically related to how the district calculates a student’s rank in class, and requirements for **Graduation** on page 58 for information associated with the foundation graduation program].

## **COLLEGE CREDIT COURSES (Secondary Grade Levels Only)**

Students in grades 9–12 have opportunities to earn college credit through the following methods:

- Certain courses taught at the high school campus, which may include courses termed dual credit, Advanced Placement (AP), International Baccalaureate (IB), or college preparatory;
- Enrollment in an AP or dual credit course through the Texas Virtual School Network;
- Enrollment in courses taught in conjunction and in partnership with Lone Star College, which may be offered on or off campus;
- Enrollment in courses taught at other colleges or universities; and
- Certain CTE courses.

All of these methods have eligibility requirements and must be approved prior to enrollment in the course. Please see the school counselor for more information. Depending on the student's grade level and the course, a state-mandated end-of-course assessment may be required for graduation.

It is important to keep in mind that not all colleges and universities accept credit earned in all dual credit or AP courses taken in high school for college credit. Students and parents should check with the prospective college or university to determine if a particular course will count toward the student's desired degree plan.

## **COMPLAINTS AND CONCERNS (All Grade Levels)**

Usually student or parent complaints or concerns can be addressed informally by a phone call or a conference with the teacher or principal. For those complaints and concerns that cannot be handled so easily, the board has adopted a standard complaint policy at FNG(LOCAL) in the district's policy manual. A copy of this policy may be obtained in the principal's or superintendent's office or on the district's website at [www.humbleisd.net](http://www.humbleisd.net).

### **Informal Problem Solving Process**

District policy encourages students and parents to discuss their concerns with the appropriate teacher, principal, or other campus administrator who has the authority to address the concern. The counselor's office will assist parents in arranging for a teacher to call or to set up a conference. Concerns should be expressed as soon as possible to allow for early resolution of the lowest possible administrative level. Informal resolution shall be encouraged even after a more formal complaint has been filed, but shall not extend any deadlines except by mutual written consent.

### **Formal Problem Solving Process**

For those complaints and concerns that cannot be resolved through the informal process, the parent or student should file a district complaint form within the timelines established in policy FNG(LOCAL). A copy of this policy, and the complaint forms, may be obtained in the principal's office or at [www.humbleisd.net](http://www.humbleisd.net). The policy and form both provide submission instructions. If still unresolved, the district provides for the complaint to be presented to the board of trustees.

## **CONDUCT (All Grade Levels)**

### **Applicability of School Rules**

As required by law, the board has adopted a Student Code of Conduct that prohibits certain behaviors and defines standards of acceptable behavior—both on and off campus as well as on district vehicles—and consequences for violation of these standards. The district has disciplinary authority over a student in accordance with the Student Code of Conduct. Students and parents should be familiar with the standards set out in the Student Code of Conduct, as well as campus and classroom rules. During any periods of instruction during the summer months, the Student Handbook and Student Code of Conduct in place for the year immediately preceding the summer period shall apply, unless the district amends either or both documents for the purposes of summer instruction.

### **Campus Behavior Coordinator**

Humble ISD designates the campus principal to be primarily responsible for maintaining student discipline, but also designates each associate principal and assistant principal as campus behavior coordinators. The district maintains the names of these individuals on each campus's website at [www.humbleisd.net](http://www.humbleisd.net).

### **Disruptions of School Operations**

Disruptions of school operations are not tolerated and may constitute a misdemeanor offense. As identified by law, disruptions include the following:

- Interference with the movement of people at an exit, entrance, or hallway of a district building without authorization from an administrator.
- Interference with an authorized activity by seizing control of all or part of a building.
- Use of force, violence, or threats in an attempt to prevent participation in an authorized assembly.
- Use of force, violence, or threats to cause disruption during an assembly.
- Interference with the movement of people at an exit or an entrance to district property.
- Use of force, violence, or threats in an attempt to prevent people from entering or leaving district property without authorization from an administrator.
- Disruption of classes or other school activities while on district property or on public property that is within 500 feet of district property. Class disruption includes making loud noises; trying to entice a student away from, or to prevent a student from attending, a required class or activity; and entering a classroom without authorization and disrupting the activity with loud or profane language or any misconduct.
- Interference with the transportation of students in vehicles owned or operated by the district.

## **Social Events**

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

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

Please contact the campus principal if you are interested in serving as a chaperone for any school social events.

## **COUNSELING**

### **Academic Counseling**

#### ***Elementary and Middle School Grade Levels***

The school counselor is available to students and parents to talk about the importance of postsecondary education and how best to plan for postsecondary education, including appropriate courses to consider and financial aid availability and requirements.

In either grade 7 or 8, each student will receive instruction related to how the student can best prepare for high school, college, and a career.

#### ***High School Grade Levels***

High school students and their parents are encouraged to talk with a school counselor, teacher, or principal to learn more about course offerings, graduation requirements, and early graduation procedures. Each year, high school students will be provided information on anticipated course offerings for the next school year and other information that will help them make the most of academic and CTE opportunities, as well as information on the importance of postsecondary education.

The school counselor can also provide information about entrance exams and application deadlines, as well as information about automatic admission, financial aid, housing, and scholarships as these relate to state colleges and universities. The school counselor can also provide information about workforce opportunities after graduation or technical and trade school opportunities, including opportunities to earn industry-recognized certificates and licenses.

### **Personal Counseling (All Grade Levels)**

The school counselor is available to assist students with a wide range of personal concerns, including such areas as social, family, emotional or mental health issues, or substance abuse. A student who wishes to meet with the school counselor should contact the school counselor or another trusted staff member. As a parent, if you are concerned about your child's mental or emotional health, please speak with the school counselor for a list of resources that may be of assistance.

[Also see **Substance Abuse Prevention and Intervention** on page 99 and **Suicide Awareness** on page 99.]

## **COURSE CREDIT (Secondary Grade Levels Only)**

A student in grades 9–12, or in a lower grade when a student is enrolled in a high school credit-bearing course, will earn credit for a course only if the final grade is 70 or above. For a two-semester (1 credit) course, the student’s grades from both semesters will be averaged and credit will be awarded if the combined average is 70 or above. Should the student’s combined average be less than 70, the student will be required to retake the semester in which he or she failed.

## **CREDIT BY EXAM—If a Student Has Taken the Course/Subject (All Grade Levels)**

A student who has previously taken a course or subject—but did not receive credit or a final grade for it—may, in circumstances determined by the principal or attendance committee, be permitted to earn credit by passing an exam approved by the district’s board of trustees on the essential knowledge and skills defined for that course or subject. Prior instruction may include, for example, incomplete coursework due to a failed course or excessive absences, homeschooling, or coursework by a student transferring from a nonaccredited school. The opportunity to take an examination to earn credit for a course or to be awarded a final grade in a subject after the student has had prior instruction is sometimes referred to as “credit recovery.”

The school counselor or principal would determine if the student could take an exam for this purpose. If approval is granted, the student must score at least 70 on the exam to receive credit for the course or subject.

The attendance review committee may also offer a student with excessive absences an opportunity to earn credit for a course by passing an exam.

[For further information, see the school counselor and policy EHDB(LOCAL).]

## **CREDIT BY EXAM FOR ADVANCEMENT/ACCELERATION—If a Student Has Not Taken the Course/Subject**

A student will be permitted to take an exam to earn credit for an academic course or subject area for which the student has had no prior instruction, i.e., for advancement or to accelerate to the next grade level. The exams offered by the district are approved by the district’s board of trustees, and state law requires the use of certain exams, such as College Board Advanced Placement (AP) and College Level Examination Program (CLEP) tests, when applicable. The dates on which exams are scheduled during the 2016-17 school year will be published in appropriate district publications and on the district’s website. The only exceptions to the published dates will be for any exams administered by another entity besides the district or if a request is made outside of these time frames by a student experiencing homelessness or by a student involved in the foster care system. When another entity administers an exam, a student and the district must comply with the testing schedule of the other entity. During each testing window provided by the district, a student may attempt a specific exam only once.

If a student plans to take an exam, the student (or parent) must register with the school counselor no later than 30 days prior to the scheduled testing date. [For further information, see policy EHDC.]

### **Students in Grades 1–5**

A student in elementary school will be eligible to accelerate to the next grade level if the student scores at least 80 on each exam in the subject areas of language arts, mathematics, science, and social studies, a district administrator recommends that the student be accelerated, and the student's parent gives written approval of the grade advancement.

### **Students in Grades 6–12**

A student in grade 6 or above will earn course credit with a passing score of at least 80 on the exam, a scaled score of 50 or higher on an exam administered through the CLEP, or a score of 3 or higher on an AP exam, as applicable. A student may take an exam to earn high school course credit no more than twice. If a student fails to achieve the designated score on the applicable exam before the beginning of the school year in which the student would need to enroll in the course according to the school's high school course sequence, the student must complete the course.

## **DATING VIOLENCE, DISCRIMINATION, HARASSMENT, AND RETALIATION (All Grade Levels)**

The district believes that all students learn best in an environment free from dating violence, discrimination, harassment, and retaliation and that their welfare is best served when they are free from this prohibited conduct while attending school. Students are expected to treat other students and district employees with courtesy and respect, to avoid behaviors known to be offensive, and to stop those behaviors when asked or told to stop. District employees are expected to treat students with courtesy and respect.

The board has established policies and procedures to prohibit and promptly respond to inappropriate and offensive behaviors that are based on a person's race, color, religion, gender, national origin, disability, or any other basis prohibited by law. A copy of the district's policy is available in the principal's office and in the superintendent's office or at [www.humbleisd.net](http://www.humbleisd.net). [See policy FFH.]

### **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. This type of conduct is considered harassment if the conduct is so severe, persistent, or pervasive that it affects the student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; or substantially interferes with the student's academic performance.

Examples of dating violence against a student may include, but are not limited to, physical or sexual assaults; name-calling; put-downs; threats to hurt the student, the student's family members, or members of the student's household; destroying property belonging to the student; threats to commit suicide or homicide if the student ends the relationship; threats to harm a

student's current dating partner; attempts to isolate the student from friends and family; stalking; or encouraging others to engage in these behaviors.

### **Discrimination**

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

### **Harassment**

Harassment, in general terms, is conduct so severe, persistent, or pervasive that it affects the student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; or substantially interferes with the student's academic performance.

Examples of harassment may include, but are not limited to, offensive or derogatory language directed at a person's religious beliefs or practices, accent, skin color, or need for accommodation; threatening, intimidating, or humiliating conduct; offensive jokes, name-calling, slurs, or rumors; physical aggression or assault; graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or other kinds of aggressive conduct such as theft or damage to property.

In addition to dating violence as described above, two other types of prohibited harassment are described below.

### **Disability Harassment**

Disability harassment is defined as conduct based on a student's disability. Examples of disability harassment may include derogatory language, offensive jokes, name calling, slurs, or rumors directed at a student that is sufficiently severe, pervasive or persistent that it affects, interferes with or limits the ability of the student to participate in or benefit from the school's educational program. [For additional information and examples, please refer to Board Policy FFH.]

### **Racial Harassment**

Racial harassment is defined as conduct based on a student's race, color or national origin. Such harassment may be perpetrated by a member of the staff, a student, or a third party. Examples of racial harassment may include derogatory language, offensive jokes, name calling, slurs or rumors directed at a student's race, color, or national origin that is sufficiently severe, pervasive or persistent that it affects, interferes with or limits the ability of the student to participate in or benefit from the school's educational program. [For additional information and examples, please refer to Board Policy FFH.]

### **Sexual Harassment and Gender-Based Harassment**

Sexual harassment and gender-based harassment of a student by an employee, volunteer, or another student are prohibited.



Examples of sexual harassment may include, but not be limited to, touching private body parts or coercing physical contact that is sexual in nature; sexual advances; jokes or conversations of a sexual nature; and other sexually motivated conduct, communications, or contact.

Sexual harassment of a student by an employee or volunteer does not include necessary or permissible physical contact not reasonably construed as sexual in nature, such as comforting a child with a hug or taking the child's hand. However, romantic and other inappropriate social relationships, as well as all sexual relationships, between students and district employees are prohibited, even if consensual.

Gender-based harassment includes harassment based on a student's gender, expression by the student of stereotypical characteristics associated with the student's gender, or the student's failure to conform to stereotypical behavior related to gender.

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, but not be limited to, 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.

### **Retaliation**

Retaliation against a person who makes a good faith report of discrimination or harassment, including dating violence, is prohibited. Retaliation against a person who is participating in an investigation of alleged discrimination or harassment is also prohibited. A person who makes a false claim or offers false statements or refuses to cooperate with a district investigation, however, may be subject to appropriate discipline.

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

### **Reporting Procedures**

Any student who believes that he or she has experienced dating violence, discrimination, harassment, or retaliation should immediately report the problem to a teacher, school counselor, principal, or other district employee. The report may be made by the student's parent. [See policy FFH(LOCAL) for other appropriate district officials to whom to make a report.]

Upon receiving a report of prohibited conduct as defined by policy FFH, the district will determine whether the allegations, if proven, would constitute prohibited conduct as defined by that policy. If not, the district will refer to policy FFI to determine if the allegations, if proven, would constitute bullying, as defined by law and that policy. If the alleged prohibited conduct, if proven, would constitute prohibited conduct and would also be considered bullying as defined by law and policy FFI, an investigation of bullying will also be conducted.

The district will promptly notify the parents of any student alleged to have experienced prohibited conduct involving an adult associated with the district. In the event alleged prohibited conduct involves another student, the district will notify the parents of the student alleged to have experienced the prohibited conduct when the allegations, if proven, would constitute a violation as defined by policy FFH.

## **Investigation of Report**

To the extent possible, the district will respect the privacy of the student; however, limited disclosures may be necessary to conduct a thorough investigation and to comply with law. Allegations of prohibited conduct, which includes dating violence, discrimination, harassment, and retaliation, will be promptly investigated.

If a law enforcement or other regulatory agency notifies the district that it is investigating the matter and requests that the district delay its investigation, the district will resume the investigation at the conclusion of the agency's investigation.

During the course of an investigation and when appropriate, the district will take interim action to address the alleged prohibited conduct.

If the district's investigation indicates that prohibited conduct occurred, appropriate disciplinary action, and, in some cases, corrective action, will be taken to address the conduct. The district may take disciplinary and corrective action even if the conduct that is the subject of the complaint was not unlawful.

All involved parties will be notified of the outcome of the district investigation within the parameters and limits allowed under the Family Educational Rights and Privacy Act (FERPA).

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

## **DISCRIMINATION**

[See **Dating Violence, Discrimination, Harassment, and Retaliation** on page 32.]

## **DISTANCE LEARNING**

### **All Grade Levels**

Distance learning and correspondence courses include courses that encompass the state-required essential knowledge and skills but are taught through multiple technologies and alternative methodologies such as mail, satellite, Internet, video-conferencing, and instructional television.

The distance learning opportunities that the district makes available to district students are the Texas Virtual School Network and correspondence courses through Texas Tech University.

If a student wishes to enroll in a correspondence course or a distance learning course that is not provided through the Texas Virtual School Network (TxVSN), as described below, in order to earn credit in a course or subject, the student must receive permission from the principal prior to enrolling in the course or subject. If the student does not receive prior approval, the district may not recognize and apply the course or subject toward graduation requirements or subject mastery.

### **Texas Virtual School Network (TxVSN) (Secondary Grade Levels)**

The Texas Virtual School Network (TxVSN) has been established by the state as one method of distance learning. A student has the option, with certain limitations, to enroll in a course offered through the TxVSN to earn course credit for graduation.

Depending on the TxVSN course in which a student enrolls, the course may be subject to the "no pass, no play" rules. [Also see **Extracurricular Activities, Clubs, and Organizations** on page

48.] In addition, for a student who enrolls in a TxVSN course for which an end-of-course (EOC) assessment is required, the student must still take the corresponding EOC assessment.

If you have questions or wish to make a request that your child be enrolled in a TxVSN course, please contact the school counselor. Unless an exception is made by the campus principal, a student will not be allowed to enroll in a TxVSN course if the school offers the same or a similar course.

A copy of policy EHDE will be distributed to parents of middle and high school students at least once each year. If you do not receive a copy or have questions about this policy, please contact the campus counselor.

## **DISTRIBUTION OF LITERATURE, PUBLISHED MATERIALS, OR OTHER DOCUMENTS (All Grade Levels)**

### **School Materials**

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

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

### **Non-school Materials**

#### ***From Students***

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

The campus principal will designate the location for approved non-school materials to be placed for voluntary viewing or collection by students. [See policy FNAA.]

A student may appeal a decision in accordance with policy FNG(LOCAL). Any student who sells, posts, circulates, or distributes non-school material without prior approval will be subject to disciplinary action in accordance with the Student Code of Conduct. Materials displayed without approval will be removed.

#### ***From Others***

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

will approve or reject the materials within two school days of the time the materials are received. The requestor may appeal a rejection in accordance with the appropriate district complaint policy. [See policies at DGBA or GF.]

The campus principal will designate the location for approved non-school materials to be placed for voluntary viewing or collection.

Prior review will not be required for:

- Distribution of materials by an attendee to other attendees of a school-sponsored meeting intended for adults and held after school hours.
- Distribution of materials by an attendee to other attendees of a community group meeting held after school hours in accordance with policy GKD(LOCAL) or a noncurriculum-related student group meeting held in accordance with FNAB(LOCAL).
- Distribution for electioneering purposes during the time a school facility is being used as a polling place, in accordance with state law.

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

## **DRESS AND GROOMING (All Grade Levels)**

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

- Hair
  - Hair must be neat, clean and well groomed. Hair style/color must not create disruptions or distraction. Extreme hairstyles which include hair that is dyed an unnatural color (green, orange, etc.) will not be permitted.
  - Head sweat bands, hair rollers, or long handled combs may not be worn in the hair.
- Head Covering
  - No type of head covering, cap, or hat is to be worn or brought to school.
- Mustaches and Beards
  - The wearing of a mustache or beard is not acceptable; students are expected to shave as often as necessary to maintain good grooming habits.
- Dress
  - Any form of dress or grooming that attracts undue attention, disrupts school, is considered gang related, or detracts from the learning process is unacceptable.
  - No sleepwear is to be worn at school.
  - Mini-dresses and mini-skirts shorter than mid-thigh, spaghetti straps, leotards and halters as an outer garment are not acceptable.
  - Blouses covering tube tops must be buttoned.

- The length of shorts must be between knee and mid-thigh; no “short-shorts” are allowed.
- Fashions with slits to mid-thigh are not acceptable.
- Excessively loose or tight garments are not acceptable; all clothing should be appropriately fit.
- Shirts must be worn so as not to expose the bare chest. Male students may not wear shirts without sleeves. Tank tops or undershirts are not to be worn as outer garments. The midriff must not be exposed when a student goes through the normal activities of a school day (bending, stretching, reaching, etc.).
- Garments with inappropriate decorations or advertisements are not acceptable. The American flag is not to be worn as an article of clothing. A depiction of the American flag on clothing, in a respectful manner, is acceptable.
- Sunglasses are not allowed to be worn in the school building.
- Appropriate foundation garments must be worn at all times.
- Revealing garments are not permitted.
- Earrings may be worn in pierced ears of female students. Male students may not wear earrings. No student will wear jewelry in any other pierced area of the body.
- Shoes are to be worn. Steel-toed shoes, house slippers, cleats and roller/wheeled shoes are not permitted. Additionally, at elementary level campuses, heels above ½ inch and flip-flops are not permitted.
- Any garment or accessory that could be used in a threatening or menacing manner is prohibited.
- Make-up is not permitted at the elementary level.
- Visible tattoos are not permitted at any level.
- Exceptions to the Humble ISD dress code due to medical reasons must be approved by the grade level principal.

If the principal determines that a student’s grooming or clothing violates the school’s dress code, the student will be given an opportunity to correct the problem at school. If not corrected, the student may be assigned to in-school suspension for the remainder of the day, until the problem is corrected, or until a parent or designee brings an acceptable change of clothing to the school. Repeated offenses may result in more serious disciplinary action in accordance with the Student Code of Conduct.

## **ELECTRONIC DEVICES AND TECHNOLOGY RESOURCES (All Grade Levels)**

### **Possession and Use of Personal Telecommunications Devices, Including Mobile Telephones**

For safety purposes, the district permits students to possess personal mobile telephones as outlined in this handbook.

The use of mobile telephones or any device capable of capturing images is strictly prohibited in locker rooms or restroom areas while at school or at a school-related or school-sponsored event.

If a student uses a telecommunications device without authorization during the school day, the device will be confiscated. The student may pick up the confiscated telecommunications device from the principal's office for a fee of \$15.

Confiscated telecommunications devices that are not retrieved by the student or the student's parents will be disposed of after the notice required by law. [See policy FNCE.]

In limited circumstances and in accordance with law, a student's personal telecommunications device may be searched by authorized personnel. [See **Searches** on page            and policy FNF.]

Any disciplinary action will be in accordance with the Student Code of Conduct. The district is not responsible for damaged, lost, or stolen telecommunications devices.

### **Instructional Use of Personal Telecommunications and Other Electronic Devices**

In some cases, students may find it beneficial or might be encouraged to use personal telecommunications or other personal electronic devices for instructional purposes while on campus. Students must obtain prior approval before using personal telecommunications or other personal electronic devices for instructional use. Students must also sign a user agreement that contains applicable rules for use (separate from this handbook). Students who do not have access to personal electronic devices will be provided with a comparable District or campus-owned device on which to complete the assignment OR given similar assignments that do not require access to electronic devices. When students are not using the devices for approved instructional purposes, all devices must be turned off during the instructional day. Violations of the user agreement may result in withdrawal of privileges and other disciplinary action.

### **Acceptable Use of District Technology Resources**

To prepare students for an increasingly technological society, the district has made an investment in the use of district-owned technology resources for instructional purposes; specific resources may be issued individually to students. Use of these technological resources, which include the district's network systems and use of district equipment, is restricted to approved purposes only. Students and parents will be asked to sign a user agreement (separate from this handbook) regarding use of these district resources. Violations of the user agreement may result in withdrawal of privileges and other disciplinary action.

Use of all personal electronic devices, including smart phones, laptops, tablets, readers, handheld devices, storage devices, etc., used on district property, or attached to the district network, is subject to all guidelines of the Responsible Use Guidelines and the Student code of Conduct. A laptop, tablet, or phone may belong to the user, but the network belongs to Humble ISD and all Humble ISD network rules will apply. If approved personal devices disrupt network operations, Humble ISD has the right to discontinue future use, and the user may be liable for restitution for damages and/or disciplinary action.

## **Unacceptable and Inappropriate Use of Technology Resources**

Students are prohibited from possessing, sending, forwarding, posting, accessing, or displaying electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal. This prohibition also applies to conduct off school property, whether the equipment used to send such messages is district-owned or personally owned, if it results in a substantial disruption to the educational environment.

Any person taking, disseminating, transferring, possessing, or sharing obscene, sexually oriented, lewd, or otherwise illegal images or other content, commonly referred to as "sexting," will be disciplined according to the Student Code of Conduct, may be required to complete an educational program related to the dangers of this type of behavior, and, in certain circumstances, may be reported to law enforcement. Because engaging in this type of behavior can lead to bullying or harassment, as well as possibly impede future endeavors of a student, we encourage you to review with your child <http://beforeyoutext.com>, a state-developed program that addresses the consequences of engaging in inappropriate behavior using technology.

In addition, any student who engages in conduct that results in a breach of the district's computer security will be disciplined in accordance with the Student Code of Conduct, and, in some cases, the consequence may rise to the level of expulsion.

## **Permission to Access**

Humble ISD believes that the benefits to educators and students from access to electronic networks and the Internet far exceed any disadvantages. Ultimately, however, parent(s) and guardian(s) of minors are responsible for setting and conveying the standards that their child or ward should follow. To that end, Humble ISD supports and respects each family's right to decide whether or not to permit a child to participate in Internet access.

## **Warranties**

The Humble ISD and joint providers of the network make no warranties of any kind, whether expressed or implied, for the services provided. Humble ISD will not be responsible for any damages suffered while using the system. These damages include, but are not limited to, loss of data, delays, non-deliveries, service interruptions caused by the system, or service interruptions caused by errors or omissions of the user. The District specifically disclaims responsibility for the accuracy or quality of information obtained through Internet connections.

## **END-OF-COURSE (EOC) ASSESSMENTS**

[See **Graduation** on page 58 and **Standardized Testing** on page 97.]

## **ENGLISH LANGUAGE LEARNERS (All Grade Levels)**

A student who is an English language learner is entitled to receive specialized services from the district. To determine whether the student qualifies for services, a Language Proficiency Assessment Committee (LPAC) will be formed, which will consist of both district personnel and at least one parent representative. The student's parent must consent to any services recommended by the LPAC for an English language learner. However, pending the receipt of parental consent or denial of services, an eligible student will receive the services to which the student is entitled and eligible.

In order to determine a student's level of proficiency in English, the LPAC will use information from a variety of assessments. If the student qualifies for services, and once a level of proficiency has been established, the LPAC will then designate instructional accommodations or additional special programs that the student will require to eventually become proficient at grade level work in English. Ongoing assessments will be conducted to determine a student's continued eligibility for the program.

The LPAC will also determine whether certain accommodations are necessary for any state-mandated assessments. The STAAR L, as mentioned at **Standardized Testing** on page [REDACTED], may be administered to an English language learner, or, for a student up to grade 5, a Spanish version of STAAR. In limited circumstances, a student's LPAC may exempt the student from an otherwise required state-mandated assessment or may waive certain graduation requirements related to the English I end-of-course (EOC) assessment. The Texas English Language Proficiency Assessment System (TELPAS) will also be administered to English language learners who qualify for services.

If a student is considered an English language learner and receives special education services because of a qualifying disability, the student's ARD committee will make instructional and assessment decisions in conjunction with the LPAC.

## **ENROLLMENT, AGE REQUIREMENTS & STUDENTS IN SPECIAL CIRCUMSTANCES**

### **Age Requirements**

#### ***Pre-Kindergarten for Four Year-Olds***

Must be 4 years old on or before September 1, meet residency requirements and meet at least one of the following criteria:

- Be unable to speak or comprehend the English language, OR
- Be eligible to participate in the National School Lunch Program, OR
- Be homeless, OR
- Have ever been in conservatorship (foster care) of the Department of Family and Protective Services following an adversary hearing, OR
- Be the child of an active duty member of the armed forces of the United States, including state military forces of a reserved component of the armed forces, who is ordered to active duty by proper authority; or who is injured or killed while serving on duty.

#### ***Kindergarten***

Meet residency requirements AND

- Must be 5 years old on or before September 1. (See page 46 of Proof of Age), OR

#### ***First Grade***

Meet residency requirements AND



- Must be 6 years old on or before September 1. See page 46 of Proof of Age), OR
- Must be 6 years old on or before September 1 and must have completed kindergarten in a **public** school (provide documentation of completion of kindergarten from previous school), OR
- Must be 5 years old on or before September 1 and must have enrolled in first grade in a public school of another state before transferring to a Texas public school prior to enrollment. (Must provide documentation of 1<sup>st</sup> grade enrollment from previous school in another state.)

### **Attainment of Adult Status**

Upon reaching the age of eighteen (18), students living alone may claim legal responsibility for themselves, enabling them to write their own notes and attend school in a district other than the one in which their parents reside. Before this status is granted and accepted, a letter of responsibility must be filed with the District and a meeting with the campus principal must be scheduled to review school responsibilities as required by Texas Statutes.

### **Changes in Enrollment Information**

In the event any of the enrollment information (home address, home telephone, work address, guardianship, legal custody, etc.) changes, it is imperative that the school be notified immediately. The school must be able to contact a child's parents or guardian when the need arises. Proof of new residency must be presented for an address change.

### **Continuous Enrollment**

Students who completed the previous school year in this school district are automatically registered for the next year. The enrollment forms that are required for the new school year are electronic and will be available prior to the beginning of the next school year. These forms should be completed before the first day of school. [See Pre-Kindergarten and Kindergarten guidelines on page 43]

### **Custody Documents**

It is the parent's responsibility to provide the school with current legal documents when custody rights have been determined by a court of law. Legal documents are those with a judge's signature and a stamp of the court.

### **Early Graduates**

A three-year (May) graduate may participate in all spring senior activities provided that an approved early graduate plan is on file by the end of their 10<sup>th</sup> grade year. Applications may be obtained in the counseling office. [Additional information may be found in the high school planning guide.]

### **Falsification of Information**

As stated in Sec. 37.10 of the Penal Code (Tampering with Governmental Records) and TEC 25.001(h), a person who knowingly falsifies information on a form required for enrollment of a

student in a school district is liable to the district if the student is not eligible for enrollment in the district but is enrolled on the basis of false information. In addition to the penalty under Penal Code 37.10, the person is liable for the period during which the ineligible student is enrolled, for the greater of: (1) the maximum tuition fee the district may charge under Section 25.038; or (2) the amount the district has budgeted for each student as maintenance and operating expenses.

### **Food Allergy Information**

Parents must complete the following district forms if their child has a food allergy:

- Physician's Diet Modification

### **Foreign Exchange Students**

The intent of a foreign exchange program is to provide visiting students the opportunity to learn about the history of the United States, as well as the working of our government. Students should be encouraged to take an active part in the academic process and experience the social activities of the youth in the Humble ISD. The following guidelines will apply to foreign exchange students:

- The local representative from the various programs should contact the principal of the high school to secure approval to place the student within the school and must submit all required documentation concerning each exchange student no later than May 31, prior to the academic year of attendance. A final decision for the following year will be granted by July 15.
- Sponsoring agencies shall meet the requirements of the council on standards for International Educational Travel.
- The host family must enroll the exchange student. The area representative may not handle this procedure.
- The exchange student is responsible for providing the month/day/year of all immunizations. Immunization records must be in English.
- Every foreign exchange student will be classified as a junior (11<sup>th</sup> grade).
- All foreign exchange students will enroll in U.S. Government.
- Foreign exchange students will not be placed in the class ranking.
- Every foreign exchange student is encouraged to be fluent in writing and speaking English, but will not be denied if they have limited skills.
- Any cost for student records required by the foreign exchange program, or country, is the responsibility of the student.
- The district shall administer to a foreign exchange student the state assessments for enrolled courses for which there is a state assessment.
- Foreign exchange students will receive no free or reduced lunch as part of the exchange program.

- Coaches and sponsors of extracurricular activities will be responsible for obtaining and checking proper credentials for participation in each activity.
- If a foreign exchange student is returned to his/her country or is moved to another district, no new foreign exchange student can be sent to replace the student sent home or being moved.
- Humble ISD high schools are limited to five (5) foreign exchange students per campus.

### **Homeless Students**

The enrollment process in Humble ISD includes a Student Residency Questionnaire as part of our comprehensive efforts to identify students and families currently experiencing homelessness. [Also see **Homeless Students** on page 73.]

### **Immunization Records**

Immunization records and all documents claiming exemption are required prior to enrollment in Humble ISD. This includes all special education programs, SPEAK classes, PPCD and ECI services, whether the services are on or off campus. The immunization requirements are listed in the **Immunizations (All Grade Levels)** on page 73 of this handbook. Reasons of Conscience forms must be completed, notarized and submitted to the school before enrollment.

### **Legal Custody for Enrollment**

Students under eighteen (18) years of age must be living with their parents, legal guardians, managing conservators, any other persons acting under a valid court order, or other persons to whom placement has been made by a parent placement agency currently licensed by the State of Texas.

### **Married Students**

Students who are married may also claim legal responsibility for themselves. They must follow the same procedure listed above for eighteen-year-old students. Married students must have a conference with the principal, the assistant principal, or grade level counselor to discuss the new responsibilities of the students and their change of status.

### **Pregnant Students**

The state school compulsory attendance law does apply to pregnant students. It is imperative for pregnant students to stay in school in order to: a) satisfy legal attendance requirements; and b) to receive credit for school course work. Pregnant students are encouraged to see their counselor to discuss all educational services and the nurse for all health services that are available to them.

### **Proof of Age**

The original document, certified copy, or photocopy made and certified by the county clerk or other official, or any of the following documents is acceptable for proof of age:

- Birth Certificate
- Adoption records

- Hospital birth records
- Passport
- Any other acceptable legal document that establishes age

The principal or designee shall verify the age of students who are enrolling in the District for the first time.

### **Proof of Identity**

The original documents, certified copy, or photocopy made and certified by the county clerk or other official, of any of the following documents is acceptable for proof of identity:

- Birth Certificate
- Adoption records
- Church baptismal records
- Hospital birth records
- Passport
- School ID card, records, or report card
- Any other legal document that establishes identity

### **Provisional Enrollment**

Provisional enrollment is only allowed for students who are

- transferring from one Texas public or Texas private school to another, or
- defined as homeless according to the McKinney-Vento Act, or
- who have received all immunizations that are medically feasible at the time of enrollment.

### **School Records**

A copy of the child's records from the school the child most recently attended is required if he or she was previously enrolled in a school that is not a Humble ISD school.

### **Students Not Citizens of the United States**

Students who are not citizens of the United States will be allowed to enroll in the Humble ISD when they meet all state and local entrance requirements.

### **Students with a GED or Previously Graduated**

Students who have earned a General Educational Development (GED) certification will be permitted to enroll in Humble ISD to complete the requirements for a Texas diploma, provided they have met all district enrollment criteria. Students who have graduated and/or completed the minimum requirements for graduation from a public secondary school in Texas or any other state

in the United States, or the equivalent in a foreign country, will not be permitted to enroll in Humble ISD.

### **Verification of Residence**

For students residing in a house, the lease, deed, utility bill, etc., will suffice. For apartment dwellers, either the lease with parent and student name listed or a letter from the apartment manager is required. If both parent and student live with a relative or friend in Humble ISD, whose residence is not an apartment, the parent and the person with whom they reside must submit a notarized statement verifying the residence. The required form is available from any Humble ISD campus.

### **EXTRACURRICULAR ACTIVITIES, CLUBS, AND ORGANIZATIONS (All Grade Levels)**

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

Participation in some of these activities may result in events that occur off-campus. When the district arranges transportation for these events, students are required to use the transportation provided by the district to and from the events. Exceptions to this may only be made with the approval of the activity's coach or sponsor. [Also see **Transportation** on page 101.]

Eligibility for initial and continuing participation in many of these activities is governed by state law and the rules of the University Interscholastic League (UIL)—a statewide association overseeing interdistrict competition. If a student is involved in an academic, athletic, or music activity governed by UIL, the student and parent are expected to know and follow all rules of the UIL organization. Students involved in UIL athletic activities and their parents can access the UIL Parent Information Manual at <https://www.uil-texas.org/athletics/manuals>; a hard copy can be provided by the coach or sponsor of the activity on request. To report a complaint of alleged noncompliance with required safety training or an alleged violation of safety rules required by law and the UIL, please contact the curriculum division of TEA at (512) 463-9581 or [curriculum@tea.texas.gov](mailto:curriculum@tea.texas.gov).

[See <http://www.uil-texas.org> for additional information on all UIL-governed activities.]

Student safety in extracurricular activities is a priority of the district. The equipment used in football is no exception. As a parent, you are entitled to review the district's records regarding the age of each football helmet used by the campus, including when a helmet has been reconditioned.

In addition, the following provisions apply to all extracurricular activities:

- A student who receives at the end of a grading period a grade below 70 in any academic class—other than an Advanced Placement or International Baccalaureate course; or an honors or dual credit course in English language arts, mathematics, science, social studies, economics, or language other than English—may not participate in extracurricular activities for at least three school weeks.

- A student who receives special education services and who fails to meet the standards in the individualized education program (IEP) may not participate for at least three school weeks.
- An ineligible student may practice or rehearse but may not participate in any competitive activity.
- The Humble ISD shall not schedule, nor permit, students to participate in any school-related or sanctioned activities, on or off campus, that would require, permit or allow a student to be absent from class in any course more than 10 days during the school year. Of these 10 days, the maximum number of days allowed for absences due to school-related or sanctioned activities is 9 days in any given semester.
- An absence for participation in an activity that has not been approved will receive an unexcused absence.

### **Standards of Behavior**

Sponsors of student clubs and performing groups such as the band, choir, and drill and athletic teams may establish standards of behavior—including consequences for misbehavior—that are stricter than those for students in general. If a violation is also a violation of school rules, the consequences specified by the Student Code of Conduct or by board policy will apply in addition to any consequences specified by the organization’s standards of behavior.

### **Participation in Various Sports**

All boys and girls are encouraged to participate in as many sports as their interests, abilities and time will allow. If an athlete wants to drop a sport, he/she **MUST** do the following:

- Notify the head coach of the desire to drop the sport. This must be done before a new sport can be started.
- After notifying the proper coach, he/she can start the other sport only after the season is over for the sport he/she is quitting.
- An athlete may not change athletic periods without approval from his/her campus athletic coordinator.

### **Alcohol**

Students who violate the Humble ISD alcohol policy for the first time will be placed in the Discipline Program. During this time, students may not participate in extracurricular/co-curricular activities until the discipline assignment has been completed.

Students completing their discipline assignment and a minimum of 30 school days removal from the extracurricular/co-curricular activity may return to their activity group. Students holding leadership positions may be removed from that position. Removal from leadership positions will be determined by a principal and sponsor/coach. Disciplinary actions identified in extracurricular/co-curricular handbooks, charters and constitutions may be applied beyond the actions prescribed by the Student Code of Conduct.

Members of activity groups who commit a second alcohol offense will be ineligible to participate in extracurricular/co-curricular activities for a period of one calendar year. Students being removed will be denied any and all privileges of the activity, as well as any honors that may have been earned.

Members of activity groups involved in an alleged non-school related alcohol incident/behavior, which can be validated, will be suspended from extracurricular/co-curricular participation for a minimum of thirty (30) calendar days and not to exceed sixty (60) calendar days for the first offense.

On the first offense, the suspension time may be reduced by 50 percent upon completion of an approved alcohol awareness course and 10 community service hours per 30 days of original suspension.

A second offense will result in a one year suspension.

A third offense will result in permanent suspension.

### **Conduct for Students Involved in Extracurricular and Co-Curricular Activities**

The behavior of Humble ISD students participating in extra-curricular/co-curricular activities will exemplify a positive model for all students whether in the classroom, on the campus, at an extra-curricular/co-curricular function, or off campus at non-school related activities.

Participants will not be allowed to engage in serious or inappropriate behaviors and continue to participate in extra-curricular/co-curricular activities, nor will they be allowed to violate the Humble ISD alcohol or drug policy.

### **Disruptions/Distractions/Inappropriate Behavior**

Behaviors which occur on campus or at a school-related function will be disciplined in accordance with the Student Code of Conduct. Students holding leadership positions may be removed from that position. Removal from leadership positions will be determined by a principal and sponsor/coach. Disciplinary actions identified in extracurricular/co-curricular handbooks, charters and constitutions may be applied beyond the actions prescribed by the Student Code of Conduct.

If the discipline results in a suspension, in-school suspension or off-campus assignment to a DAEP, the student may not participate in the extracurricular/co-curricular activity until the discipline assignment has been completed.

### **Drugs**

Students who violate the Humble ISD drug policy for the first time will be placed in the Discipline Program. During this time, students may not participate in extracurricular/co-curricular activities until the discipline assignment has been completed.

Students who are being removed due to a drug violation will also be denied any privilege or honors they may have earned while a member of an activity group. Disciplinary actions identified in extracurricular handbooks, charters and constitutions may be applied beyond the actions prescribed by the Student Code of Conduct.

Members of activity group who commit a second drug offense will be ineligible to participate in extracurricular/co-curricular activities for a period of one calendar year. Students being removed will be denied any and all privileges of the activity, as well as any honors they may have earned.

Members of activity groups involved in an alleged non-school related drug incident/behavior, which can be validated, will be removed from extracurricular/co-curricular participation for a period of 90 to 180 calendar days.

On the first offense, the suspension time may be reduced by 50 percent upon completion of approved drug awareness course and 20 community service hours per 30 days of original suspension.

A second offense will result in a one year suspension.

A third offense will result in permanent suspension.

Disclaimer: Students will not be punished academically for disciplinary behavior.

### **Non-school Related Incidents/Behaviors, Validation of**

Only the following types of validated non-school related information will be considered by the Review Committee:

- Student coming forward and admitting his/her use of alcohol or drugs.
- Student receiving a ticket/citation (such as a MIP or DWI/GUI) that is properly presented by a law enforcement agency.
- Photographic evidence of a student in possession of a drug or alcoholic beverage/container.

### **Non-school Related Incidents/Behaviors, Limitations Regarding Determination of**

Information submitted anonymously will not be considered by the Review Committee.

Any and all student information presented to and/or considered by the Review Committee is protected by FERPA.

Only incidents/behaviors occurring in or associated with the current school year will be considered by the Review Committee.

The student code of conduct for extracurricular and co-curricular activities applies to all clubs, organizations, and athletic groups. The policy also applies to all persons holding the position of a class officer. For further information concerning the Humble ISD Alcohol and Drug Policy, see the Student Code of Conduct, Conduct Violations. The Student Code of Conduct supersedes all extracurricular and co-curricular activities' written policies, charters, and constitutions.

### **Review Committee**

All alleged non-school alcohol and drug-related incidents/behaviors that can be validated will be considered by the Review Committee. The Review Committee will consist of the building principal, sponsor/coach, campus coordinator and district-level director/administrator. The student and/or parent will be provided an opportunity to address the Review Committee



regarding the alleged incident/behavior. The length of any student suspension or removal from extracurricular activities will be determined by the Review Committee.

### **Secret Societies**

Students will not become members of any organization composed of students of public schools which seeks to perpetuate itself by taking in additional members on the basis of the decision of its membership, rather than upon the free choice of any student in the school who qualified under the rules of the school to fill the special aims of the organization.

### **Sunday Activities**

There will be no Sunday activities that include students. Examples are practices, banquets, parties, meetings or contests. When traveling, arrival and departure are not considered Sunday activities.

### **FEES (All Grade Levels)**

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

- Costs for materials for a class project that the student will keep.
- Activity fees for field trips, approved celebrations, etc.
- Membership dues in voluntary clubs or student organizations and admission fees to extracurricular activities.
- Security deposits.
- Personal physical education and athletic equipment and apparel.
- Voluntarily purchased pictures, publications, class rings, yearbooks, graduation announcements, etc.
- Voluntarily purchased student accident insurance.
- Musical instrument rental and uniform maintenance, when uniforms are provided by the district.
- Personal apparel used in extracurricular activities that becomes the property of the student.
- Parking fees and student identification cards.
- Fees for lost, damaged, or overdue library books.
- Fees for optional courses offered for credit that require use of facilities not available on district premises.
- Summer school for courses that are offered tuition-free during the regular school year.
- A fee not to exceed \$50 for costs of providing an educational program outside of regular school hours for a student who has lost credit or has not been awarded a final grade because of absences and whose parent chooses the program in order for the student to

meet the 90 percent attendance requirement. The fee will be charged only if the parent or guardian signs a district-provided request form.

- In some cases, a fee for a course taken through the Texas Virtual School Network (TxVSN).

Any required fee or deposit may be waived if the student and parent are unable to pay. Application for such a waiver may be made to the campus principal. [For further information, see policy FP.]

### **FUNDRAISING (All Grade Levels)**

Student groups or classes and/or parent groups may be permitted to conduct fundraising drives for approved school purposes. An application for permission must be made to the campus principal. [For further information, see policies FJ and GE.]

### **GANG-FREE ZONES (All Grade Levels)**

Certain criminal offenses, including those involving organized criminal activity such as gang-related crimes, will be enhanced to the next highest category of offense if they are committed in a gang-free zone. For purposes of the district, a gang-free zone includes a school bus and a location in, on, or within 1,000 feet of any district-owned or leased property or campus playground.

### **GENDER-BASED HARASSMENT**

[See **Dating Violence, Discrimination, Harassment, and Retaliation** on page 29.]

### **GRADE-LEVEL CLASSIFICATION (Grades 9–12 Only)**

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

Credits Earned	Classification
6 – 11.5	Grade 10 (Sophomore)
12 – 17.5	Grade 11 (Junior)
18+	Grade 12 (Senior)

Academic classification occurs annually at the beginning of each school year with one exception. Fourth year students who were reclassified as 11<sup>th</sup> graders in the fall, but who are able to meet graduation requirements for the current school year, will be reclassified as 12<sup>th</sup> graders at mid-term

### **GRADING GUIDELINES (All Grade Levels)**

Grading guidelines for each grade level or course will be communicated and distributed to students and their parents by the classroom teacher. These guidelines have been reviewed by each applicable curriculum department and have been approved by the campus principal. These guidelines establish the minimum number of assignments, projects, and examinations required for each grading period. In addition, these guidelines establish how the student’s mastery of

concepts and achievement will be communicated (i.e., letter grades, numerical averages, checklist of required skills, etc.). Grading guidelines also outline in what circumstances a student will be allowed to redo an assignment or retake an examination for which the student originally made a failing grade. Procedures for a student to follow after an absence will also be addressed.

[Also see **Report Cards/Progress Reports and Conferences** on page 87 for additional information on grading guidelines.]

## **Elementary Guidelines**

The Humble ISD affirms its stand on academic emphasis in the grading practices. The actual grade reflecting the student's relative mastery of an assignment will be recorded and averaged to determine the nine weeks grade.

Students in pre-kindergarten, kindergarten, first and second grades will be evaluated using a developmental continuum. The following grading scale is used in grades 3-5 to assess reading, composition, grammar, spelling, mathematics, science and social studies:

- 90 – 100      A
- 80 – 89        B
- 75 – 79        C
- 70 – 74        D
- 0 – 69         F

The comprehensive performance of students in grades 3-4 will be assessed for physical education, music, penmanship, art, PE, conduct, music conduct, and classroom conduct using the following scale:

- E (excellent)
- S (satisfactory)
- N (needs improvement)
- U (unsatisfactory)

Work habits influence academic performance, and thereby influence mastery of the essential elements of the curriculum. The assessment of these learner characteristics is based on teacher observation of established expectations. Social behavior is related to the conduct grade recorded. Conduct grades are based on the student's compliance with the Humble ISD Discipline Plan and the rules of the campus and classrooms. Participation plays an important part in computing E, S, N, and U grades. Inappropriate attire impacts participation and jeopardizes safety.

- Late Work

Assignments and tests must be completed and turned in on the assigned date in order to receive full credit. In an effort for the student's work to reflect mastery of the content presented in the assignment, no more than 10 total points will be deducted for late work.

- Re-teaching/Reassessment

The intent of Humble ISD's re-teaching/reassessment policy is to ensure that students have an opportunity to master the District's curricular objectives. Re-teaching in the District may be integrated into lessons during guided practice and may be a part of the explanation phase when checking for understanding is done. Within a campus-wide process, each teacher will determine when re-teaching should be scheduled. For critical skills, it will be done immediately; for recurring skills, it may be deferred.

- **Reassessing Individuals**

After re-teaching, the teacher may use a variety of reassessment techniques to determine mastery. These techniques may include oral questioning, observation, retesting, demonstration, an additional assignment, or an alternative for the assignment. This applies to all forms of assessment. If a teacher chooses to retest an individual to determine mastery, an average of the two grades, or the higher of the two grades, shall be used in calculating the grade-cycle average.

- **Reassessing Groups**

An entire class or group will be retaught and reassessed when the teacher determines that half (50%) or more of the class have failed to perform at mastery level (70%). The higher of the two grades shall be recorded for each class member.

- **Tutorials**

The purpose of tutorials is to provide additional direct instruction and other assistance for students who are experiencing difficulty in the regular classroom.

## **Secondary Guidelines**

Grading guidelines for each grade level or course will be communicated and distributed to students and their parents by the classroom teacher. These guidelines have been reviewed by each applicable curriculum department and have been approved by the campus principal. These guidelines establish the minimum number of assignments, projects, and examinations required for each grading period. In addition, these guidelines establish how the student's mastery of concepts and achievement will be communicated (i.e., letter grades, numerical averages, checklist of required skills, etc.). Grading guidelines also outline in what circumstances a student will be allowed to redo an assignment or retake an examination for which the student originally made a failing grade. Procedures for a student to follow after an absence will also be addressed.

- **Grading Scale:**

- 90 – 100      A
- 80 – 89        B
- 75 – 79        C
- 70 – 74        D
- 0 – 69          F

- **Determining Grades**

Grades are based on combinations of the following:

- Tests administered during the grading period
- Notebooks, reports and other class projects
- Classroom participation, daily work, and homework
- Quality of work
- Promptness in fulfilling assignments

No test or assignment will count more than one-fifth (20%) of the nine-week average.

Actual grades earned will be entered in the grade book and those grades will be used to calculate the nine-week average.

- Academic Dishonesty

Cheating on an assignment or test will result in a zero being recorded for that assignment or test. In addition, cheating is considered a conduct violation and is subject to additional disciplinary measures as discussed in the Student Code of Conduct.

- Final Exams

In high school, final exams will count for 20% of the semester average in all courses except End-of-Course (EOC) assessed courses. Students in middle school taking high school credit courses that are not EOC-assessed courses will have their finals count as 20% of the semester grade. In courses where no final exams are required or where the student has the opportunity to exempt the final exam, the grades for the nine-week grading periods will be averaged equally. The actual score on the comprehensive final will be recorded to help determine the semester average.

Final exams will not be given early.

- Exemption Plan for Final Exams – High School

- A student must have a grade average of 80, or above, in the course for which he/she is seeking a final exam exemption.
- A student must have no more than three absences in the course for which he/she is seeking a final exam exemption. Absences are counted up the day the exam is administered. School-related absences do not count for purposes of this rule.
- An exemption from a final exam is not granted if during the semester the student is sent to Saturday class more than once, serves any time at the alternative school, or receives any suspension or expulsion.
- Any student meeting these criteria may earn exemptions from no more than two final exams in a semester. Students may not be exempt from a final in the same courses for consecutive semesters in the same school year.
- Students who register after the fifth day of a semester are not eligible for final exam exemptions. Transfer students have the responsibility to provide attendance and disciplinary information from the previous school to be considered for exemptions.

- Second semester graduating seniors are eligible for exemption from all final exams if all eligibility criteria are satisfied.
  - Any student who qualifies for an exemption has the option to take the final exam. The grade received on the exam, however, will be computed in the final semester average. The final exam is weighted at 20% of the semester grade. The numerical average for the 2 nine-week periods will be the semester grade if the student is exempt and does not take a final.
  - A student enrolled in dual-credit courses with Lone Star College may not exempt those classes based on the above-mentioned guidelines.
  - Note exception to EOC-assessed courses.
    - For courses with an End of Course exam, students will take the semester exam for semester A, but will not take a semester exam for semester B. The five courses with End of Course Exams are Algebra I, English I, English 2, Biology, and US History.
    - Students enrolled in AP courses who take the AP exam and meet all other exemption requirements may be exempt for the final exam for that AP course in addition to standard exemptions.

- Late Work

Assignments and tests must be completed and turned in on the assigned date in order to receive full credit unless the student has been absent (see makeup work for more information). In an effort for the student's work to reflect mastery of the content presented in the assignment, no more than 20 total points will be deducted for late work.

- Reteaching/Reassessment

The intent of Humble ISD's re-teaching/reassessment policy is to ensure that students have an opportunity to master the District's curricular objectives. Re-teaching in the District may be integrated into lessons during guided practice and may be a part of the explanation phase when checking for understanding is done. The teacher will determine when re-teaching should be scheduled. For critical skills, it will be done immediately; for recurring skills, it may be deferred.

After re-teaching, the teacher may use a variety of re-assessment techniques to determine mastery. These techniques may include oral questioning, observation, retesting, demonstration, an additional assignment. This applies to all forms of assessment.

- Reassessing Individuals

Individual campuses have developed re-assessment practices that are supportive of academic achievement. Please visit your student's campus website for additional information regarding individual re-assessment practices.

- Reassessing Groups

An entire class or group will be re-taught and reassessed when the teacher determines that half (50%) or more of the class have failed to perform at mastery level (70%). The higher of the two grades shall be recorded for each class member.

This does not apply to final exams.

- Suspension

Students will be permitted to make up assignments missed due to suspension and will receive the grade earned on the makeup work if the work is completed within a reasonable time period as determined by the campus administrator. A zero will be recorded if the student fails to satisfactorily complete the work missed.

## **GRADUATION (Secondary Grade Levels Only)**

### **Requirements for a Diploma for a Student Enrolled in High School Prior to the 2014–15 School Year**

To receive a high school diploma from the district, a student who was enrolled in high school prior to the 2014–15 school year must successfully:

- Complete the required number of credits established by the state and any additional credits required by the district; and
- Achieve passing scores on certain end-of-course (EOC) assessments or approved substitute assessments, unless specifically waived as permitted by state law.

[Also see **Standardized Testing** on page 97 for more information.]

### **Requirements for a Diploma Beginning with the 2014–15 School Year**

Beginning with students who entered grade 9 in the 2014–15 school year, as well as any currently enrolled high school student who decides to graduate under the foundation graduation program, a student must meet the following requirements to receive a high school diploma from the district:

- Complete the required number of credits established by the state and any additional credits required by the district;
- Achieve passing scores on certain end-of-course (EOC) assessments or approved substitute assessments, unless specifically waived as permitted by state law; and
- Demonstrate proficiency, as determined by the district, in the specific communication skills required by the State Board of Education.

### **Testing Requirements for Graduation**

Students are required, with limited exceptions and regardless of graduation program, to perform satisfactorily on the following EOC assessments: English I, English II, Algebra I, Biology, and United States History. A student who has not achieved sufficient scores on the EOC assessments to graduate will have opportunities to retake the assessments. State law and state rules also provide for certain scores on norm-referenced national standardized assessments or on the state-developed assessment used for entrance into Texas public universities to substitute for the requirement to meet satisfactory performance on an applicable EOC assessment, should a student choose this option. See the school counselor for more information on the state testing requirements for graduation.

If a student fails to perform satisfactorily on an EOC assessment, the district will provide remediation to the student in the content area for which the performance standard was not met. This may require participation of the student before or after normal school hours or at times of the year outside normal school operations.

In limited circumstances, a student who fails to demonstrate proficiency on two or fewer of the required assessments may still be eligible to graduate if an individual graduation committee, formed in accordance with state law, unanimously determines that the student is eligible to graduate.

[Also see **Standardized Testing** on page 97 for more information.]

## **Minimum, Recommended, and Advanced/Distinguished Achievement Graduation Programs**

### **Programs**

For students who were enrolled in high school prior to the 2014–15 school year, the district offers the graduation programs listed in this section. Students enrolled in high school prior to the 2014–15 school year also have the option to pursue the foundation graduation program as described below. Note that permission to enroll in the Minimum Program as described in this section will be granted only if a written agreement is reached among the student, the student’s parent or person standing in parental relation, and the school counselor or appropriate administrator. In order for a student to take courses under the Minimum Program, the student must be at least 16 years of age; have completed at least two credits each in English language arts, math, science, and social studies courses that are required for graduation; or have failed grade 9 one or more times. [See policy EIF(LEGAL).]

All students who were enrolled in high school prior to the 2014–15 school year must meet the following credit and course requirements for graduation under the programs listed or may choose to pursue the foundation graduation program as described on page 61:

<b>Courses</b>	<b>Number of Credits: Minimum Program</b>	<b>Number of Credits: Recommended Program</b>	<b>Number of Credits: Advanced/ Distinguished Achievement Program</b>
English/Language Arts	4	4	4
Mathematics	3	4	4
Science	2 or 3	4	4
Social Studies, including Economics	3 or 4	4	4
Physical Education*	1	1	1
Speech	0.5	0.5	0.5



<b>Courses</b>	<b>Number of Credits: Minimum Program</b>	<b>Number of Credits: Recommended Program</b>	<b>Number of Credits: Advanced/ Distinguished Achievement Program</b>
Language other than English		2	3
Fine Arts	1	1	1
Electives**	6.5 credits	5.5 credits	4.5 credits
Miscellaneous			Completion of 4 Advanced Measures***
<b>TOTAL</b>	22 credits	26 credits	26 credits

\* A student who is unable to participate in physical activity due to a disability or illness may be able to substitute a course in English language arts, mathematics, science, or social studies for the required credit of physical education. This determination will be made by the student's ARD committee, Section 504 committee, or other campus committee, as applicable.

\*\* State rules prohibit a student from combining a half-credit of a course for which there is an EOC assessment with another half-credit of an elective credit course to satisfy an elective credit requirement. However, the district will allow a student to satisfy a graduation requirement for which there are multiple options with one-half credit of one allowable option and one-half credit of another allowable option, if neither course has an EOC assessment.

\*\*\* A student graduating under the Advanced/Distinguished Achievement Program must also achieve a combination of four of the following advanced measures:

1. An original research project or other project that is related to the required curriculum. These projects must be judged by a panel of professionals or conducted under the direction of a mentor and reported to an appropriate audience. Please note that no more than two of the four advanced measures may be received from this option.
2. Test data where a student receives:
  - a. A score of three or above on an Advanced Placement (AP) exam;
  - b. A score of four or above on an International Baccalaureate (IB) exam; or
  - c. A score on the Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT) that qualifies the student for recognition as a commended scholar or higher by the College Board and National Merit Scholarship Corporation, as part of the National Hispanic Recognition Program (NHRP) of the College Board, or as part of the National Achievement Scholarship Program of the National Merit Scholarship Corporation. The PSAT/NMSQT score will count

as only one advanced measure regardless of the number of honors received by the student.

3. College academic courses, including those taken for dual credit, and advanced technical courses, including locally articulated courses, provided the student scores the equivalent of a 3.0 or higher.

\*\*\*\* Please refer to the Humble ISD Course Guide for additional information.

### **Foundation High School Program**

Every student in a Texas public school who entered grade 9 in the 2014–15 school year and thereafter will graduate under the “foundation graduation program.” Within the foundation graduation program are “endorsements,” which are paths of interest that include Science, Technology, Engineering, and Mathematics (STEM); Business and Industry; Public Services; Arts and Humanities; and Multidisciplinary Studies. Endorsements earned by a student will be noted on the student’s transcript. The foundation graduation program also involves the term “distinguished level of achievement,” which reflects the completion of at least one endorsement and Algebra II as one of the required advanced mathematics credits. A personal graduation plan will be completed for each high school student, as described on page 62.

State law and rules prohibit a student from graduating solely under the foundation graduation program without an endorsement unless, after the student’s sophomore year, the student and student’s parent are advised of the specific benefits of graduating with an endorsement and submit written permission to the school counselor for the student to graduate without an endorsement. A student who anticipates graduating under the foundation graduation program without an endorsement and who wishes to attend a four-year university or college after graduation must carefully consider whether this will satisfy the admission requirements of the student’s desired college or university.

Graduating under the foundation graduation program will also provide opportunities to earn “performance acknowledgments” that will be acknowledged on a student’s transcript. Performance acknowledgments are available for outstanding performance in bilingualism and biliteracy, in a dual credit course, on an AP or IB exam, on certain national college preparatory and readiness or college entrance exams, or for earning a state recognized or nationally or internationally recognized license or certificate. The criteria for earning these performance acknowledgments are prescribed by state rules, and the school counselor can provide more information about these acknowledgments.

A student enrolled in high school prior to the 2014–15 school year has the option of graduating under the foundation graduation program rather than the programs identified above that would otherwise be applicable to that student. See the school counselor for additional information.

The foundation graduation program requires completion of the following credits:

<b>Course Area</b>	<b>Number of Credits: Foundation Graduation Program</b>	<b>Number of Credits: Foundation Graduation Program With an Endorsement</b>
English/Language Arts	4	4

Mathematics	3	4*
Science	3	4
Social Studies, including Economics	3	3
Physical Education**	1	1
Language other than English***	2	2
Fine Arts	1	1
Electives	5	7
Miscellaneous		Available Endorsements****: Science, Technology, Engineering, and Math Business and Industry Public Services Arts and Humanities Multidisciplinary
TOTAL	22 credits	26 credits

\* In order to obtain the distinguished level of achievement under the foundation graduation program, which will be denoted on a student's transcript and is a requirement to be considered for automatic admission purposes to a Texas four-year college or university, a student must complete an endorsement and take Algebra II as one of the four mathematics credits.

\*\* A student who is unable to participate in physical activity due to a disability or illness may be able to substitute a course in English language arts, mathematics, science, social studies, or another locally determined credit-bearing course for the required credit of physical education. This determination will be made by the student's ARD committee, Section 504 committee, or other campus committee, as applicable.

\*\*\* Students are required to earn two credits in the same language other than English to graduate. Any student may substitute computer programming languages for these credits. In limited circumstances, a student may be able to substitute this requirement with other courses, as determined by a district committee authorized by law to make these decisions for the student.

\*\*\*\* A student must specify upon entering grade 9 the endorsement he or she wishes to pursue.

### ***Personal Graduation Plans for Students Under the Foundation Graduation Program***

A personal graduation plan will be developed for each high school student who is subject to the requirements of the foundation graduation program. The district encourages all students to pursue a personal graduation plan that includes the completion of at least one endorsement and to

graduate with the distinguished level of achievement. Attainment of the distinguished level of achievement entitles a student to be considered for automatic admission to a public four year college or university in Texas, depending on his or her rank in class. The school will review personal graduation plan options with each student entering grade 9 and his or her parent. Before the end of grade 9, a student and his or her parent will be required to sign off on a personal graduation plan that includes a course of study that promotes college and workforce readiness and career placement and advancement, as well as facilitates the transition from secondary to postsecondary education. The student's personal graduation plan will denote an appropriate course sequence based on the student's choice of endorsement.

Please also review TEA's Graduation Toolkit, available here:

<http://tea.texas.gov/communications/brochures.aspx>.

A student may, with parental permission, amend his or her personal graduation plan after the initial confirmation.

### **Available Course Options for all Graduation Programs**

Information regarding specific courses required or offered in each curriculum area will be distributed to students each spring in order to enroll in courses for the upcoming school year. Note that the district may require the completion of certain courses for graduation even if these courses are not required by the state for graduation.

Please be aware that not all courses are offered at every secondary campus in the district. A student who wants to take a course not offered at his or her regular campus should contact the school counselor about a transfer or other alternatives. If the parents of at least 22 students request a transfer for those students to take a course in the required curriculum other than fine arts or CTE, the district will offer the course for the following year either by teleconference or at the school from which the transfers were requested.

### **Certificates of Coursework Completion**

A certificate of coursework completion will be issued to a student who has successfully completed state and local credit requirements for graduation but has not yet demonstrated satisfactory performance on the state-mandated tests required for graduation.

### **Students With Disabilities**

Upon the recommendation of the admission, review, and dismissal (ARD) committee, a student with a disability who receives special education services may be permitted to graduate under the provisions of his or her IEP and in accordance with state rules.

A student who receives special education services and has completed four years of high school, but has not met the requirements of his or her IEP, may participate in graduation ceremonies and receive a certificate of attendance. Even if the student participates in graduation ceremonies to receive the certificate of attendance, he or she may remain enrolled to complete the IEP and earn his or her high school diploma; however, the student will only be allowed to participate in one graduation ceremony.

[See policy FMH(LEGAL).]

Please also be aware that if an ARD committee places a student with a disability on a modified curriculum in a subject area, the student will be automatically placed in the Minimum Program, if that program is applicable based on the school year in which the student entered high school, in accordance with state rules.

If a student receiving special education services is scheduled to graduate under the Minimum Program or in accordance with the provisions of his or her IEP, the student's ARD committee will determine whether the general EOC assessment is an accurate measure of the student's achievement and progress and, if so, whether successful performance is required for graduation, or whether an alternative assessment is more appropriate. STAAR Alternate 2 is the alternative assessment currently allowed by the state. [See **Standardized Testing** for additional information.]

ARD committees for students with disabilities who receive special education services and who are subject to the foundation graduation program will make instructional and assessment decisions for these students in accordance with state law and rules. In order to earn an endorsement under the foundation program, a student must perform satisfactorily on the EOC assessments and receive no modified curriculum in the student's chosen endorsement area. A student may still be awarded an endorsement when the student fails to perform satisfactorily on no more than two EOC assessments but meets the other requirements for graduation under state law.

### **Graduation Activities**

Graduation activities will include:

Students who have met coursework requirements for graduation but have not yet demonstrated satisfactory performance on end-of-course assessments and have not been declared eligible to graduate by an individual graduation committee, if applicable, will be allowed to participate in graduation activities. However, please keep in mind that participating in the activities and ceremonies is not synonymous with graduating. Ultimately, the final awarding of a diploma will be contingent upon the student's completion of all applicable requirements for graduation.

### **Graduation Speakers**

Certain graduating students will be given an opportunity to have speaking roles at graduation ceremonies.

A student must meet local eligibility criteria, which may include requirements related to student conduct, to have a speaking role. Students eligible for speaking roles will be notified by the principal and given an opportunity to volunteer.

[See FNA(LOCAL) and the Student Code of Conduct. For student speakers at other school events, see **Student Speakers** on page 99.]

The District creates a limited public forum consisting of an opportunity for a student to speak at graduation ceremonies. The District sets a maximum time limit and the forum shall be limited in the manner provided by Board Policy FNA(LOCAL). Only students who are graduating and who hold one of the following neutral criteria positions of honor shall be eligible to use the limited public forum: student council president, class president, and the top two academically ranked graduates. The opportunity to speak at graduation is contingent upon the speaker not

being suspended, nor currently assigned to a long term disciplinary facility, nor currently involved in a short-term or long term disciplinary placement during the last ten instructional days of the school year.

The subject of the addresses must be related to the purpose of the graduation ceremony, marking and honoring the occasion, honoring the participants and those in attendance, and the student's perspective on purpose, achievement, life, school, graduation, and looking forward to the future.

The subject must be designated for each student speaker, the student must stay on the subject, and the student may not engage in obscene, vulgar, offensively lewd, or indecent speech, speech that promotes illegal drug use, or speech that is meant to advocate imminent lawless action and is likely to incite or produce such action. The District shall treat a student's voluntary expression of a religious viewpoint, if any, on an otherwise permissible subject in the same manner the District treats a student's voluntary expression of a secular or other viewpoint on an otherwise permissible subject and may not discriminate against the student based on a religious viewpoint expressed by the student on an otherwise permissible subject.

A written disclaimer shall be printed in the graduation program that states, "The students who will be speaking at the graduation ceremony were selected based on neutral criteria to deliver messages of the students' own choices. The content of each student speaker's message is the private expression of the individual student and does not reflect any position or expression of the school district or the Board, or the District's administration, or employees of the District, or the views of any other graduate. The contents of these messages were prepared by the student volunteers, and the District refrained from any interaction with student speakers regarding the student speakers' viewpoints on permissible subjects.

### **Graduation Expenses**

Because students and parents will incur expenses in order to participate in the traditions of graduation—such as the purchase of invitations, senior ring, cap and gown, and senior picture—both the student and parent should monitor progress toward completion of all requirements for graduation. The expenses often are incurred in the junior year or first semester of the senior year.

### **Scholarships and Grants**

Students who have a financial need according to federal criteria and who complete the Recommended Program or Advanced/Distinguished Achievement Program, for as long as those programs are in place, or who complete the foundation graduation program, may be eligible under the T.E.X.A.S. Grant Program for tuition and fees to Texas public universities, community colleges, and technical schools, as well as to private institutions.

Contact the school counselor for information about other scholarships and grants available to students.

### **HARASSMENT**

[See **Dating Violence, Discrimination, Harassment, and Retaliation** on page 29.]

## **HAZING (All Grade Levels)**

Hazing is defined as any intentional, knowing, or reckless act occurring on or off campus directed against a student that endangers the mental or physical health or the safety of a student for the purpose of pledging, being initiated to, affiliating with, holding office in, or maintaining membership in any organization whose members are or include other students.

Hazing will not be tolerated by the district. If an incident of hazing occurs, disciplinary consequences will be handled in accordance with the Student Code of Conduct. It is a criminal offense if a person engages in hazing; solicits, encourages, directs, aids, or attempts to aid another in hazing; or has firsthand knowledge of an incident of hazing being planned or having occurred and fails to report this to the principal or superintendent.

[Also see **Bullying** on page 20 and policies FFI and FNCC.]

## **HEALTH-RELATED MATTERS**

### **Student Illness (All Grade Levels)**

When your child is ill, please contact the school to let us know he or she won't be attending that day. It is important to remember that schools are required to exclude students with certain illnesses from school for periods of time as identified in state rules. For example, if your child has a fever over 100 degrees, he or she must stay out of school until fever free for 24 hours without fever-reducing medications. In addition, students with diarrheal illnesses must stay home until they are diarrhea free without diarrhea-suppressing medications for at least 24 hours. A full list of conditions for which the school must exclude children can be obtained from the school nurse.

If a student becomes ill during the school day, he or she must receive permission from the teacher before reporting to the school nurse. If the nurse determines that the child should go home, the nurse will contact the parent.

The district is also required to report certain contagious (communicable) diseases or illnesses to the Texas Department of State Health Services (TDSHS) or our local/regional health authority. The school nurse can provide information from TDSHS on these notifiable conditions.

Contact the school nurse if you have questions or if you are concerned about whether or not your child should stay home.

### **Bacterial Meningitis (All Grade Levels)**

State law requires the district to provide information about bacterial meningitis:

- What is meningitis?

Meningitis is an inflammation of the covering of the brain and spinal cord. It can be caused by viruses, parasites, fungi, and bacteria. Viral meningitis is common and most people recover fully. Parasitic and fungal meningitis are very rare. Bacterial meningitis is very serious and may involve complicated medical, surgical, pharmaceutical, and life support management.

- What are the symptoms?

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

Children (over 2 years old) and adults with bacterial meningitis commonly have a severe headache, high fever, and neck stiffness. Other symptoms might include nausea, vomiting, discomfort looking into bright lights, confusion, and sleepiness. In both children and adults, there may be a rash of tiny, red-purple spots. These can occur anywhere on the body.

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

- How serious is bacterial meningitis?

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

- How is bacterial meningitis spread?

Fortunately, none of the bacteria that cause meningitis are as contagious as diseases like the common cold or the flu, and they are not spread by casual contact or by simply breathing the air where a person with meningitis has been. They are spread when people exchange respiratory or throat secretions (such as by kissing, coughing, or sneezing).

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

- How can bacterial meningitis be prevented?

Maintaining healthy habits, like getting plenty of rest, can help prevent infection. Using good health practices such as covering your mouth and nose when coughing and sneezing and washing your hands frequently with soap and water can also help stop the spread of the bacteria. It's a good idea not to share food, drinks, utensils, toothbrushes, or cigarettes. Limit the number of persons you kiss.

There are vaccines available to offer protection from some of the bacteria that can cause bacterial meningitis.\* The vaccines are safe and effective (85–90 percent). They can cause mild side effects, such as redness and pain at the injection site lasting up to two days. Immunity develops within seven to ten days after the vaccine is given and lasts for up to five years.

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

You should seek prompt medical attention.

- Where can you get more information?

Your school nurse, family doctor, and the staff at your local or regional health department office are excellent sources for information on all communicable diseases. You may also call your local health department or Regional Department of State Health Services office to ask about a meningococcal vaccine. Additional information may also be found at the



websites for the Centers for Disease Control and Prevention, <http://www.cdc.gov>, and the Department of State Health Services, <http://www.dshs.state.tx.us>.

\* Please note that the TDSHS requires at least one meningococcal vaccination for a student ages 11 to 12 or for a student enrolling in grades 7 through 12, and state guidelines recommend this vaccination be administered between ages 11 and 12, with a booster dose at 16 years of age. Also note that entering college students must show, with limited exception, evidence of receiving a bacterial meningitis vaccination within the five-year period prior to enrolling in and taking courses at an institution of higher education. Please see the school nurse for more information, as this may affect a student who wishes to enroll in a dual credit course taken off campus.

[Also refer to **Immunization** on page 73 for more information.]

### **Communicable Disease Exclusion from School**

Humble ISD shall exclude from attendance any child having or suspected of having a communicable condition. Exclusion shall continue until the readmission criteria for the conditions are met. Humble ISD shall follow the Texas Department of State Health Services Recommendations for Prevention and Control of Communicable Diseases in a Group Care Setting, as listed below:

- Amebiasis – exclude until treatment is initiated;
- Campylobacteriosis – exclude until after diarrhea and fever subside;
- Chicken Pox/Shingles – exclude until the lesions become dry or if lesions are not vesicular and 24 hours have passed with no new lesions occurring.
- Common Cold – exclude until fever subsides;
- Conjunctivitis (bacterial) – exclude until written permission and/or permit is issued by a physician or local health authority;
- Conjunctivitis (viral) – check with nurse;
- Cryptosporidiosis – exclude until diarrhea subsides;
- Coxsackie Virus Disease (Hand, Foot & Mouth) – not excluded unless fever.
- Cytomegalovirus (CMV) – not excluded;
- Fifth disease – exclude until fever subsides;
- Gastroenteritis (viral) – exclude until diarrhea subsides;
- Giardiasis – exclude until diarrhea subsides;
- Hepatitis (viral,) type A – exclude until 1 week after onset of illness;
- Hepatitis B – not excluded;
- Herpes Simplex (cold sores) – not excluded;
- Impetigo – exclude until treatment has begun;
- Influenza – exclude until fever subsides;

- Measles (rubeola) – exclude until 4 days after rash onset or, in the case of an outbreak, unimmunized children should also be excluded for at least 2 weeks after last rash onset occurs;
- Meningitis (bacterial) – exclude until written permission and/or permit is issued by a physician or local health authority;
- Meningitis (viral) – exclude until fever subsides and/or permit is issued by a physician or local health authority;
- Mononucleosis – exclude until physician decides or fever subsides;
- Mumps – exclude until 5 days after the onset of swelling;
- Pertussis (whooping cough) – exclude until completion of 5 days of antibiotic therapy;
- Pinworms – not excluded;
- Ringworm – not excluded, must be covered;
- Ringworm of the scalp – excluded until treatment has begun, then area must be covered;
- Rubella (German measles) – exclude until 7 days after rash onset, or in the case of an outbreak, unimmunized children should be excluded for at least 3 weeks after last rash onset occurs;
- Salmonellosis – exclude until diarrhea and fever subsides;
- Scabies – exclude until treatment has begun;
- Shigellosis – exclude until diarrhea and fever subside;
- Streptococcal sore throat and scarlet fever – exclude until 24 hours after antibiotic is started and fever has subsided;
- Tuberculosis (pulmonary) – exclude until antibiotic treatment has begun and a physician's certificate or health permit is obtained.

Students excluded for communicable diseases not listed (with the exception of lice) may be readmitted by submitting a certificate from the attending physician attesting that: the child does not currently have signs or symptoms of a communicable disease; or the disease is non-communicable in a school setting; or the child has a permit for readmission issued by a local health authority.

Parents will be notified and students will be sent home if the student has a temperature of 100.4 or above. Student must be free of fever before returning to school. Parents of students with a contagious disease or infection are asked to telephone the school nurse or principal. Students are not allowed to attend school while contagious.

### **Communicable Disease, Parental Notification of**

The school nurse will notify the entire campus population, faculty and parents, if there is an occurrence of a reportable communicable disease and has been advised to do so by the Texas Department of State Health Services and/or the Humble ISD administration.

## **Food Allergies (All Grade Levels)**

The district requests to be notified when a student has been diagnosed with a food allergy, especially those allergies that could result in dangerous or possibly life-threatening reactions either by inhalation, ingestion, or skin contact with the particular food. It is important to disclose the food to which the student is allergic, as well as the nature of the allergic reaction. Please contact the school nurse or campus principal if your child has a known food allergy or as soon as possible after any diagnosis of a food allergy.

The district has developed and annually reviews a food allergy management plan, which addresses employee training, dealing with common food allergens, and specific strategies for dealing with students diagnosed with severe food allergies. When the district receives information that a student has a food allergy that puts the student at risk for anaphylaxis, individual care plans will be developed to assist the student in safely accessing the school environment. The district's food allergy management plan can be accessed at [www.humbleisd.net](http://www.humbleisd.net).

[Also see policy FFAF and **Celebrations** on page 21.]

## **Food Allergies, Life Threatening**

Campuses cannot be designated as “peanut free”. A cooperative effort between students and their parents, as well as school staff, will be necessary to minimize risks.

Staff and students will be provided information regarding allergies, to include:

- Recognizing signs and symptoms of allergy
- Steps to be taken to mitigate the reaction
- Training in the management of emergency treatment

No foods may be banned for other student. When it is determined that there is a child with a life threatening food allergy in the classroom, a letter requesting parents to be considerate of a child with food allergies will be provided to parents and will appear on the campus website.

## **Head Lice (Live Bugs) All Grade Levels)**

Head lice (live bugs), although not an illness or a disease, is very common among children and is spread very easily through head-to-head contact during play, sports, or nap time and when children share things like brushes, combs, hats, and headphones. If careful observation indicates that a student has head lice, the school nurse will contact the student's parent to determine whether the child will need to be picked up from school and to discuss a plan for treatment with an FDA-approved medicated shampoo or cream rinse that may be purchased from any drug or grocery store. After the student has undergone one treatment, the parent should check in with the school nurse to discuss the treatment used. The nurse can also offer additional recommendations, including subsequent treatments and how best to get rid of lice and prevent their return.

More information on head lice can be obtained from the TDSHS website at <http://www.dshs.state.tx.us/schoolhealth/lice.shtm>.

Any student excluded from school for reason of head lice may be readmitted after being rechecked by the school nurse and found to be free of live lice.

## **Illness & Injury**

Students who are ill or injured at school must be seen by the nurse. Teachers may choose to handle minor injuries in the classroom. The nurse or principal will notify the parent. Students are not permitted to call their parents for release. Child Protective Services will be notified and an ambulance called if the parent does not respond in a reasonable time.

It will be the nurse's decision to return the student to class or to exclude the student from school. School exclusions include, but are not limited to:

- A temperature of 100° or higher and any of those exclusions previously listed in the “Communicable Disease Exclusion from School” section of this handbook.

## **Physical Activity Requirements**

### ***Elementary School***

In accordance with policies at EHAB, EHAC, EHBG, and FFA, the district will ensure that students in full-day prekindergarten through grade 5 engage in moderate or vigorous physical activity for at least 30 minutes per day or 135 minutes per week.

For additional information on the district's requirements and programs regarding elementary school student physical activity requirements, please see the principal.

### ***Middle School***

In accordance with policies at EHAB, EHAC, EHBG, and FFA, the district will ensure that students in middle or junior high school will engage in [30 minutes of moderate or vigorous physical activity per day for at least four semesters OR at least 225 minutes of moderate or vigorous physical activity within each two-week period for at least four semesters].

For additional information on the district's requirements and programs regarding junior high and middle school student physical activity requirements, please see the principal.

## **School Health Advisory Council (SHAC) (All Grade Levels)**

During the preceding school year, the district's School Health Advisory Council (SHAC) meets at least 4 times each year. Additional information regarding the district's SHAC is available at [www.humbleisd.net](http://www.humbleisd.net).

The duties of the SHAC range from recommending curriculum to developing strategies for integrating curriculum into a coordinated school health program encompassing issues such as school health services, counseling services, a safe and healthy school environment, recess recommendations, improving student fitness, mental health concerns, and employee wellness.

[See policies at BDF and EHAA. See **Human Sexuality Instruction** on page 6 for additional information.]

## **Student Wellness Policy/Wellness Plan (All Grade Levels)**

Humble ISD is committed to encouraging healthy students and therefore has developed a board-adopted wellness policy at FFA(LOCAL) and corresponding plans and procedures to implement the policy.

## **Other Health-Related Matters**

### ***Physical Fitness Assessment (Grades 3–12)***

Annually, the district will conduct a physical fitness assessment of students in grades 3–12 who are enrolled in a physical education course or a course for which physical education credit is awarded. At the end of the school year, a parent may submit a written request to the campus principal to obtain the results of his or her child’s physical fitness assessment conducted during the school year.

### ***Vending Machines (All Grade Levels)***

The district has adopted and implemented the state and federal policies and guidelines for food service, including the guidelines to restrict student access to vending machines. For more information regarding these policies and guidelines, see [www.humbleisd.net](http://www.humbleisd.net). [See policies at CO and FFA.]

### ***Tobacco and E-Cigarettes Prohibited (All Grade Levels and All Others on School Property)***

Students are prohibited from possessing or using any type of tobacco product, electronic cigarettes (e-cigarettes), or any other electronic vaporizing device, while on school property at any time or while attending an off-campus school-related activity.

The district and its staff strictly enforce prohibitions against the use of all tobacco products, e-cigarettes, or any other electronic vaporizing device, by students and all others on school property and at school-sponsored and school-related activities. [See the Student Code of Conduct and policies at FNCD and GKA.]

### ***Asbestos Management Plan (All Grade Levels)***

The district works diligently to maintain compliance with federal and state law governing asbestos in school buildings. The district is committed to providing a safe environment for workers, building occupants, students, parents and legal guardians. An Asbestos Management Plan has been developed to address all Asbestos Hazard Emergency Response Act (AHERA) and Texas Asbestos Health Protection Act (TAHPA) requirements. A copy of the district’s Asbestos Management Plan is available at each campus for review. If you have any questions or would like to examine the district’s plan in more detail, please contact the district’s Environmental Compliance Manager, at 281-641-8700.

### ***Pest Management Plan (All Grade Levels)***

The district is required to follow integrated pest management (IPM) procedures to control pests on school grounds. Although the district strives to use the safest and most effective methods to manage pests, including a variety of non-chemical control measures, pesticide use is sometimes necessary to maintain adequate pest control and ensure a safe, pest-free school environment.

All pesticides used are registered for their intended use by the United States Environmental Protection Agency and are applied only by certified pesticide applicators. Except in an emergency, signs will be posted 48 hours before indoor application. All outdoor applications will be posted at the time of treatment, and signs will remain until it is safe to enter the area. Parents

who have further questions or who want to be notified prior to pesticide application inside their child's school assignment area may contact the district's IPM coordinator, at 281-641-8769.

## **HOME ACCESS CENTER**

The Home Access Center provides family access to student grades and attendance information. Refer to your campus website for more information.

## **HOMELESS STUDENTS (All Grade Levels)**

You are encouraged to inform the district if you or your child are experiencing homelessness. District staff can share resources with you that may be able to assist you and your family.

The enrollment process in Humble ISD includes a Student Residency Questionnaire as part of our comprehensive efforts to identify students and families currently experiencing homelessness. If your current address is a temporary living arrangement and it is due to loss of housing or economic hardship, you may meet the definition of experiencing homelessness. If, due to a lack of housing, you must live in a shelter, motel, campground, on the street, in abandoned buildings or trailers, or doubled-up with relatives or friends, then, according to the McKinney-Vento Act, you are considered homeless.

The educational rights homeless student have under the McKinney-Vento Act include the right to:

- go to school,
- enroll in school without giving a permanent address
- continue attending the school they were enrolled in before the homelessness occurred when feasible; and

enroll in the Texas public school district of their choice with the campus designation being determined by the school district when feasible. For more information on services for homeless students, contact the district's homeless education liaison, at 281-641-8408.

[See also **Students Who Are Homeless** on page 73.]

## **ILLNESS**

[See **Student Illness** under **Health-Related Matters** on page 66.]

## **IMMUNIZATION (All Grade Levels)**

A student must be fully immunized against certain diseases or must present a certificate or statement that, for medical reasons or reasons of conscience, including a religious belief, the student will not be immunized. For exemptions based on reasons of conscience, only official forms issued by the Texas Department of State Health Services (TDSHS), Immunization Branch, can be honored by the district. This form may be obtained by writing the TDSHS Immunization Branch (MC 1946), P.O. Box 149347, Austin, Texas 78714-9347; or online at <https://corequest.dshs.texas.gov/>. The form must be notarized and submitted to the principal or

school nurse within 90 days of notarization. If the parent is seeking an exemption for more than one student in the family, a separate form must be provided for each student.

The immunizations required are: diphtheria, tetanus, and pertussis; measles, mumps, and rubella; polio; hepatitis A; hepatitis B; varicella (chicken pox); and meningococcal. The school nurse can provide information on age-appropriate doses or on an acceptable physician-validated history of illness required by the TDSHS. Proof of immunization may be established by personal records from a licensed physician or public health clinic with a signature or rubber-stamp validation.

If a student should not be immunized for medical reasons, the student or parent must present a certificate signed by a U.S. registered and licensed physician stating that, in the doctor's opinion, the immunization required is medically contraindicated or poses a significant risk to the health and well-being of the student or a member of the student's family or household. This certificate must be renewed yearly unless the physician specifies a lifelong condition.

As noted at **Bacterial Meningitis**, entering college students must also, with limited exception, furnish evidence of having received a bacterial meningitis vaccination within the five years prior to enrolling in and attending classes at an institution of higher education. A student wanting to enroll in a dual credit course taken off campus may be subject to this requirement.

To remain enrolled, students must receive required vaccines on schedule and as rapidly as is medical feasible. These students will be notified of the need for immunization 30 days prior to the required date. Non-compliance will result in the student being withdrawn from school until required immunization(s) is obtained.

By law, proof of immunization consists of a physician's signed statement, a properly validated health clinic card, or an official school health record. The record must contain the month, day, and year that the vaccine was given.

[For further information, see policy FFAB(LEGAL) and the TDSHS website:  
<http://www.dshs.state.tx.us/immunize/school/default.shtm>.]

### **Early College High School and Students Taking Classes on College Campuses**

All students attending classes at Quest Early College, or any other college campus (including Community Colleges), must have a Meningococcal immunization within the past 5 years. The immunization must be administered more than 10 days prior to attendance.

### **Immunization Clinics**

All immunizations may be obtained from a private physician or from a county or city health clinic.

Harris County Department of Health, Humble, 1730 Humble Place, Humble, TX 77338  
281-446-4222

East Montgomery Community Clinic, 16401 First Street, Suite 200, Splendora, TX  
281-399-1170

## **Immunizations Received Outside the United States**

Records of vaccinations received outside the U.S. must be adequately documented and comparable to the schedule and dosage recommended by the State of Texas. Foreign immunization records must be legible and officially certified. The District reserves the right to question all documents and request verification of any or all records by the private physician.

## **IMPROVEMENT PLANNING**

The district and campus improvement plans guide district and campus staff in the improvement of student performance for all student groups in order to attain state standards. Each campus formulates a Campus Improvement Plan (CIP) annually. Goals, objectives, and strategies for improvement are formulated with input from teachers, parents, principals, and others who have responsibility for their implementation. These goals, objectives and strategies will be shared with parents at orientations at the beginning of each school year and can be accessed online through the district's home page, or your child's campus website, [www.humbleisd.net](http://www.humbleisd.net).

[BQB(LOCAL); BQ(LOCAL); BQA(LEGAL); AIB(LEGAL); FFB(LEGAL);TAC 97.1061; TEC 11.251; TEC 11.252; TEC 11.253; TEC 39.053; TEC39.105.]

## **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.

Administrators, teachers and other professional personnel may also question a student about their knowledge of a situation in any type of campus investigation that is not specifically about student conduct.

[For further information, see policy FNF(LOCAL)]

## **LAW ENFORCEMENT AGENCIES (All Grade Levels)**

### **Questioning of Students**

When law enforcement officers or other lawful authorities wish to question or interview a student at school, the principal will cooperate fully regarding the conditions of the interview, if the questioning or interview is part of a child abuse investigation. In other circumstances:

- The principal will verify and record the identity of the officer or other authority and ask for an explanation of the need to question or interview the student at school.
- The principal ordinarily will make reasonable efforts to notify the parents unless the interviewer raises what the principal considers to be a valid objection.
- The principal ordinarily will be present unless the interviewer raises what the principal considers to be a valid objection.



## **Students Taken Into Custody**

State law requires the district to permit a student to be taken into legal custody:

- To comply with an order of the juvenile court.
- To comply with the laws of arrest.
- By a law enforcement officer if there is probable cause to believe the student has engaged in delinquent conduct or conduct in need of supervision.
- By a probation officer if there is probable cause to believe the student has violated a condition of probation imposed by the juvenile court.
- By an authorized representative of Child Protective Services, Texas Department of Family and Protective Services, a law enforcement officer, or a juvenile probation officer, without a court order, under the conditions set out in the Family Code relating to the student's physical health or safety.
- To comply with a properly issued directive to take a student into custody.

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

The principal will immediately notify the superintendent and will ordinarily attempt to notify the parent unless the officer or other authorized person raises what the principal considers to be a valid objection to notifying the parents. Because the principal does not have the authority to prevent or delay a student's release to a law enforcement officer, any notification will most likely be after the fact.

## **Notification of Law Violations**

The district is required by state law to notify:

- All instructional and support personnel who have responsibility for supervising a student who has been taken into custody, arrested, or referred to the juvenile court for any felony offense or for certain misdemeanors.
- All instructional and support personnel who have regular contact with a student who is thought to have committed certain offenses or who has been convicted, received deferred prosecution, received deferred adjudication, or was adjudicated for delinquent conduct for any felony offense or certain misdemeanors.
- All appropriate district personnel in regards to a student who is required to register as a sex offender.

[For further information, see policies FL(LEGAL) and GRAA(LEGAL).]

## **LEAVING CAMPUS (All Grade Levels)**

Please remember that student attendance is crucial to learning. We ask that appointments be scheduled outside of school hours as much as reasonably possible. Also note that picking up a child early on a regular basis results in missed opportunities for learning. Unless the principal has

granted approval because of extenuating circumstances, a student will not regularly be released before the end of the school day.

State rules require that parental consent be obtained before any student is allowed to leave campus for any part of the school day. The district has put the following procedures in place in order to document parental consent:

- For students in elementary and middle school, a parent or otherwise authorized adult must come to the office and sign the student out. Please be prepared to show identification. Once an identity is verified, a campus representative will then call for the student or collect the student and bring him or her to the office. For safety purposes and stability of the learning environment, we cannot allow you to go to the classroom or other area unescorted to pick up the student. If the student returns to campus the same day, the parent or authorized adult must sign the student back in through the main office upon the student's return. Documentation regarding the reason for the absence will also be required.
- For students in high school, the same process will be followed. If the student's parent will authorize the student to leave campus unaccompanied, a note provided by the parent must be submitted to the main office in advance of the absence, no later than two hours prior to the student's need to leave campus. A phone call received from the parent may be accepted, but the school may ultimately require a note to be submitted for documentation purposes. Once the office has received information that the student's parent consents to the student leaving campus, a pass will be issued to the student to hand to his or her teacher with the necessary information. The student must sign out through the main office and sign in upon his or her return, if the student returns the same day. If a student is 18 years of age or is an emancipated minor, the student may produce a note on his or her own behalf. Documentation regarding the reason for the absence will be required.
- If a student becomes ill during the school day and the school nurse or other district personnel determines that the student should go home, the nurse will contact the student's parent and document the parent's wishes regarding release from school. Unless directed by the parent to release the student unaccompanied, the parent or other authorized adult must follow the sign-out procedures as listed above. If a student is allowed to leave campus by himself or herself, as permitted by the student's parent, or if the student is age 18 or is an emancipated minor, the nurse will document the time of day the student was released. Under no circumstances will a child in elementary or middle school be released unaccompanied by a parent or adult authorized by the parent.

### **During Lunch**

All Humble ISD campuses are closed and no students are allowed to leave during lunch without a parent.

### **At Any Other Time During the School Day**

Students are not authorized to leave campus during regular school hours for any other reason, except with the permission of the principal.

Students who leave campus in violation of these rules will be subject to disciplinary action in accordance with the Student Code of Conduct.

## **LOST AND FOUND (All Grade Levels)**

A “lost and found” collection box is located in an area designed by your campus principal . If your child has lost an item, please encourage him or her to check the lost and found box. The district discourages students from bringing to school personal items of high monetary value, as the district is not responsible for lost or stolen items. The campus will dispose of lost and found items at the end of each semester. It is advisable that all sweaters, coats, jackets, hats and all PE uniforms be marked with the student’s name.

## **MAKEUP WORK**

### **Makeup Work Because of Absence (All Grade Levels)**

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

A student will be responsible for obtaining and completing the makeup work in a satisfactory manner and within the time specified by the teacher. A student who does not make up assigned work within the time allotted by the teacher will receive a grade of zero for the assignment.

A student is encouraged to speak with his or her teacher if the student knows of an absence ahead of time, including absences for extracurricular activities, so that the teacher and student may plan any work that can be completed before or shortly after the absence. Please remember the importance of student attendance at school and that, even though absences may be excused or unexcused, all absences account for the 90 percent threshold in regards to the state laws surrounding “attendance for credit or final grade.” [See also **Attendance for Credit or Final Grade** on page 17.]

A student involved in an extracurricular activity must notify his or her teachers ahead of time about any absences.

A student will be permitted to make up tests and to turn in projects due in any class missed because of absence. Teachers may assign a late penalty to any long-term project in accordance with time lines approved by the principal and previously communicated to students.

Students should expect to do more paperwork than those who were in attendance because it is necessary to make up for the classroom experiences missed. The following is offered as a minimum guideline for completing make-up work:

1 day absence – makeup work is due 1 day following return to school

2 day absence – makeup work is due 2 days after return to school

3 day absence – makeup work is due 3 days after return to school

4 day absence – makeup work is due 4 days after return to school

5 day absence – makeup work is due 5 days after return to school

After a student has been absent for three (3) days, the parent/guardian may request make-up work through the appropriate office designated by the campus.

Students absent more than five (5) days must make arrangements with their teachers for making up the work missed within one week (5 school days) after their return to school.

Late work guidelines also apply to makeup work.

If students are absent on a predetermined due date, the material is due the day the student returns to school.

When in-school suspension or discipline program assignments have been given a predetermined date, no extra days are given for makeup work.

## **DAEP Makeup Work**

### ***Grades 9–12***

A high school student removed to a disciplinary alternative education program (DAEP) during the school year will have an opportunity to complete, before the beginning of the next school year, a foundation curriculum course in which the student was enrolled at the time of removal. The district may provide the opportunity to complete the course through an alternative method, including a correspondence course, another distance learning option, or summer school. The district will not charge the student for any method of completion provided by the district. [See policy FOCA(LEGAL).]

## **In-School Suspension (ISS) Makeup Work (All Grade Levels)**

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

## **MEDICINE AT SCHOOL (All Grade Levels)**

Medication that must be administered to a student during school hours must be provided by the student's parent. All medication, whether prescription or nonprescription, must be kept in the nurse's office and administered by the nurse or another authorized district employee, unless the student is authorized to possess his or her own medication because of asthma or a severe allergy as described below or as otherwise allowed by law.

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

Only authorized employees, in accordance with policy FFAC, may administer:

- Prescription medication, in the original, properly labeled container, provided by the parent, along with a written request.

- Prescription medication from a properly labeled unit dosage container filled by a registered nurse or another qualified district employee from the original, properly labeled container.
- Nonprescription medication, in the original, properly labeled container, provided by the parent along with a written request.
- Herbal or dietary supplements provided by the parent only if required by the student's individualized education program (IEP) or Section 504 plan for a student with disabilities.

Students whose schedules provide for regular time spent outdoors, including for recess and physical education classes, should apply sunscreen before coming to school.

For students at the elementary level, the student's teacher or other district personnel may apply sunscreen and insect repellent to a student's exposed skin if the student brings the sunscreen and insect repellent to school and requests assistance with the application of the sunscreen or insect repellent. Nothing prohibits a student at this level from applying his or her own sunscreen or insect repellent if the student is capable of doing so.

For students at the secondary level, a student may possess and apply sunscreen and insect repellent when necessary. If the student will need assistance with this application, please address the need for assistance with the school nurse.

Whether a student is at the elementary or secondary level, if sunscreen needs to be administered to treat any type of medical condition, this should be handled through communication with the school nurse so that the district is made aware of any safety and medical issues.

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

If the student has been prescribed asthma or anaphylaxis medication for use during the school day, the student and parents should discuss this with the school nurse or principal.

In accordance with a student's individual health plan for management of diabetes, a student with diabetes will be permitted to possess and use monitoring and treatment supplies and equipment while at school or at a school-related activity. See the school nurse or principal for information. [See policy FFAF(LEGAL).]

## **Psychotropic Drugs**

A psychotropic drug is a substance used in the diagnosis, treatment, or prevention of a disease or as a component of a medication. It is intended to have an altering effect on perception, emotion, or behavior and is commonly described as a mood- or behavior-altering substance.

Teachers and other district employees may discuss a student's academic progress or behavior with the student's parents or another employee as appropriate; however, they are not permitted to recommend use of psychotropic drugs. A district employee who is a registered nurse, an advanced nurse practitioner, a physician, or a certified or credentialed mental health professional

can recommend that a student be evaluated by an appropriate medical practitioner, if appropriate. [For further information, see policy FFAC.]

### **Medicine Guidelines**

- All medication must be delivered to, and picked up from, the clinic by a parent or authorized adult.
- A parent signature is required for any and all medications to be given at school.
- A physician’s signature is required:
  - for all prescription medications and non-prescription medication given for more than ten (10) consecutive school days, and
  - for all PRN (as needed) medications, prescription or non-prescription, given more than four (4) times per month.
- All medications must be unexpired and age appropriate. (Pharmacies will usually provide cost-free additional labeled containers upon parental request.)
- Labels must include patient name, medication name, directions for use and date.
- Parental permission to give “missed doses at home” must be in writing but we will accept via either fax or email.
- Changes to prescription medication administration, such as dosage and/or time to administer, require a physician’s written order.
- Changes to non-prescription medication administration, such as dosage and/or time to administer, must be provided by the parent and in writing.
- Discontinuance of medication must be writing rom from the parent and/or physician.
- Medication orders are valid for the current school year/summer school session only.

### **NONDISCRIMINATION STATEMENT (All Grade Levels)**

In its efforts to promote nondiscrimination and as required by law, Humble ISD does not discriminate on the basis of race, religion, color, national origin, gender, sex, disability, age, or any other basis prohibited by law, in providing education services, activities, and programs, including CTE programs, and provides equal access to the Boy Scouts and other designated youth groups. The following district representatives have been designated to coordinate compliance with these legal requirements:

- Title IX Coordinator, for concerns regarding discrimination on the basis of sex, including sexual harassment or gender-based harassment: Dr. Thomas Price, Deputy Superintendent/CAO, 20200 Eastway Village Drive, Humble, TX 77338 281-641-8005
- ADA/Section 504 Coordinator, for concerns regarding discrimination on the basis of disability: Rick Meyer, Humble ISD, 4810 Magnolia Cove, Kingwood, TX 77345, TX 77338 281-641-8416
- ADA Facilities Accessibility Coordinator is Dr. Roger Brown, Humble ISD, 1703 Wilson Road, Humble, TX 77347 (281) 641-1083.

- All other concerns regarding discrimination: Dr. Thomas Price, Deputy Superintendent/CAO, 20200 Eastway Village Drive, Humble, TX 77338 281-641-8005

[See policies FB(LOCAL) and FFH(LOCAL).]

## **PARENT AND FAMILY ENGAGEMENT(All Grade Levels)**

### **Working Together**

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

- Encouraging your child to put a high priority on education and working with your child on a daily basis to make the most of the educational opportunities the school provides.
- Ensuring that your child completes all homework assignments and special projects and comes to school each day prepared, rested, and ready to learn.
- Becoming familiar with all of your child’s school activities and with the academic programs, including special programs, offered in the district.
- Discussing with the school counselor or principal any questions you may have about the options and opportunities available to your child.
- Reviewing the requirements and options for graduation with your child in middle school and again while your child is enrolled in high school.
- Monitoring your child’s academic progress and contacting teachers as needed. [See **Academic Counseling** on page 27.]
- Attending scheduled conferences and requesting additional conferences as needed. To schedule a telephone or in-person conference with a teacher, school counselor, or principal, please call the school office for an appointment. The teacher will usually return your call or meet with you during his or her conference period or before or after school. [See **Report Cards/Progress Reports and Conferences** on page 87.]
- Becoming a school volunteer. [For further information, see policy GKG and **Volunteers** on page 103.]
- Participating in campus parent organizations.
- Serving as a parent representative on the district-level or campus-level planning committees, assisting in the development of educational goals and plans to improve student achievement. [For further information, see policies at BQA and BQB, and contact the campus principal.
- Serving on the School Health Advisory Council (SHAC), assisting the district in ensuring local community values are reflected in health education instruction and other wellness issues. [See policies at BDF, EHAA, FFA, and information in this handbook at **School Health Advisory Council** on page 71.]

- Serving on a committee to determine criteria to be used to evaluate the overall performance of the district and each campus in community and student engagement. For further information, please contact the campus principal.
- Being aware of the school's ongoing bullying and harassment prevention efforts and the district's Student Code of conduct.
- Contacting school officials if you are concerned with your child's emotional or mental well-being.
- Attending board meetings to learn more about district operations. [See policies at BE and BED for more information.]
- Accessing the Home Access Center and checking grades at least once a week.

## **PHYSICAL EXAMINATIONS/HEALTH SCREENINGS**

### **Athletics' Participation (Secondary Grade Levels Only)**

A student who wishes to participate in, or continue participation in, the district's athletics program governed by the UIL must submit certification from a health-care provider authorized under UIL rules that the student has been examined and is physically able to participate in the athletic program.

This examination is required to be submitted annually to the district.

### **Other Exams and Screenings (All Grade Levels)**

Texas Health Services requires the following health screenings for students:

- Vision & Hearing – Grades P-K, K, 1, 3, 5, 7, and new students entering the district.
- Scoliosis – New students entering the district and
  - Girls – Grades 5 & 8
  - Boys – Grades 6 & 9
- Diabetes Risk Assessment: Grades 1, 3, 5, 7, & 9.

The following health screenings are recommended by Texas Department of State Health Services (TDSHS):

- Tympanograms: All students in grades Pre-K – 5<sup>th</sup> grade who fail their initial Puretone test.
- Height, Weight & BMS – Grades Pre-K through 8<sup>th</sup> grade.

Parents, students and staff may request a screening at any time. Students who fail the screening will receive a referral notice for further evaluation.

A parent/guardian may present proof of vision, hearing, and scoliosis evaluations from private sources, in lieu of this screening.

[Also see policy FFAA.]



## **PLEDGES OF ALLEGIANCE AND A MINUTE OF SILENCE (All Grade Levels)**

Each school day, students will recite the Pledge of Allegiance to the United States flag and the Pledge of Allegiance to the Texas flag. Parents may submit a written request to the principal to excuse their child from reciting a pledge. [See **Reciting the Pledges to the U.S. and Texas Flags** on page 7]

State law requires that one minute of silence follow recitation of the pledges. Each student may choose to reflect, pray, meditate, or engage in any other silent activity during that minute so long as the silent activity does not interfere with or distract others. In addition, state law requires that each campus provide for the observance of one minute of silence at the beginning of the first class period when September 11 falls on a regular school day in remembrance of those who lost their lives on September 11, 2001.

[See policy EC for more information.]

## **PRAYER (All Grade Levels)**

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

## **PROMOTION AND RETENTION**

A student will be promoted only on the basis of academic achievement or demonstrated proficiency in the subject matter of the course or grade level, the recommendation of the student's teacher, the score received on any criterion-referenced or state-mandated assessment, and any other necessary academic information as determined by the district.

In addition, at certain grade levels a student—with limited exceptions—will be required to pass the State of Texas Assessments of Academic Readiness (STAAR), if the student is enrolled in a public Texas school on any day between January 1 and the date of the first administration of the STAAR.

In order to be promoted to grade 6, students enrolled in grade 5 must perform satisfactorily on the mathematics and reading sections of the grade 5 assessment in English or Spanish.

In order to be promoted to grade 9, students enrolled in grade 8 must perform satisfactorily on the mathematics and reading sections of the grade 8 assessment in English.

If a student in grade 5 or 8 is enrolled in a course that earns high school credit and for which an end-of-course (EOC) assessment will be administered, the student will not be subject to the promotion requirements described above for the relevant grade 5 or 8 assessment. The student will instead take the corresponding EOC assessment.

If a student in grades 3–8 is enrolled in a class or course intended for students above his or her current grade level in which the student will be administered a state-mandated assessment, the student will be required to take an applicable state-mandated assessment only for the course in which he or she is enrolled, unless otherwise required to do so by federal law.

[See **Standardized Testing** on page 97.]

A student in grade 5 or 8 will have two additional opportunities to take a failed assessment. If a student fails a second time, a grade placement committee, consisting of the principal or designee, the teacher, and the student's parent, will determine the additional special instruction the student will receive. After a third failed attempt, the student will be retained; however, the parent can appeal this decision to the committee. In order for the student to be promoted, based on standards previously established by the district, the decision of the committee must be unanimous and the student must complete additional special instruction before beginning the next grade level. Whether the student is retained or promoted, an educational plan for the student will be designed to enable the student to perform at grade level by the end of the next school year. [See policy EIE.]

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

Parents of a student at or above grade level 3 who does not perform satisfactorily on his or her state-mandated exams will be notified that their child will participate in special instructional programs designed to improve performance. The student may be required to participate in this instruction before or after normal school hours or outside of the normal school year. Failure of a student to attend these programs may result in violations of required school attendance as well as the student not being promoted to the next grade level.

A Personal Graduation Plan (PGP) will be prepared for any student at the middle school or junior high level who did not perform satisfactorily on a state-mandated assessment or is determined by the district as not likely to earn a high school diploma before the fifth school year following enrollment in grade 9. The PGP will be designed and implemented by a school counselor, teacher, or other staff member designated by the principal. The plan will, among other items, identify the student's educational goals, address the parent's educational expectations for the student, and outline an intensive instruction program for the student. [For additional information, see the school counselor and policy EIF(LEGAL).] For a student receiving special education services, the student's IEP may serve as the student's PGP and would therefore be developed by the student's ARD committee.

[For information related to the development of personal graduation plans for high school students, see **Personal Graduation Plans for Students Under the Foundation Graduation Program** on page 62.]

## **Elementary Grade Levels**

### ***Kindergarten – Second Grade***

A student in kindergarten through second grade whose literacy level and/or math level is sufficient for success in that grade is promoted to the next grade. A student whose literacy and/or math level is not sufficient for success in the next grade should have his or her progress reviewed by the campus Grade Placement Committee (GPC) with the decision for placement or retention based on developmental readiness and academic skills.

### ***Third & Fourth Grade***

A student is promoted when:

- The final grade for language arts is 70 or above. (Formula – 50% reading, plus 40% language arts, plus 10% spelling = Average Language Arts Grade), AND
- The final grade for mathematics is 70 or above, AND
- Final grade average for language arts, mathematics, science and social studies is 70 or above.

A student who does not meet the above promotion criteria will be referred to the GPC.

### ***Fifth Grade***

A fifth grade student is promoted to sixth grade when:

- The student passes the reading and mathematics portions of the fifth grade STAAR, AND
- The final grade for language arts is 70 or above, (Formula - 50% reading, plus 40% language arts, plus 10% spelling = Average Language Arts Grade), AND
- The final grade for mathematics is 70 or above, AND
- Final grade average for language arts, mathematics, science and social studies is 70 or above.

A fifth grade student who does not meet the above promotion criteria will be referred to the GPC.

### **Middle Grade Levels**

#### ***Sixth & Seventh Grade***

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

#### ***Eighth Grade***

In eighth grade, promotion shall be based on STAAR testing and GPC recommendations.

### **High School Grade Levels**

To earn credit in a course, a student must receive a grade of at least 70 based on course-level or grade-level standards.

A student in grades 9–12 will be advanced a grade level based on the number of course credits earned. [Also see **Grade Level Classification** on page 53.]

Students will also have multiple opportunities to retake EOC assessments. [See **Graduation** on page 58 and **Standardized Testing** on page 97 for more information about EOC assessments.]

### **Limited English Proficiency Students**

The decision to promote, retain, or place LEP students will be the responsibility of the GPC after consulting with a member of the LPAC Committee.

### **Special Education Students**

The decision to promote, retain or place students receiving special education services will be the responsibility of the ARD Committee.

### **Appeals to Grade Placement**

The parents of retained placed students can request information from the school counselor regarding the appeals process. Additionally, at certain grade levels, a student, with limited exceptions, will be required to pass the State of Texas Assessments of Academic Readiness (STAAR), if the student is enrolled in a public Texas school on any day between January 1 and the date of the first administration of the STAAR.

## **RELEASE OF STUDENTS FROM SCHOOL**

[See **Leaving Campus** on page 76.]

## **REPORT CARDS/PROGRESS REPORTS AND CONFERENCES (All Grade Levels)**

Teachers follow grading guidelines that have been approved by the District Committee of Administrators, pursuant to the board-adopted policy, and are designed to reflect each student's relative mastery of each assignment for the grading period, semester, or course. State law provides that a test or course grade issued by a teacher cannot be changed unless the board determines that the grade was arbitrary or contains an error, or that the teacher did not follow the district's grading policy. [See policy EIA(LOCAL) and **Grading Guidelines** on page 54.]

Questions about grade calculation should first be discussed with the teacher; if the question is not resolved, the student or parent may request a conference with the principal in accordance with FNG(LOCAL).

The report card or unsatisfactory progress report will state whether tutorials are required for a student who receives a grade lower than 70 in a class or subject.

Report cards and unsatisfactory progress reports must be signed by the parent and returned to the school within 3 days. The district may use an electronic program to communicate academic information about your child, including for report card and progress reporting purposes. An electronic signature of the parent will be accepted by the district, but you are entitled to request the option to provide a handwritten signature of acknowledgment instead.

### **Elementary Levels**

To receive grades, an elementary student must be enrolled one-half of a reporting period, plus one day, so the teacher will have time to fairly evaluate the student.

Progress reports will be issued to students whose grade average is at or near failing or if a grade has declined the equivalent of two letter grades. These reports are sent the middle of each nine-week grading period, or as needed.

### **Secondary Levels (Middle & High)**

Secondary report cards, with each student's grades or performance and absences in each class or subject, are issued for each nine-week period.

Progress reports will be distributed following the end of the third week and sixth week of each grading period that coincides with the UIL eligibility calendar for all students in each subject.

## **RETALIATION**

[See **Dating Violence, Discrimination, Harassment, and Retaliation** on page 29.]

### **SAFETY (All Grade Levels)**

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

- Avoid conduct that is likely to put the student or others at risk.
- Follow the behavioral standards in this handbook and the Student Code of Conduct, as well as any additional rules for behavior and safety set by the principal, teachers, or bus drivers.
- Remain alert to and promptly report to a teacher or the principal any safety hazards, such as intruders on campus or threats made by any person toward a student or staff member.
- Know emergency evacuation routes and signals.
- Follow immediately the instructions of teachers, bus drivers, and other district employees who are overseeing the welfare of students.

### **Accident Insurance**

Although every attempt is made to ensure a safe learning environment for our students, accidents do occur. Parents and guardians should be aware that in the event your child is injured at school, the district does not carry insurance and will not cover the medical expenses for a possible accident, whether at school or at home. At the time your child enrolls, parents will have the opportunity to purchase low-cost accident insurance that would help meet medical expenses in the event of injury to their child. This will be especially important to you if your child is not adequately covered by full health insurance. Even if insurance exists, you may wish to purchase accident insurance to cover deductibles for your current coverage. As you review the brochure, you will note that both at-school and 24 hour protection are offered; benefits under the plan are on a scheduled basis and will not necessarily cover 100% of expenses. Claim forms for the optional student insurance are available at the campus. Questions regarding student insurance can be answered by the Insurance and Benefits Department, (281) 641-8050.

## **Preparedness Drills: Evacuation, Severe Weather, and Other Emergencies**

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

## **Emergency Medical Treatment and Information**

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

## **Emergency School-Closing Information**

Each year, parents are asked to complete an emergency release form to provide contact information in the event that school is dismissed early or opening is delayed because of severe weather or another emergency, or if the campus must restrict access due to a security threat.

The district will rely on contact information on file with the district to communicate with parents in an emergency situation, which may include real-time or automated messages. It is crucial to notify your child's school when a phone number previously provided to the district has changed.

If the campus must close, delay opening, or restrict access to the building because of an emergency, the district will alert the community in the following ways:

- Posting on the campus website.
- Email and/or text messages to parents of students attending the campus.

## **SAT, ACT, AND OTHER STANDARDIZED TESTS**

[See **Standardized Testing** on page 97.]

## **SCHEDULE CHANGES (Middle and High School Grade Levels)**

Students will explore career pathways and will plan their 4 years of high school using the Bridges website, [www.bridges.com](http://www.bridges.com). These plans will be reviewed by student and counselor at least annually to ensure that the student is on track for graduation and to make any needed adjustments. Verification sheets containing the next year's course selections are distributed to students and their families for review prior to the end of the current school year. Course selection must be carefully considered as only course level changes will be made after the school year begins. [Refer to Humble ISD's Course Guide for further information.]

## **SCHOOL FACILITIES**

### **Use by Students Before and After School (All Grade Levels)**

Certain areas of the school will be accessible to students before and after school for specific purposes. Students are required to remain in the area where their activity is scheduled to take place.

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

After dismissal of school in the afternoon, unless a student is involved in an activity under the supervision of a teacher or other authorized employee or adult, or unless students are granted permission to remain on campus in accordance with policy FNAB, students must leave campus immediately.

### **Conduct Before and After School (All Grade Levels)**

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

### **Use of Hallways During Class Time (All Grade Levels)**

Loitering or standing in the halls during class is not permitted. During class time, a student must have a hall pass to be outside the classroom for any purpose. Failure to obtain a pass will result in disciplinary action in accordance with the Student Code of Conduct.

### **Cafeteria Services (All Grade Levels)**

The district participates in the School Breakfast Program and National School Lunch Program and offers students nutritionally balanced meals daily in accordance with standards set forth in state and federal law.

Free and reduced-price meals are available based on financial need or household situation. Information about a student's participation is confidential; however, disclosure of a student's eligibility may be made without prior notice or consent to programs, activities, and individuals that are specifically authorized access under the National School Lunch Act (NSLA), which is the law that sets forth the disclosure limits for the district's child nutrition programs. A student's name, eligibility status, and other information may be disclosed to certain agencies as authorized under the NSLA to facilitate the enrollment of eligible children in Medicaid or the state children's health insurance program (CHIP) unless the student's parent notifies the district that a student's information should not be disclosed. A parent's decision will not affect the child's eligibility for free and reduced price meals or free milk. See [www.humbleisd.net](http://www.humbleisd.net) to apply for free or reduced price meal services.

Parents are strongly encouraged to continually monitor their child's meal account balance. When a student's meal account is depleted, the district will notify the parent. The student will be

allowed to continue purchasing meals for up to \$20.00 and the district will present the parent with a schedule of repayment for any outstanding account balance. If the district is unable to work out an agreement with the student's parent on replenishment of the student's meal account and payment of any outstanding balance, the student will receive an alternate meal.

### **Library (All Grade Levels)**

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

### **Meetings of Noncurriculum-Related Groups (Secondary Grade Levels Only)**

Student-organized, student-led noncurriculum-related groups are permitted to meet during the hours designated by the principal before and after school. These groups must comply with the requirements of policy FNAB(LOCAL).

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

### **Building/Facility Use**

In order for any school group to use the school building or its facilities, permission must be obtained from the campus principal. No group will be permitted to use any part of the building without a teacher or custodian assigned to the building. Use of school facilities is governed by board policy.

Any group or organization outside of the school that desires to use any school facility will need to make arrangements through the Central Maintenance Office at 281-641-8700. Fees may be assigned for this use.

### **Parking on Campus**

All high school students desiring to park on campus must register their vehicle with the school and follow all parking regulations. Parking on individual campuses may be limited and all parking requires a permit. Please consult your individual campus prior to enrollment if you have any questions concerning parking.

Humble ISD is not responsible for damages incurred while cars are parked on district property. Damage to vehicles should be reported to the campus police officer as promptly as possible. Additional information regarding student parking may be found on your student's high school campus website.

## **SEARCHES**

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

### **Students' Desks and Lockers (All Grade Levels)**

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



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

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

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

### **Telecommunications and Other Electronic Devices (All Grade Levels)**

Use of district-owned equipment and its network systems is not private and will be monitored by the district. [See policy CQ for more information.]

Any searches of personal telecommunications or other personal electronic devices will be conducted in accordance with law, and the device may be confiscated in order to perform a lawful search. A confiscated device may be turned over to law enforcement to determine whether a crime has been committed.

[See policy FNF(LEGAL) and **Electronic Devices and Technology Resources** on page 35 for more information.]

### **Vehicles on Campus (Secondary Grade Levels Only)**

A student has full responsibility for the security and content of his or her vehicle parked on district property and must make certain that it is locked and that the keys are not given to others. [See also the Student Code of Conduct.]

Vehicles parked on district property are under the jurisdiction of the district. School officials may search any vehicle any time there is reasonable suspicion to do so, with or without the permission of the student. If a vehicle subject to search is locked, the student will be asked to unlock the vehicle. If the student refuses, the student's parent will be contacted. If a search is also refused by the student's parent, the district will turn the matter over to law enforcement. The district may, in certain circumstances, contact law enforcement even if permission to search is granted.

### **Trained Dogs (All Grade Levels)**

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

## **SEXUAL HARASSMENT**

[See **Dating Violence, Discrimination, Harassment, and Retaliation** on page 29.]

## **SPECIAL PROGRAMS (All Grade Levels)**

The district provides special programs for gifted and talented students, homeless students, bilingual students, migrant students, English language learners, students diagnosed with dyslexia, and students with disabilities. The coordinator of each program can answer questions about eligibility requirements, as well as programs and services offered in the district or by other organizations. A student or parent with questions about these programs should contact the campus principal.

## **STANDARDIZED TESTING**

### **Secondary Grade Levels**

#### ***SAT/ACT (Scholastic Aptitude Test and American College Test)***

Many colleges require either the American College Test (ACT) or the Scholastic Aptitude Test (SAT) for admission. Students are encouraged to talk with the school counselor early during their junior year to determine the appropriate exam to take; these exams are usually taken at the end of the junior year. The Preliminary SAT (PSAT) and ACT-Aspire are the corresponding preparatory and readiness assessments for the SAT and ACT, and more information can be obtained on these assessments from the school counselor.

Note that participation in these assessments may qualify a student to receive a performance acknowledgment on his or her transcript under the foundation graduation program and may qualify as a substitute for an end-of-course testing requirement in certain circumstances. A student's performance at a certain level on the SAT or ACT also makes the student eligible for automatic admission to a Texas public institution of higher education.

#### ***TSI (Texas Success Initiative) Assessment***

Prior to enrollment in a Texas public college or university, most students must take a standardized test called the Texas Success Initiative (TSI) assessment. The purpose of the TSI assessment is to assess the reading, mathematics, and writing skills that entering freshmen-level students should have if they are to perform effectively in undergraduate certificate or degree programs in Texas public colleges and universities. This assessment may be required before a student enrolls in a dual-credit course offered through the district as well. Achieving certain benchmark scores on this assessment for college readiness may also waive certain end-of-course assessment requirements in limited circumstances.

#### **STAAR (State of Texas Assessments of Academic Readiness)**

##### ***Grades 3–8***

In addition to routine tests and other measures of achievement, students at certain grade levels are required to take the state assessment, called STAAR, in the following subjects:

- Mathematics, annually in grades 3–8
- Reading, annually in grades 3–8
- Writing, including spelling and grammar, in grades 4 and 7

- Science in grades 5 and 8
- Social Studies in grade 8

Successful performance on the reading and math assessments in grades 5 and 8 is required by law, unless the student is enrolled in a reading or math course intended for students above the student's current grade level, in order for the student to be promoted to the next grade level. [See **Promotion and Retention** on page 84 for additional information.]

STAAR A will be available for an eligible student with a Section 504 accommodation plan who has been identified with dyslexia or a related disorder, as well as for a student receiving special education services, if the student meets state-established criteria and requires certain instructional and assessment accommodations on a routine basis.

STAAR Alternate 2, for students receiving special education services who meet certain state-established criteria, will be available for eligible students, as determined by the student's ARD committee.

STAAR L is a linguistically accommodated assessment that is available for certain limited English proficient (LEP) students, as determined by the student's Language Proficiency Assessment Committee (LPAC). A Spanish version of STAAR is also available to students through grade 5 who need this accommodation.

### ***High School Courses—End-of-Course (EOC) Assessments***

STAAR end-of-course (EOC) assessments are administered for the following courses:

- Algebra I
- English I and English II
- Biology
- United States History

Satisfactory performance on the applicable assessments will be required for graduation, unless otherwise waived or substituted as allowed by state law and rules.

There are three testing windows during the year in which a student may take an EOC assessment, which will occur during the fall, spring, and summer months. If a student does not meet satisfactory performance, the student will have additional opportunities to retake the assessment.

STAAR A will be available for an eligible student with a Section 504 accommodation plan who has been identified with dyslexia or a related disorder, as well as for a student receiving special education services, if the student meets state-established criteria and requires certain instructional and assessment accommodations on a routine basis.

STAAR Alternate 2, for students receiving special education services who meet certain criteria established by the state, will be available for eligible students, as determined by the student's ARD committee.

A student's ARD committee for students receiving special education services will determine whether successful performance on the EOC assessments will be required for graduation within the parameters identified in state rules and the student's personal graduation plan.

STAAR L, which is a linguistically accommodated assessment, will be available English language learners and who require this type of testing accommodation.

[Also see **Graduation** on page 58 for additional information.]

### **STEROIDS (Secondary Grade Levels Only)**

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

Body building, muscle enhancement, or the increase of muscle bulk or strength through the use of an anabolic steroid or human growth hormone by a healthy student is not a valid medical use and is a criminal offense.

### **STUDENTS IN FOSTER CARE (All Grade Levels)**

In an effort to provide educational stability, the district strives to assist any student who is currently placed or newly placed in foster care (temporary or permanent custody of the state, sometimes referred to as substitute care) with the enrollment and registration process, as well as other educational services throughout the student's enrollment in the district.

Please contact Matt Smith, 281-641-8405, who has been designated as the district's foster care liaison, with any questions.

[See also **Students in the Conservatorship of the State** on page 12 for more information.]

### **STUDENT SPEAKERS (All Grade Levels)**

[See policy FNA(LOCAL) regarding other speaking opportunities and **Graduation** on page 58 for information related to student speakers at graduation ceremonies.]

### **SUBSTANCE ABUSE PREVENTION AND INTERVENTION (All Grade Levels)**

If you are worried that your child may be using or is in danger of experimenting, using, or abusing illegal drugs or other prohibited substances, please contact the school counselor. The school counselor can provide you with a list of community resources that may be of assistance to you. The TDSHS maintains information regarding children's mental health and substance abuse intervention services on its website: <http://www.dshs.state.tx.us/mhsa-child-adolescent-services/>.

### **SUICIDE AWARENESS (All Grade Levels)**

The district is committed to partnering with parents to support the healthy mental, emotional, and behavioral development of its students. If you are concerned about your child, please access <http://www.texasuicideprevention.org> or contact the school counselor for more information related to suicide prevention services available in your area.

### **SUMMER SCHOOL (All Grade Levels)**

Humble ISD offers summer school programming. Information regarding program enrollment and course offerings may be found in the counselor's office on each campus.

## **TARDIES (All Grade Levels)**

Each school has its own tardy practice that will be explained at the beginning of the school year. For additional information, please visit your student's campus website. Repeated instances of tardiness may result in disciplinary action in accordance with the Student Code of Conduct.

## **TEXTBOOKS, ELECTRONIC TEXTBOOKS, TECHNOLOGICAL EQUIPMENT, AND OTHER INSTRUCTIONAL MATERIALS (All Grade Levels)**

Textbooks and other district-approved instructional materials are provided to students free of charge for each subject or class. Electronic textbooks and technological equipment may also be provided to students, depending on the course and course objectives. A student who is issued a damaged item should report the damage to the teacher. Any student failing to return an item in acceptable condition loses the right to free textbooks and technological equipment until the item is returned or the damage paid for by the parent; however, the student will be provided the necessary instructional resources and equipment for use at school during the school day.

Instructional materials issued by the District, including textbooks, electronic textbooks and technology equipment, are the property of Humble ISD. Instructional materials are the responsibility of the student to whom they are checked out.

A student must return all instructional materials to the teacher at the end of the school year or when the student withdraws from school.

A student who loses any issued instructional materials, regardless of its condition, will be expected to pay the full replacement price.

## **TRANSFERS (All Grade Levels)**

The principal is authorized to transfer a student from one classroom to another.

[See **Safety Transfers/Assignments**, on page 100, and **Bullying**, on page 20, for other transfer options.]

## **Transfer Students Within District, Intra-District Transfer and Schools of Choice Program Application**

Parents who want their children to attend a school in Humble ISD other than their home campus may request permission by completing the General Intra-District Student Transfers and Schools of Choice Program Application. Regulations and deadlines for filing an application will be identified each spring on the District's website [www.humbleisd.net](http://www.humbleisd.net).

The transfer student must follow all rules and regulations of the District, including those for student conduct and attendance. Violations of the District's rules and regulations may result in revocation of the transfer agreement. It is the responsibility of the parent or guardian to notify the campus of any address change. Any falsification of information is a Class A Misdemeanor and can lead to legal action.

## **Transfer Related to Victims of Sexual Assaults or Violent Crimes**

The parents or guardian with the authority to act on behalf of the victim of a sexual assault, or other violent crime, may request transfer within the district. Campus administration will notify

the parent or guardian of the victim of their right to transfer no more than 14 days after the occurrence of the crime. The guidelines related to requesting such a transfer may be found in Board Policy FDD(LOCAL). This policy applies to victims of the following crimes:

- Attempted murder under Texas Penal Code Sections 19.02, 19.03, and 15.01 (reported under PEIMS 425 Action Reason Code 17).
- Indecency with a child under Texas Penal Code Section 21.11 (reported under PEIMS 425 Action Reason Code 18).
- Aggravated kidnapping under Texas Penal Code Section 20.04 (reported under PEIMS 425 Action Reason Code 19).
- Assault of student under Texas Penal Code Section 22.01 (a) (1) (reported under PEIMS 425 Action Reason Code 28).

## **TRANSPORTATION (All Grade Levels)**

### **School-Sponsored Trips**

Students who participate in school-sponsored trips are required to use transportation provided by the school to and from the event. As approved by the principal, a coach or sponsor of an extracurricular activity may establish procedures related to making an exception to this requirement when a parent requests that the student be released to the parent or to another adult designated by the parent.

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

Humble ISD provides no-cost transportation from home to school and school to home for those who are eligible. Students who do not qualify for transportation, i.e. live two miles or closer to their campus, will not be able to ride a route bus. Students may be picked up and dropped off only at designated bus stops at specific times. If students miss the bus, transportation must be provided by the parents. In an emergency situation, changes in a student's bus riding schedule for a day, such as riding another bus or getting off at a different stop, must be approved by calling the Transportation Department at 281-641-8721. The driver will be notified by the Transportation Department of the change in the student's schedule. Permanent changes must be submitted to the Director of Transportation in writing (P.O. Box 2000, Humble, TX 77347) or e-mail at (transportation@humble.k12.tx.us) for approval. A note to the bus driver or campus is not sufficient and will not be accepted.

Bus routes and stops will be designated annually, and any subsequent changes will be provided to the students by way of the bus driver and on the district's website. For the safety of the operator of the vehicle and all passengers, students must board buses or other vehicles only at authorized stops, and drivers must unload passengers only at authorized stops.

A parent may also designate a state licensed child-care facility or grandparent's residence as the regular pickup and drop-off location for his or her child. The designated facility or residence must be on an approved stop on an approved route. For information on bus routes and stops or to designate an alternate pickup or drop-off location, you may contact 281-641-8721.

[See the Student Code of Conduct for provisions regarding transportation to the DAEP.]

Students are expected to assist district staff in ensuring that buses and other district vehicles remain in good condition and that transportation is provided safely. When riding in district vehicles, including buses, students are held to behavioral standards established in this handbook and the Student Code of Conduct. Students must:

- Follow the driver's directions at all times.
- Enter and leave the vehicle in an orderly manner at the designated stop.
- Keep feet, books, instrument cases, and other objects out of the aisle.
- Not deface the vehicle or its equipment.
- Not put head, hands, arms, or legs out of the window, hold any object out of the window, or throw objects within or out of the vehicle.
- Not possess or use any form of tobacco or e-cigarettes in any district vehicle.
- Observe all usual classroom rules.
- Be seated while the vehicle is moving.
- Fasten their seat belts, if available.
- Wait for the driver's signal upon leaving the vehicle and before crossing in front of the vehicle.
- Follow any other rules established by the operator of the vehicle.

Misconduct will be punished in accordance with the Student Code of Conduct; the privilege to ride in a district vehicle, including a school bus, may be suspended or revoked.

### ***Discipline Program Transportation***

Transportation is provided for students placed in the Discipline Program. Note: Parents will need to provide transportation to the Discipline Program for students who have lost bus privileges or did not arrive at the school in time to meet the bus. [See the Student Code of Conduct for provisions regarding transportation to the DAEP.]

### ***Early Release Days***

On early release days, Kindergarten and Pre-Kindergarten students will ride to and from school on the regular assigned morning bus. Pre-Kindergarten and Kindergarten students will be picked up and dropped at their regular bus stop, and an adult whose name appears on the approved pick up list, must meet them at the bus stop. Bus information can be obtained from the District's Transportation Department web page at [humbleisd.net](http://humbleisd.net).

### ***Pre-Kindergarten Bus Regulations***

Pre-Kindergarten students who are dismissed at 11 am or 1:50 pm must have an adult whose name appears on the approved pick up list meet them at the bus stop or the child will be returned to the home campus. Campus personnel will notify parents to pick them up. The third time a child is returned to the campus will result in discontinuation of bus-riding privileges for one week. If that child regains bus-riding privileges and is returned to the campus a fourth time,

his/her bus-riding privileges may be revoked for the remainder of the school year. Parents will be notified by campus if bus-riding privileges are suspended or revoked.

### **Kindergarten Bus Regulations**

Kindergarten students will attend school all day, or until 3:20 pm. Starting on the first day of school for the 2016-17 school year, the District will no longer require them to be met by a parent or adult. This does not change the Pre-Kindergarten Bus Regulations as stated above.

District supervision is not provided to students after they exit the bus at any grade level.

### **VANDALISM (All Grade Levels)**

The taxpayers of the community have made a sustained financial commitment for the construction and upkeep of school facilities. To ensure that school facilities can serve those for whom they are intended—both this year and for years to come—littering, defacing, or damaging school property is not tolerated. Students will be required to pay for damages they cause and will be subject to criminal proceedings as well as disciplinary consequences in accordance with the Student Code of Conduct.

### **VIDEO CAMERAS (All Grade Levels)**

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

District personnel will review the video and audio recordings routinely and document student misconduct. Discipline will be in accordance with the Student Code of Conduct.

Upon request of a parent of a student who receives special education services, a staff member, or a board member, state law requires the district to place video and audio recording equipment in a classroom in which the student spends at least 50 percent of his or her instructional day, referred to in the law as a self-contained classroom. The majority of students in this type of classroom must also be students who receive special education services. Before the district places a video camera in a classroom or other setting in which your child receives special education services, the district will provide notice to you. Please speak directly with the principal for further information or to request the installation and operation of this equipment.

### **VISITORS TO THE SCHOOL (All Grade Levels)**

#### **General Visitors**

Parents and others are welcome to visit district schools. For the safety of those within the school and to avoid disruption of instructional time, all visitors must first report to the main office and must comply with all applicable district policies and procedures. When arriving on campus, all parents and other visitors should be prepared to show identification.

Visits to individual classrooms during instructional time are permitted only with approval of the principal and teacher and only so long as their duration or frequency does not interfere with the



delivery of instruction or disrupt the normal school environment. Even if the visit is approved prior to the visitor's arrival, the individual must check in at the main office first.

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

### **Visitors Participating in Special Programs for Students**

District high schools may invite representatives from colleges and universities and other higher education institutions, prospective employers, and military recruiters to present information to interested students.

### **VOLUNTEERS (All Grade Levels)**

We appreciate so much the efforts of parent and grandparent volunteers that are willing to serve our district and students. If you are interested in volunteering, please contact the campus principal for more information and to complete an application.

### **VOTER REGISTRATION (Secondary Grade Levels Only)**

A student who is eligible to vote in any local, state, or federal election may obtain a voter registration application at the main campus office.

### **WITHDRAWING FROM SCHOOL (All Grade Levels)**

A student under age 18 may be withdrawn from school only by a parent or guardian. The school requests signed notice from the parent or guardian at least twenty-four hours (24 hours) in advance so that records and documents may be prepared. The parent or guardian may obtain a withdrawal form from the principal's office. The withdrawal procedure begins in the registrar's office.

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

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

Special permission must be obtained from the office of the Assistant Superintendents of Schools before the student may be withdrawn by someone other than the parent, guardian, or person with legal control.

## Glossary

**Accelerated instruction** is an intensive supplemental program designed to address the needs of an individual student in acquiring the knowledge and skills required at his or her grade level and/or as a result of a student not meeting the passing standard on a state-mandated assessment.

**ACT-Aspire** refers to an assessment that took the place of ACT-Plan and is designed as a preparatory and readiness assessment for the ACT. This is usually taken by students in grade 10.

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

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

**Attendance review committee** is responsible for reviewing a student's absences when the student's attendance drops below 90 percent, or in some cases 75 percent, of the days the class is offered. Under guidelines adopted by the board, the committee will determine whether there were extenuating circumstances for the absences and whether the student needs to complete certain conditions to master the course and regain credit or a final grade lost because of absences.

**Campus Behavior Coordinator** is a designated person under law, to apply discipline management techniques and administer consequences for certain student misconduct, as well as provide a point of contact for student misconduct.

**DAEP** stands for disciplinary alternative education program, a placement for students who have violated certain provisions of the Student Code of Conduct.

**EOC assessments** are end-of-course tests, which are state-mandated, and are part of the STAAR program. Successful performance on EOC assessments are required for graduation. These exams will be given in English I, English II, Algebra I, Biology, and United States History.

ESSA is Every Student Succeeds Act passed by the federal government in December 2015.

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

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

**IGC** is the individual graduation committee, formed in accordance with state law, to determine a student's eligibility to graduate when the student has failed to demonstrate satisfactory performance on no more than two of the required state assessments.

**ISS** refers to in-school suspension, a disciplinary technique for misconduct found in the Student Code of Conduct. Although different from out-of-school suspension and placement in a DAEP, ISS removes the student from the regular classroom.

**PGP** stands for Personal Graduation Plan, which is required for high school students beginning with ninth graders in the 2014–15 school year, and for any student in middle school who fails a section on a state-mandated test or is identified by the district as not likely to earn a high school diploma before the fifth school year after he or she begins grade 9.

**PSAT** is the preparatory and readiness assessment for the SAT.

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

**SHAC** stands for School Health Advisory Council, a group of at least five members, a majority of whom must be parents, appointed by the school board to assist the district in ensuring that local community values and health issues are reflected in the district's health education instruction, along with providing assistance with other student and employee wellness issues.

**Section 504** is the federal law that prohibits discrimination against a student with a disability, requiring schools to provide opportunities for equal services, programs, and participation in activities. Unless the student is determined to be eligible for special education services under the Individuals with Disabilities Education Act (IDEA), general education with appropriate instructional accommodations will be provided.

**STAAR** is the State of Texas Assessments of Academic Readiness, the state's system of standardized academic achievement assessments, effective beginning with certain students for the 2011–2012 school year.

**STAAR A** is an accommodated version of the STAAR that is available for certain students who receive special education services or students who have been identified as dyslexic.

**STAAR Alternate 2** is an alternative state-mandated assessment designed for students with severe cognitive disabilities receiving special education services who meet the participation requirements, as determined by the student's ARD committee.

**STAAR Linguistically Accommodated (STAAR L)** is an alternative state-mandated assessment with linguistic accommodations designed for certain recent immigrant English language learners.

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

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

**TELPAS** stands for the Texas English Language Proficiency Assessment System, which assesses the progress that English language learners make in learning the English language, and is administered for those who meet the participation requirements in kindergarten–grade 12.

**TSI assessment** is the Texas Success Initiative assessment designed to measure the reading, mathematics, and writing skills that entering college-level freshmen students should have if they are to be successful in undergraduate programs in Texas public colleges and universities.

**TxVSN** is the Texas Virtual School Network, which provides online courses for Texas students to supplement the instructional programs of public school districts. Courses are taught by qualified instructors, and courses are equivalent in rigor and scope to a course taught in a traditional classroom setting.

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

## APPENDIX I: Freedom From Bullying Policy

Adopted on March 5, 2012

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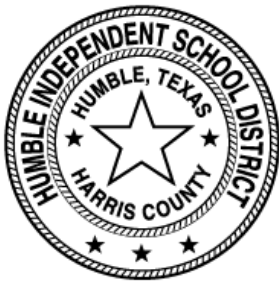
**Note:** This policy addresses bullying of District students. For provisions regarding discrimination and harassment involving District students, see FFH. Note that FFI shall be used in conjunction with FFH for certain prohibited conduct. For reporting requirements related to child abuse and neglect,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

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BULLYING PROHIBITED	The District prohibits bullying as defined by this policy. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.
DEFINITION	<p>Bullying occurs when a student or group of students engages in written or verbal expression, expression through electronic means, or physical conduct that occurs on school property, at a school-sponsored or school-related activity, or in a vehicle operated by the District and that:</p> <p>Has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property; or</p> <p>Is sufficiently severe, persistent, and pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.</p> <p>This conduct is considered bullying if it:</p> <p>Exploits an imbalance of power between the student perpetrator and the student victim through written or verbal expression or physical conduct; and</p> <p>Interferes with a student's education or substantially disrupts the operation of a school.</p>
EXAMPLES	Bullying of a student may include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name calling, rumor spreading, or ostracism.
RETALIATION	The District prohibits retaliation by a student or District employee against any person who in good faith makes a report of bullying, serves as a witness, or participates in an investigation.
EXAMPLES	Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.
FALSE CLAIM	A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding bullying shall be subject to appropriate disciplinary action.
TIMELY REPORTING	Reports of bullying shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the District's ability to investigate and address the prohibited conduct.

REPORTING PROCEDURES STUDENT REPORT	To obtain assistance and intervention, any student who believes that he or she has experienced bullying or believes that another student has experienced bullying should immediately report the alleged acts to a teacher, counselor, principal, or other District employee.
EMPLOYEE REPORT	Any District employee who suspects or receives notice that a student or group of students has or may have experienced bullying shall immediately notify the principal or designee.
REPORT FORMAT	A report may be made orally or in writing. The principal or designee shall reduce any oral reports to written form.
PROHIBITED CONDUCT	The principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by policy FFH, including dating violence and harassment or discrimination on the basis of race, color, religion, gender, national origin, or disability. If so, the District shall proceed under policy FFH. If the allegations could constitute both prohibited conduct and bullying, the investigation under FFH shall include a determination on each type of conduct.
INVESTIGATION OF REPORT	The principal or designee shall conduct an appropriate investigation based on the allegations in the report. The principal or designee shall promptly take interim action calculated to prevent bullying during the course of an investigation, if appropriate.
CONCLUDING THE INVESTIGATION	Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the initial report alleging bullying; however, the principal or designee shall take additional time if necessary to complete a thorough investigation.  The principal or designee shall prepare a final, written report of the investigation. The report shall include a determination of whether bullying occurred, and if so, whether the victim used reasonable self-defense. A copy of the report shall be sent to the Superintendent or designee.
NOTICE TO PARENTS	If an incident of bullying is confirmed, the principal or designee shall promptly notify the parents of the victim and of the student who engaged in bullying.
DISTRICT ACTION BULLYING	If the results of an investigation indicate that bullying occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the District's Student Code of Conduct and may take corrective action reasonably calculated to address the conduct.
DISCIPLINE	A student who is a victim of bullying and who used reasonable self-defense in response to the bullying shall not be subject to disciplinary action.  The discipline of a student with a disability is subject to applicable state and federal law in addition to the Student Code of Conduct.
CORRECTIVE ACTION	Examples of corrective action may include a training program for the individuals involved in the complaint, a comprehensive education program for the school community, follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where bullying has occurred, and reaffirming the District's policy against bullying.

TRANSFERS	The principal or designee shall refer to FDB for transfer provisions.
COUNSELING	The principal or designee shall notify the victim, the student who engaged in bullying, and any students who witnessed the bullying of available counseling options.
IMPROPER CONDUCT	If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take action in accordance with the Student Code of Conduct or any other appropriate corrective action.
CONFIDENTIALITY	To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation.
APPEAL	A student who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level.
RECORDS RETENTION ACCESS TO POLICY AND PROCEDURES	Retention of records shall be in accordance with CPC(LOCAL).  This policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the District's Web site, to the extent practicable, and shall be readily available at each campus and the District's administrative offices.



# Board of Trustees Agenda Item

**Meeting Date: August 9, 2016**

**Meeting Type**

- Regular Meeting
- Special Meeting/  
Workshop

**Agenda Item Type**

- Information/  
Discussion Item

**Agenda Placement**

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Governance       | <input type="checkbox"/> Human Resources Department |
| <input type="checkbox"/> Superintendent's Division   | <input type="checkbox"/> Support Services Division  |
| <input type="checkbox"/> Learning Division           | <input type="checkbox"/> District-Wide              |
| <input type="checkbox"/> Financial Services Division |   |

**District Pillars (Check All That Apply):**

- Student Achievement – Prepare Students to be College and Career Ready
- Service – Provide Quality Service to Internal and External Customers
- People – Provide a Quality Work Environment So Every Employee can Perform at the Highest Levels
- Finance – Create Efficiencies at All Levels of the Organization

**Information: Proposed Revision to TASB Policy DGBA (LOCAL)**

**Board Policy/State Regulation/Law Reference (If Applicable):**

**Overview:**

The revision provides that the Board of Trustee's and the Superintendent's designee under this complaint process is the office of the District's general counsel.

Policy will be submitted to the Board for approval at the regularly scheduled September Board meeting.

**Attachments:** TASB DGBA (LOCAL)

**Department(s) Submitting Form:** Legal Department

**Division Approval:**

**Date Submitted:** June 20, 2016



PERSONNEL-MANAGEMENT RELATIONS  
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA  
(LOCAL)

COMPLAINTS	In this policy, the terms “complaint” and “grievance” shall have the same meaning.
OTHER COMPLAINT PROCESSES	<p>Employee complaints shall be filed in accordance with this policy, except as required by the policies listed below. Some of these policies require appeals to be submitted in accordance with DGBA after the relevant complaint process:</p> <ol style="list-style-type: none"><li>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.</li><li>2. Complaints alleging certain forms of harassment, including harassment by a supervisor and violation of Title VII, shall be submitted in accordance with DIA.</li><li>3. Complaints concerning retaliation relating to discrimination and harassment shall be submitted in accordance with DIA.</li><li>4. Complaints concerning instructional materials shall be submitted in accordance with EFA.</li><li>5. Complaints concerning a commissioned peace officer who is an employee of the District shall be submitted in accordance with CKE, except for complaints brought by a commissioned peace officer directly related to his or her own employment that is not otherwise described in these exceptions.</li><li>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.</li><li>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.</li></ol>
NOTICE TO EMPLOYEES	The District shall inform employees of this policy through appropriate District publications.
GUIDING PRINCIPLES INFORMAL PROCESS	<p>The Board encourages employees to discuss their concerns with their supervisor, principal, or other appropriate administrator who has the authority to address the concerns. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.</p> <p>Informal resolution shall be encouraged but shall not extend any deadlines in this policy, except by mutual written consent.</p>

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.
FORMAL PROCESS	<p>An employee may initiate the formal process described below by timely filing a written complaint form.</p> <p>Even after initiating the formal complaint process, employees are encouraged to seek informal resolution of their concerns. An employee 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 an employee for bringing a concern or complaint.
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. Time lines for the employee and the District set out in this policy may be shortened to allow the Board to make a final decision within 60 calendar days of the initiation of the complaint. [See DG]
COMPLAINTS AGAINST SUPERVISORS	Complaints alleging a violation of law by a supervisor may be made to the Superintendent’s designee. Complaint forms alleging a violation of law by the Superintendent may be submitted directly to the Board or designee.
GENERAL PROVISIONS FILING	<p><del><u>The Board of Trustee’s and the Superintendent’s designee under this policy shall be the office of the District’s general counsel.</u></del></p> <p><del>The Superintendent’s designee shall be the office of the District General Counsel.</del></p> <p>Complaint forms and appeal notices may be filed by hand-delivery, by electronic communication, including e-mail and fax, or by U.S. Mail. Hand-delivered filings shall be timely filed if received by the Superintendent’s designee by the close of business on the deadline. Filings submitted by electronic communication shall be timely filed if they are received by the close of business on the deadline, as indicated by the date/time shown on the electronic communication. Mail filings shall be timely filed if they are postmarked by U.S. Mail on or before the deadline and received by the Superintendent’s designee no more than three days after the deadline.</p>

PERSONNEL-MANAGEMENT RELATIONS  
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA  
(LOCAL)

SCHEDULING CONFERENCES	The District shall make reasonable attempts to schedule conferences at a mutually agreeable time. If the employee fails to appear at a scheduled conference, the District may hold the conference and issue a decision in the employee's absence.
RESPONSE	At Levels One and Two, "response" shall mean a written communication to the employee from the appropriate administrator. Responses may be hand-delivered, sent by electronic communication to the employee's e-mail address of record, or sent by U.S. Mail to the employee's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.
DAYS	"Days" shall mean District business days, unless otherwise noted. In calculating time lines under this policy, the day a document is filed is "day zero." The following business day is "day one."
REPRESENTATIVE	<p>"Representative" shall mean any person who or an organization that does not claim the right to strike and is designated by the employee to represent him or her in the complaint process.</p> <p>The employee may designate a representative through written notice to the Superintendent's designee at any level of this process. The representative may participate in person or by telephone conference call. If the employee designates a representative with fewer than three days' notice to the District before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date, if desired, in order to include the District's counsel. The District may be represented by counsel at any level of the process.</p>
CONSOLIDATING COMPLAINTS	<p>Complaints arising out of an event or a series of related events shall be addressed in one complaint. Employees shall not file separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.</p> <p>When two or more complaints are sufficiently similar in nature and remedy sought to permit their resolution through one proceeding, the District may consolidate the complaints.</p>
UNTIMELY FILINGS	<p>All time limits shall be strictly followed unless modified by mutual written consent.</p> <p>If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the employee, at any point during the complaint process. The employee may appeal the dismissal by seeking review in writing within 15 days from the date of the written dismissal notice, starting at the level at which the</p>

PERSONNEL-MANAGEMENT RELATIONS  
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA  
(LOCAL)

	<p>complaint was dismissed. Such appeal shall be limited to the issue of timeliness.</p>
COSTS INCURRED	<p>Each party shall pay its own costs incurred in the course of the complaint.</p>
COMPLAINT AND APPEAL FORMS	<p>Complaints and appeals under this policy shall be submitted in writing on a form provided by the District. Forms shall be available on the District's human resources website or made available upon request to the Superintendent's designee.</p> <p>Copies of any documents that support the complaint should be attached to the complaint form. If the employee 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 employee unless the employee did not know the documents existed before the Level One conference.</p> <p>A complaint or appeal form that is incomplete in any material aspect may be dismissed but may be refiled with all the required information if the refiling is within the designated time for filing.</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>
LEVEL ONE	<p>Complaint forms must be filed:</p> <ol style="list-style-type: none"><li>1. Within 15 days of the date the employee first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and</li><li>2. With the Superintendent's designee.</li></ol> <p>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.</p> <p>If the complaint is not filed with the Superintendent's designee, the receiving administrator shall immediately contact the Superintendent's designee and forward the complaint form as instructed.</p> <p>The appropriate administrator shall be assigned and shall investigate as necessary. The administrator shall use reasonable efforts to schedule a mutually agreeable conference time within 15 days after his or her receipt of the complaint and may set reasonable time limits for the conference. The administrator and the employee may agree to hold a conference outside the 15-day time line.</p>

Absent extenuating circumstances, the administrator shall provide the employee a written response within 15 days following the conference. If no conference is held within the 15-day deadline and the parties have not mutually agreed on another conference time, the administrator shall provide the employee with a written response within 15 days from the last business day a conference could have been held (in this case, the administrator may rely on the information provided in the written complaint and any other information maintained by the District that may be relevant to the subject matter of the complaint). The written response may set forth the basis of the decision. In reaching a decision, the administrator may consider information provided at the Level One conference and any other relevant documents or information the administrator believes will help resolve the complaint.

The Level One administrator shall prepare and forward a record of the Level One complaint to the Superintendent's designee upon providing his or her decision to the grievant. The employee may request a copy of the Level One record from the Superintendent's designee.

The Level One record shall include:

1. The original complaint form and any attachments.
2. All other documents submitted by the employee at Level One.
3. The written response issued at Level One and any attachments.
4. All other documents considered and relied upon by the Level One administrator in reaching the Level One decision.
5. Any audio recording of the Level One conference, if made by the Level One administrator.

#### LEVEL TWO

If the employee did not receive the relief requested at Level One or if the time for a response has expired, the employee may file an appeal notice with the Superintendent's designee to appeal the Level One decision.

The appeal notice must be filed in writing, on a form provided by the District, within 15 days of the date of the written Level One response or, if no response was received, within 15 days of the Level One response deadline.

The Superintendent's designee shall assign an administrator who shall schedule a conference within 15 days after the appeal notice is filed. The Superintendent's designee shall provide the Level One record to the Level Two administrator for consideration. The

conference shall be limited to the issues and documents considered at Level One. The Level Two administrator may also consider the employee's specific disagreements with the Level One response or documents/information relied upon by the Level One administrator. At the conference, the employee may provide information concerning any documents or information relied upon by the administration for the Level One decision. The Level Two administrator may set reasonable time limits for the conference.

The administrator shall provide the employee a written response within 15 days following the conference. If no conference is held within the 15-day deadline and the parties have not mutually agreed on another conference time, the administrator shall provide the employee with a written response within 15 days from the last business day a conference could have been held (in this case, the administrator may rely on the information provided in the written complaint and any other information maintained by the District that may be relevant to the subject matter of the complaint). The written response may set forth the basis of the decision. In reaching a decision, the Level Two administrator may consider the Level One record, information provided at the Level Two conference, and any other relevant documents or information the Level Two administrator believes will help resolve the complaint.

The Level Two administrator shall prepare and forward a record of the Level Two complaint to the Superintendent's designee immediately upon providing his or her decision to the grievant. The employee may request a copy of the Level Two record from the Superintendent's designee.

The Level Two record shall include:

1. The Level Two complaint form and any attachments.
2. All other documents submitted by the Superintendent's designee to the Level Two administrator from the Level One complaint.
3. The written response issued at Level Two and any attachments.
4. All other documents considered and relied upon by the Level Two administrator in reaching the Level Two decision.
5. Any audio recording of the Level Two conference, if made by the Level Two administrator.
6. The Level One record.

LEVEL THREE

If the employee did not receive the relief requested at Level Two or if the time for a response has expired, the employee may appeal the Level Two decision to the Board through the Superintendent's designee.

The appeal notice must be filed in writing, on a form provided by the District, within 15 days of the date of the written Level Two response or, if no response was received, within 15 days of the Level Two response deadline.

The 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.

The Superintendent's designee shall provide the Board the record of the Level One and Level Two proceedings. The employee may request a copy of the Level One and Two record from the Superintendent's designee.

The Level Three record shall include:

1. The Level One record.
2. The Level Two record.
3. The notice of appeal of the Level Two decision to the Board.

The appeal shall be limited to the issues and documents considered at Level Two, except that if at the Level Three hearing the administration intends to rely on evidence not included in the Level Two record, the administration shall include that information in the record packet to the Board along with a written explanation to the Board regarding why the information is relevant to the subject matter of the complaint. The administration shall provide the employee notice of the nature of the evidence at least five days before the hearing. The employee may provide the Board with a written response to the new information, which shall be included in the record packet to the Board.

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 employee 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. The Board shall consider only the subject matters and issues present in

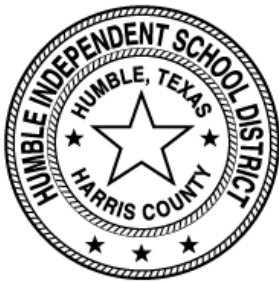
Levels One and Two or otherwise included in the record packet to the Board if based upon new information provided by the administration at Level Three.

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 employee or the employee'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, the Level Two record, and any new information provided by the administration at Level Three or the written employee response to that new information.

The Board may uphold or reverse the administration's decision at Level Two or it may vote to remand the matter back to Level Two with specific instructions. Alternatively, the Board may request that the Level Three hearing be continued until the next regularly scheduled Board meeting if exceptional circumstances arise. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two.





# Board of Trustees Agenda Item

**Meeting Date: August 9, 2016**

**Meeting Type**

- Regular Meeting
- Special Meeting/  
Workshop

**Agenda Item Type**

- Information/  
Discussion Item

**Agenda Placement**

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Governance       | <input type="checkbox"/> Human Resources Department |
| <input type="checkbox"/> Superintendent's Division   | <input type="checkbox"/> Support Services Division  |
| <input type="checkbox"/> Learning Division           | <input type="checkbox"/> District-Wide              |
| <input type="checkbox"/> Financial Services Division |   |

**District Pillars (Check All That Apply):**

- Student Achievement – Prepare Students to be College and Career Ready
- Service – Provide Quality Service to Internal and External Customers
- People – Provide a Quality Work Environment So Every Employee can Perform at the Highest Levels
- Finance – Create Efficiencies at All Levels of the Organization

**Information: Proposed Revision to TASB Policy DIA (EXHIBIT)**

**Board Policy/State Regulation/Law Reference (If Applicable):**

**Overview:**

The purpose of the proposed revision is to update district contact information for persons who coordinate efforts for the District under Title IX of the Education Amendments of 1972 and the 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.

Policy will be submitted to the Board for approval at the regularly scheduled September Board meeting.

**Attachments:** DIA (EXHIBIT)

**Department(s) Submitting Form:** Legal Department

**Division Approval:** Dr. Elizabeth Fagen

**Date Submitted:** June 20, 2016

Humble ISD  
101913

EMPLOYEE WELFARE  
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

DIA  
(EXHIBIT)

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

Name: Thomas Price

Position: Deputy Superintendent/Chief Academic Officer Address: 20200 Eastway Village Drive, Humble, TX 77347

Telephone: (281) 641-8005

The District designates the following 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:

Name: Rick Meyer

Position: 504 Program Coordinator

Address: (281) 641-8316

The District designates the following person to coordinate its efforts to comply with facilities accessibility compliance 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: Dr. Roger Brown

Position: Assistant Superintendent of Support Services

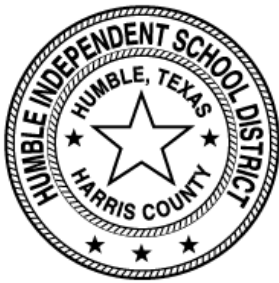
Address: 1703 Wilson Road, Humble, TX 77347

Address: (281) 641-1083

DATE ISSUED:

1 of 1

DIA(EXHIBIT)



## Board of Trustees Agenda Item

**Meeting Date: August 9, 2016**

**Meeting Type**

- Regular Meeting  
 Special Meeting/  
Workshop

**Agenda Item Type**

- Information/  
Discussion Item

**Agenda Placement**

- Governance  
 Superintendent's Division  
 Learning Division  
 Financial Services Division  
 Human Resources Department  
 Support Services Division  
 District-Wide

**District Pillars (Check All That Apply):**

- Student Achievement – Prepare Students to be College and Career Ready  
 Service – Provide Quality Service to Internal and External Customers  
 People – Provide a Quality Work Environment So Every Employee can Perform at the Highest Levels  
 Finance – Create Efficiencies at All Levels of the Organization

**Information: Proposed Revision to TASB Policy EIC (LOCAL)**

**Board Policy/State Regulation/Law Reference (If Applicable):**

**Overview:**

The proposed revision to this policy is to align the policy with current district practice as it relates to class rank.

Policy will be submitted to the Board for approval at the regularly scheduled September Board meeting.

**Attachments:** TASB EIC (LOCAL)

**Department(s) Submitting Form:** Legal Department

**Division Approval:** Dr. Elizabeth Fagen

**Date Submitted:** June 20, 2016

Humble ISD  
101913

ACADEMIC ACHIEVEMENT  
CLASS RANKING

EIC  
(LOCAL)

SENIOR CLASS RANK

Senior class rank shall be determined by adding all grade points earned from the first day of the school year of the freshman year through the last day of the third nine-week grading period of the senior year. High school courses taken in summer school after completing grade 8 shall be included when determining senior class rank as shall high school courses taken at Humble ISD high schools prior to the 9<sup>th</sup> grade year. All courses except aide positions shall be included in the calculations.

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For students who meet all graduation requirements prior to graduation, GPA shall be determined during the eighth semester or the semester of graduation, whichever comes first.

The total number of grade points shall be divided by the total number of all semester grades earned, including all failing marks, correspondence courses, and summer school. In computing grade points, only traditional marks shall be used. Marks such as pass/fail or S and U shall be excluded.

Students who are denied credit because of excessive absences shall have both the course and the grade counted in computing the grade point average (GPA).

The average of the third nine-week grades shall be counted as the semester grade for senior class rank. All grades from other schools shall be converted to the District's grade equivalent. If a student took honors-level courses in another district that are not offered in the District, these courses shall be treated as grade-level courses when determining class rank but shall be noted as honors courses on the transcript.

TOP TEN PERCENT

All students whose GPAs make up the top ten percent of the graduating class and qualify for automatic admission under Education Code 51.803 shall be recognized. Eligibility standards required for the local procedure for determining valedictorian and salutatorian (or other local honor positions) shall not apply to the procedure for determining the top ten percent. The GPA shall be reported on the student's transcript and made available in accordance with the application deadline for the college or university when requested by the student. [See EIC(LEGAL)]

VALEDICTORIAN AND  
SALUTATORIAN

The valedictorian and salutatorian shall be determined by averaging grades from all courses except aide positions. The average shall be taken from the freshman year until the end of the third nine-week period of the senior year. High school courses taken in summer school after completing grade 8 shall be included in determining senior class rank. The total number of grade points shall be divided by the total number of all semester grades earned, including all failing marks, correspondence courses, courses in

which credit has been denied because of excessive absences, and summer school. Marks such as pass/fail or S and U shall be excluded.

Because of enrollment, academic, disciplinary, and course requirements, the highest ranking students may not necessarily be valedictorian or salutatorian. In addition to class rank, a student must meet the following requirements in order to be eligible for valedictory or salutatory honors:

1. Enrollment in a District high school prior to the 20th day of the year preceding his or her senior year and continuous attendance in that high school through graduation. Special provisions may be made by the Superintendent for students who temporarily sever enrollment due to illness.
2. Graduation under the Recommended Program, the Advanced/Distinguished Achievement Program, the foundation program with an endorsement, or the distinguished level of achievement under the foundation program.
3. Maintenance of an 87 overall average for the fourth nine-week grading period of the senior year with no failing average in any subject. This average shall be determined 15 school days prior to graduation.
4. No major discipline offense during the senior year. Offenses that might result in disqualification shall be referred to a committee composed of the grade-level principal, the school counselor, and a teacher. The committee shall consider the evidence and shall make a recommendation to the building principal.

GRADE POINT SCALE      Grade points shall be used to compute class rank. Numerical grades shall be awarded for all courses. The number of grade points earned for a particular numeric grade in level "L" courses or in honors "H" courses shall be different. The grade point scale by level of course shall be published annually in the District's high school planning guide.

TIES      In case of a tie in weighted grade averages among the top ranking students, the following methods shall be used to determine who shall be recognized as salutatorian or valedictorian:

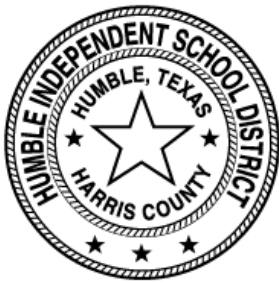
1. The weighted grade average shall be computed to a sufficient number of decimal places until the tie is broken.
2. If a tie still remains, the student with the most Advanced Placement (AP) and International Baccalaureate (IB) courses shall be considered first.

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ACADEMIC ACHIEVEMENT  
CLASS RANKING

EIC  
(LOCAL)

3. If a tie still remains, the student with the highest numerical grade average of all AP and IB courses taken shall be the valedictorian.



# Board of Trustees Agenda Item

**Meeting Date: August 9, 2016**

**Meeting Type**

- Regular Meeting
- Special Meeting/  
Workshop

**Agenda Item Type**

- Information/  
Discussion Item

**Agenda Placement**

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Governance       | <input type="checkbox"/> Human Resources Department |
| <input type="checkbox"/> Superintendent's Division   | <input type="checkbox"/> Support Services Division  |
| <input type="checkbox"/> Learning Division           | <input type="checkbox"/> District-Wide              |
| <input type="checkbox"/> Financial Services Division |   |

**District Pillars (Check All That Apply):**

- Student Achievement – Prepare Students to be College and Career Ready
- Service – Provide Quality Service to Internal and External Customers
- People – Provide a Quality Work Environment So Every Employee can Perform at the Highest Levels
- Finance – Create Efficiencies at All Levels of the Organization

**Information: Proposed Revision to TASB Policy FNG (LOCAL)**

**Board Policy/State Regulation/Law Reference (If Applicable):**

**Overview:**

The purpose of the proposed revision is to include information and direct student and parents seeking to file an appeal to a discipline placement removal recommendation to the appropriate policy regulation. The 2016-2017 Parent Student Handbook directs parents seeking to file an appeal to this policy for clarification.

Policy will be submitted to the Board for approval at the regularly scheduled September Board meeting.

**Attachments:** FNG (LOCAL)

**Department(s) Submitting Form:** Legal Department

**Division Approval:** Dr. Elizabeth Fagen

**Date Submitted:** June 20, 2016

STUDENT RIGHTS AND RESPONSIBILITIES  
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG  
(LOCAL)

COMPLAINTS

In this policy, the terms “complaint” and “grievance” shall have the same meaning. The terms “complaint” or “grievance” shall also mean an appeal of a final decision under FFH(LOCAL) or FFI(LOCAL).

OTHER COMPLAINT  
PROCESSES

Student or parent complaints shall be filed in accordance with this policy, except as required by the policies listed below. Some of these policies require appeals to be submitted in accordance with FNG after the relevant complaint process:

1. Complaints alleging discrimination or harassment based on race, color, gender, national origin, disability, or religion shall be submitted in accordance with FFH(LOCAL). FNG is available to a student or parent as an appeals process if he or she determines that the final decision under FFH(LOCAL) was not reasonably determined based on the available evidence.
2. Complaints concerning dating violence shall be submitted in accordance with FFH(LOCAL). FNG is available to a student or parent as an appeals process if he or she determines that the final decision under FFH(LOCAL) was not reasonably determined based on the available evidence.
3. Complaints concerning retaliation related to discrimination and harassment shall be submitted in accordance with FFH(LOCAL). FNG is available to a student or parent as an appeals process if he or she determines that the final decision under FFH(LOCAL) was not reasonably determined based on the available evidence.
4. Complaints concerning bullying or retaliation related to bullying shall be submitted in accordance with FFI(LOCAL). FNG is available to a student or parent as an appeals process if he or she determines that the final decision under FFH(LOCAL) was not reasonably determined based on the available evidence.
5. Complaints concerning failure to award credit or a final grade on the basis of attendance shall be submitted in accordance with FEC.
6. Complaints concerning expulsion shall be submitted in accordance with FOD and the Student Code of Conduct.
7. Complaints concerning any final decisions of the gifted and talented selection committee regarding selection for or exit from the gifted program shall be submitted in accordance with EHBB.



STUDENT RIGHTS AND RESPONSIBILITIES  
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG  
(LOCAL)

8. Complaints concerning identification, evaluation, or educational placement of a student with a disability within the scope of Section 504 shall be submitted in accordance with FB and the procedural safeguards handbook.
9. Complaints concerning identification, evaluation, educational placement, or discipline of a student with a disability within the scope of the Individuals with Disabilities Education Act (IDEA) shall be submitted in accordance with EHBAE, FOF, and the procedural safeguards handbook provided to parents of all students referred to special education.
10. Complaints concerning instructional materials shall be submitted in accordance with EFA.
11. Complaints concerning a commissioned peace officer who is an employee of the District shall be submitted in accordance with CKE.
12. Complaints concerning intradistrict transfers or campus assignment shall be submitted in accordance with FDB.
13. Complaints concerning admission, placement, or services provided for a homeless student shall be submitted in accordance with FDC.
- ~~13-14.~~ 14. Appeals to campus discipline removal recommendations to a District Alternative Education Placement and that do not rise to the level of an expulsion, shall be addressed under FO (REGULATION).

NOTICE TO STUDENTS  
AND PARENTS

The District shall inform students and parents of this policy through appropriate District publications.

GUIDING PRINCIPLES  
INFORMAL  
PROCESS

The Board encourages students and parents to discuss their concerns with the appropriate teacher, principal, or other campus administrator who has the authority to address the concerns. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

Informal resolution shall be encouraged but shall not extend any deadlines in this policy, except by mutual written consent.

FORMAL PROCESS

A student or parent may initiate the formal process described below by the timely filing of a written complaint form. This shall also be the process by which an appeal for a decision under FFH(LOCAL) or FFI(LOCAL) shall be made after a final decision under those policies has been concluded.

Even after initiating the formal complaint process, students and parents are encouraged to seek informal resolution of their con-

STUDENT RIGHTS AND RESPONSIBILITIES  
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG  
(LOCAL)

cerns. A student or parent whose concerns are resolved may withdraw a formal complaint at any time.

The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or “mini-trial” at any level.

FFH AND FFI  
APPEALS PROCESS

Under the FFH(LOCAL) and FFI(LOCAL) appeals process, after the initial grievance is filed, notice shall be given to the party against whom the original report was filed or to the party who requested the original report, depending on who filed the appeal. As part of the initial grievance, the assigned officer may conduct 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 and witnesses suggested by the person making the report and the person against whom the report was made. The assigned officer may also rely on any other information maintained by the District that may be relevant. At each level of the appeals process, the party who requested the original report and the party against whom the original report was filed shall be provided notice of the decision. If any additional information is provided at subsequent levels of the appeals process, then the parties will be provided an opportunity to respond. The procedures for the formal process shall apply to appeals of the written notification of the outcome of a complaint under FFH(LOCAL) and FFI(LOCAL).

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

The Superintendent’s designee shall be the office of the District’s general counsel.

FILING

Complaint forms and appeal notices may be filed by hand-delivery, by electronic communication, including e-mail and fax, or by U.S. Mail. Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Filings submitted by electronic communication shall be timely filed if they are received by the close of business on the deadline, as indicated by the date/time shown on the electronic communication. Mail filings shall be timely filed if they are post-marked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.

SCHEDULING  
CONFERENCES

The District shall make reasonable attempts to schedule conferences at a mutually agreeable time. If a student or parent fails to

STUDENT RIGHTS AND RESPONSIBILITIES  
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG  
(LOCAL)

	<p>appear at a scheduled conference, the District may hold the conference and issue a decision in the student's or parent's absence.</p>
RESPONSE	<p>At Levels One and Two, "response" shall mean a written communication to the student or parent from the appropriate administrator. Responses may be hand-delivered, sent by electronic communication to the student's or parent's e-mail address of record, or sent by U.S. Mail to the student's or parent's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.</p>
DAYS	<p>"Days" shall mean District business days. In calculating time lines under this policy, the day a document is filed is "day zero." The following business day is "day one."</p>
REPRESENTATIVE	<p>"Representative" shall mean any person who or organization that is designated by the student or parent to represent the student or parent in the complaint process. A student may be represented by an adult at any level of the complaint.</p> <p>The student or parent may designate a representative through written notice to the Superintendent's designee at any level of this process. If the student or parent designates a representative with fewer than three days' notice to the District before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date, if desired, in order to include the District's counsel. The District may be represented by counsel at any level of the process.</p>
CONSOLIDATING COMPLAINTS	<p>Complaints arising out of an event or a series of related events shall be addressed in one complaint. A student or parent shall not file separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.</p>
UNTIMELY FILINGS	<p>All time limits shall be strictly followed unless modified by mutual written consent.</p> <p>If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the student or parent, at any point during the complaint process. The student or parent may appeal the dismissal by seeking review in writing within 15 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	<p>Each party shall pay its own costs incurred in the course of the complaint.</p>

STUDENT RIGHTS AND RESPONSIBILITIES  
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG  
(LOCAL)

COMPLAINT AND  
APPEAL FORMS

Complaints and appeals under this policy shall be submitted in writing on a form provided by the District.

Copies of any documents that support the complaint should be attached to the complaint form. If the student or parent does not have copies of these documents, copies may be presented at the Level One conference. Forms shall be available to the public on the District's website, and copies shall be made available upon request to any parent or student. After the Level One conference, no new documents may be submitted by the student or parent unless the student or parent did not know the documents existed before the Level One conference.

A complaint or appeal form that is incomplete in any material aspect may be dismissed but may be refiled with all the required information if the refiling is within the designated time for filing.

LEVEL ONE

Complaint forms must be filed:

1. Within 15 days of the date the student or parent first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and
2. With the Superintendent's designee.

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 Superintendent's designee, the receiving administrator shall immediately contact the Superintendent's designee and forward the complaint form as instructed.

The appropriate administrator shall be assigned and shall investigate as necessary. The administrator shall use reasonable efforts to schedule a mutually agreeable conference time within 15 days after his or her receipt of the complaint and may set reasonable time limits for the conference. The administrator and the student or parent may agree to hold a conference outside the 15-day time line.

Absent extenuating circumstances, the administrator shall provide the student or parent a written response within 15 days following the conference. If no conference is held within 15-day deadline and the parties have not mutually agreed on another conference time, the administrator shall provide the student or parent with a written response within 15 days from the last business day a conference could have been held (in this case, the administrator may rely on the information provided in the written complaint and any

other information maintained by the District that may be relevant to the subject matter of the complaint). The written response may set forth the basis of the decision. In reaching a decision, the administrator may consider information provided at the Level One conference and any other relevant documents or information the administrator believes will help resolve the complaint.

The Level One administrator shall prepare and forward a record of the Level One complaint to the Superintendent's designee upon providing his or her decision to the grievant. The student or parent may request a copy of the Level One record from the Superintendent's designee.

The Level One record shall include:

1. The 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 considered and relied upon by the Level One administrator in reaching the Level One decision.
5. Any audio recording of the Level One conference, if made by the Level One administrator.

#### LEVEL TWO

If the student or parent did not receive the relief requested at Level One or if the time for a response has expired, the student or parent may file an appeal notice 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 15 days of the date of the written Level One response or, if no response was received, within 15 days of the Level One response deadline.

The Superintendent's designee shall assign an administrator who shall schedule a conference within 15 days after the appeal notice is filed. The Superintendent's designee shall provide the Level One record to the Level Two administrator for consideration. The conference shall be limited to the issues and documents considered at Level One. The Level Two administrator may also consider the student's or parent's specific disagreements with the Level One response or documents/information relied upon by the Level One administrator. 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 Level

Two administrator may set reasonable time limits for the conference.

The administrator shall provide the student or parent a written response within 15 days following the conference. If no conference is held within the 15-day deadline and the parties have not mutually agreed on another conference time, the administrator shall provide the student or parent with a written response within 15 days from the last business day a conference could have been held (in this case, the administrator may rely on the information provided in the written complaint and any other information maintained by the District that may be relevant to the subject matter of the complaint). The written response may set forth the basis of the decision. In reaching a decision, the Level Two administrator may consider the Level One record, information provided at the Level Two conference, and any other relevant documents or information the Level Two administrator believes will help resolve the complaint.

The Level Two administrator shall prepare and forward a record of the Level Two record to the Superintendent's designee immediately upon providing his or her decision to the grievant. The student or parent may request a copy of the Level Two record from the Superintendent's designee.

The Level Two record shall include:

1. The Level Two complaint form and any attachments.
2. All other documents submitted by the Superintendent's designee to the Level Two administrator from the Level One complaint.
3. The written response issued at Level Two and any attachments.
4. All other documents considered and relied upon by the Level Two administrator in reaching the Level Two decision.
5. Any audio recording of the Level Two conference, if made by the Level Two administrator.

### 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 through the Superintendent's designee.

The appeal notice must be filed in writing, on a form provided by the District, within 15 days of the date of the written Level Two response or, if no response was received, within 15 days of the Level Two response deadline.

STUDENT RIGHTS AND RESPONSIBILITIES  
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG  
(LOCAL)

The Superintendent's 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 Level Three record. The student or parent may request a copy of the Level Three record.

The Level Three record shall include:

1. The Level One record.
2. The Level Two record.
3. The notice of appeal of the Level Two decision to the Board.

The appeal shall be limited to the issues and documents considered at Level Two, except that if at the Level Three hearing the administration intends to rely on evidence not included in the Level Two record, the administration shall include that information in the Level Three record packet to the Board along with a written explanation to the Board regarding why the information is relevant to the subject matter of the complaint. The administration shall provide the student or parent notice of the nature of the evidence at least five days before the hearing. The parent or student may provide the Board with a written response to the new information, which shall be included in the record packet to the Board.

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

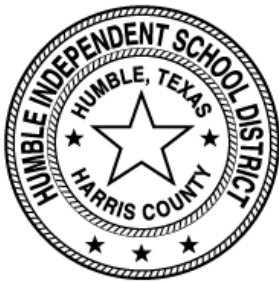
The presiding officer may set reasonable time limits and guidelines for the presentation, including an opportunity for the student or parent and administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board. The Board shall hear the complaint and may request that the administration provide an explanation for the decisions at the preceding levels. The Board shall consider only the subject matters and issues present in Levels One and Two or otherwise included in the record packet to the Board if based upon new information provided by the administration at Level Three.

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, the record and any new information provided by the administration at Level Three, or the written student/parent responses to that new information.

The Board may uphold or reverse the administration's decision at Level Two or it may vote to remand the matter back to Level Two with specific instructions. Alternatively, the Board may request that the Level Three hearing be continued until the next regularly scheduled Board meeting if exceptional circumstances arise. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two.





# Board of Trustees Agenda Item

**Meeting Date: August 9, 2016**

**Meeting Type**

- Regular Meeting
- Special Meeting/  
Workshop

**Agenda Item Type**

- Information/  
Discussion Item

**Agenda Placement**

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Governance       | <input type="checkbox"/> Human Resources Department |
| <input type="checkbox"/> Superintendent's Division   | <input type="checkbox"/> Support Services Division  |
| <input type="checkbox"/> Learning Division           | <input type="checkbox"/> District-Wide              |
| <input type="checkbox"/> Financial Services Division |   |

**District Pillars (Check All That Apply):**

- Student Achievement – Prepare Students to be College and Career Ready
- Service – Provide Quality Service to Internal and External Customers
- People – Provide a Quality Work Environment So Every Employee can Perform at the Highest Levels
- Finance – Create Efficiencies at All Levels of the Organization

**Information: Proposed Addition to TASB Policy FOD (LOCAL)**

**Board Policy/State Regulation/Law Reference (If Applicable):**

**Overview:**

The purpose of the creation of this local policy is to advise that the Board of Trustee's and the Superintendent's Designee shall be the office of the District General Counsel in ensuring that the students are provided with appropriate due process, as required by the federal constitution, in the expulsion process.

Policy will be submitted to the Board for approval at the regularly scheduled September Board meeting.

**Attachments:** FOD (LOCAL)

**Department(s) Submitting Form:** Legal Department

**Division Approval:** Dr. Elizabeth Fagen

**Date Submitted:** June 20, 2016

Humble ISD  
101913

STUDENT DISCIPLINE  
EXPULSION

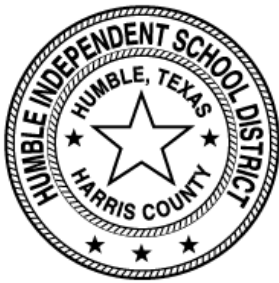
FOD  
(LOCAL)

DESIGNEE

The Board of Trustee's and the Superintendent's Designee shall be the office of the District General Counsel in ensuring that the student is afforded appropriate due process as required by the federal constitution.

DATE ISSUED:

FOD(LOCAL)



## Board of Trustees Agenda Item

**Meeting Date: August 9, 2016**

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**District Pillars (Check All That Apply):**

- Student Achievement – Prepare Students to be College and Career Ready  
 Service – Provide Quality Service to Internal and External Customers  
 People – Provide a Quality Work Environment So Every Employee can Perform at the Highest Levels  
 Finance – Create Efficiencies at All Levels of the Organization

**Information: Proposed Revision to TASB Policy FNF (LOCAL)**

**Board Policy/State Regulation/Law Reference (If Applicable):**

**Overview:**

The purpose of the proposed revision is to align with current district practice and inclusion into the 2016-2017 Parent-Student Handbook.

Policy will be submitted to the Board for approval at the regularly scheduled September Board meeting.

**Attachments:** FNF (LOCAL)

**Department(s) Submitting Form:** Legal Department

**Division Approval:** Dr. Elizabeth Fagen

**Date Submitted:** June 20, 2016

Humble ISD  
101913

STUDENT RIGHTS AND RESPONSIBILITIES  
INTERROGATIONS AND SEARCHES

FNF  
(LOCAL)

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.

[Administrators, teachers, and other professional personnel may also question a student about their knowledge of a situation in any type of campus investigation that is not specifically about student conduct.](#)

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

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 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.

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.

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 also refuse to permit a search of the vehicle, the District may turn the matter over to local law enforcement officials.

USE OF TRAINED  
DOGS

The District shall use specially trained nonaggressive dogs to sniff out and alert officials to the current 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.

Such visits to schools shall be unannounced. The dogs shall be used to sniff 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.

NOTICE

DATE ISSUED: 4/10/1996  
UPDATE 51  
FNF(LOCAL)-B

STUDENT RIGHTS AND RESPONSIBILITIES  
INTERROGATIONS AND SEARCHES

FNF  
(LOCAL)

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:

1. Lockers may be sniffed by trained dogs at any time.
2. Vehicles parked on school property may be sniffed by trained dogs at any time.
3. Classrooms and other common areas may be 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.

DRUG TESTING OF  
STUDENTS IN  
CERTAIN PROGRAMS

The District may provide students with learning opportunities in facilities not owned or operated by the District (i.e., hospitals, hotels, etc.). As required by the operating procedures of the outside facility, a student who participates in these voluntary learning activities may be required to submit to drug testing as a condition of participation.

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CONSENT REQUIRED

The District shall test students who seek to participate in the programs described above only if the student and parent (if the student is under the age of 18) agree, in writing, to submit to the test.

CONSEQUENCES OF A  
POSITIVE TEST  
RESULT

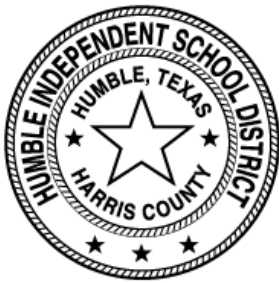
A student confirmed to have tested positive on the drug test shall be denied participation in the voluntary instructional program for which such testing is required. Such students shall select alternative courses. A positive test result shall not be used by the District as a basis for disciplinary action.

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CONFIDENTIALITY

All reports received by the District regarding drug test results shall be maintained by the District as confidential information.

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## Board of Trustees Agenda Item

**Meeting Date: August 9, 2016**

**Meeting Type**

- Regular Meeting  
 Special Meeting/  
Workshop

**Agenda Item Type**

- Information/  
Discussion Item

**Agenda Placement**

- |  |   |
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| <input checked="" type="checkbox"/> Governance       | <input type="checkbox"/> Human Resources Department |
| <input type="checkbox"/> Superintendent's Division   | <input type="checkbox"/> Support Services Division  |
| <input type="checkbox"/> Learning Division           | <input type="checkbox"/> District-Wide              |
| <input type="checkbox"/> Financial Services Division |   |

**District Pillars (Check All That Apply):**

- Student Achievement – Prepare Students to be College and Career Ready  
 Service – Provide Quality Service to Internal and External Customers  
 People – Provide a Quality Work Environment So Every Employee can Perform at the Highest Levels  
 Finance – Create Efficiencies at All Levels of the Organization

**Information: Proposed Revision to TASB Policy BKA (REGULATION)**

**Board Policy/State Regulation/Law Reference (If Applicable):**

**Overview:**

BKA (REGULATION) is a new policy under Administrative Organization, Organization Charts & Job Descriptions and initiated by Human Resources to define best District practice. TASB has provided minor edits to the original language proposed by HR and it is provided for information purposes.

**Attachments:** TASB BKA (REGULATION)

**Department(s) Submitting Form:** Legal Department

**Division Approval:** Dr. Elizabeth Fagen

**Date Submitted:** July 11, 2016

ADMINISTRATIVE ORGANIZATION  
ORGANIZATION CHARTS & JOB DESCRIPTIONS

BKA  
(REGULATION)

BACKGROUND

The Superintendent or designee shall ensure that an organizational chart is annually reviewed, approved, and presented to the Board as stated in BKA (Local). The Superintendent or designee shall require that job descriptions for each person listed on the approved organizational chart be present and updated regularly.

PURPOSE

The purpose of this administrative regulation provides for the procedural upkeep of the district's organization chart and job descriptions to be current and consistent with Board policy.

Organizational charts are designed to indicate clear reporting relationships between units, administrators, and directors of major areas for effective management of a school system. The graphical representation of these relationships makes it easier to visualize how information, decisions, and policy discussions are developed, transmitted, and shared within the district. An organizational chart is an accepted method to show these relationships for audit purposes, to sponsoring agencies who provide funds to the district, and to fulfill internal and external requests for information about the overall organizational structure of the district. A chart that shows reporting relationships is also required for human resource, position review, and budgetary decisions are vital in discussions of reorganization issues. It is recommended that an organization chart include the following characteristics of which a sample organization chart is provided.

- Identify the name of the area, position title, and the employee occupying position;
- The span of control that requires direct responsibility for no more than 12 employees;
- Not more than one supervisor to avoid being placed in a compromised decision-making situation;
- Logical grouping of functions to keep tasks of a similar nature grouped together;
- A separation of line and staff positions;
- A scalar relationship that shows positions at the same level with similar responsibilities, authority, and compensation; and
- Full inclusion of all central functions that facilitate quality control.

Job descriptions provide each employee with direction as to his/her authority and responsibility within the organization. This direction is necessary for the organization to maintain constancy of purpose. Job descriptions need to have clear statements that delineate job titles, qualifications of persons appointed to the position, immediate links to the chain of command (the job title of the person to whom the employee reports), and a description of the function, duties,

DATE ISSUED: Draft

BKA (REGULATION)

knowledge, skills, abilities, and responsibilities required of the job. In most cases, the job description should show its alignment and relationship to the curriculum/design, alignment and other delivery of the curriculum responsibilities or mission focus. Lastly, the foregoing statements in a job description describe the general purpose requirements, and responsibilities assigned to a job and are not an exhaustive list of all responsibilities and duties that may be assigned or skills that may be required. Management retains the discretion to add to or change the duties of a position at any time.

ORGANIZATION  
CHART PROCEDURE

The Superintendent or designee is responsible for maintaining a current and accurate organizational chart for the district and will be posted to the district's web site. This responsibility includes changes and updates to the district's organizational chart as they occur and ensure that the charts can be printed from the web.

In preparing the organization chart, each Superintendent's Senior Staff member should provide a graphical representation of the senior management organization ensuring that reporting relationships are clearly depicted. Further, all major units/departments within the senior management area should be shown on the chart. Sub-organizational charts for the various schools, departments, and divisions may be created and published as well. The Human Resources Department can assist as needed.

At a minimum, the Superintendent will publish a current organizational chart for the district annually preferably at the start of each school year.

Since changes in personnel and/or assignments may occur over the course of the year, the district's organizational chart will be updated in a reasonably timely manner following any such changes.

As requested by the Board and with reasonable advance notice, the Superintendent may be asked to review the organizational chart with the Board during a work session.

JOB DESCRIPTION  
PROCEDURE

The Superintendent or designee is responsible for maintaining current job descriptions and will be updated on a periodic basis by the Human Resources Department. Reasonable efforts shall be undertaken to develop and maintain job descriptions for all job classifications in accordance to the following guidelines:

- Job descriptions shall be developed for any brand new position that has been authorized prior to initiating the hiring process;

DATE ISSUED: Draft

BJA (REGULATION)



ADMINISTRATIVE ORGANIZATION  
ORGANIZATION CHARTS & JOB DESCRIPTIONS

BKA  
(REGULATION)

- Job descriptions for current vacant positions will be reviewed and updated, if needed, prior to posting the vacancy;
- Job descriptions shall be reviewed and updated for current positions within a reasonable period of time following a significant change in the essential duties of the position;
- Job descriptions for current positions shall be reviewed and updated, as necessary, if 5 years old or older.

Both hiring officials and incumbent employees, where applicable, are expected to contribute to and cooperate with the review efforts. Generally, this ongoing review is designed to ensure that the District's job descriptions contain information that accurately reflects each position's functions, duties, responsibilities, purpose, working conditions, and reporting relationships as well as the knowledge, skills, and abilities required of incumbent employees.

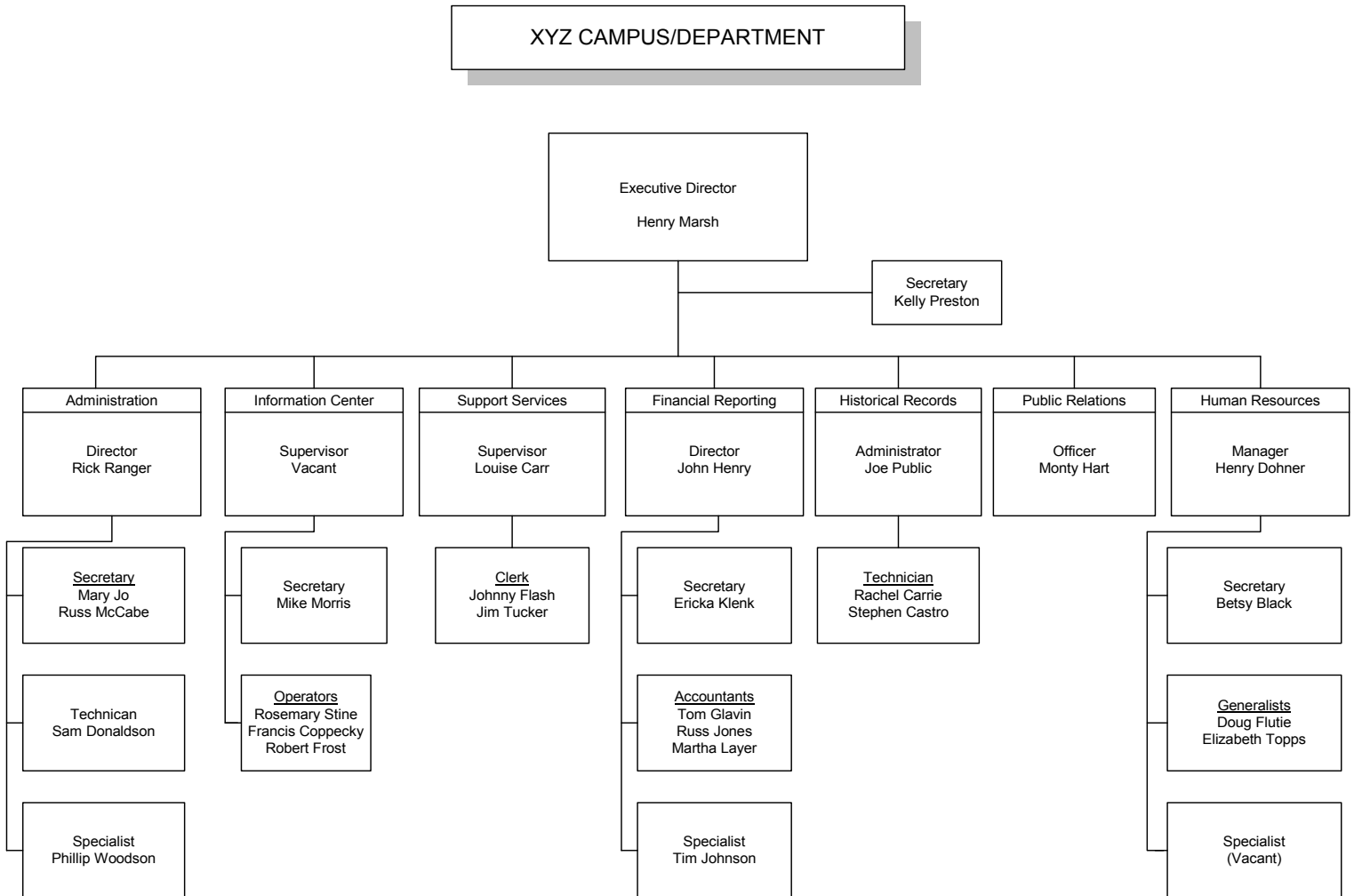
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BKA (REGULATION)

ADMINISTRATIVE ORGANIZATION  
 ORGANIZATION CHARTS & JOB DESCRIPTIONS

BJA  
 (REGULATION)

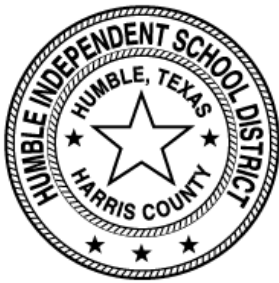
EXHIBIT A – Sample Organization Chart



DATE ISSUED: Draft

REVIEWED:

BJA (REGULATION)



## Board of Trustees Agenda Item

**Meeting Date: August 9, 2016**

**Meeting Type**

- Regular Meeting  
 Special Meeting/  
Workshop

**Agenda Item Type**

- Information/  
Discussion Item

**Agenda Placement**

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| <input checked="" type="checkbox"/> Governance       | <input type="checkbox"/> Human Resources Department |
| <input type="checkbox"/> Superintendent's Division   | <input type="checkbox"/> Support Services Division  |
| <input type="checkbox"/> Learning Division           | <input type="checkbox"/> District-Wide              |
| <input type="checkbox"/> Financial Services Division |   |

**District Pillars (Check All That Apply):**

- Student Achievement – Prepare Students to be College and Career Ready  
 Service – Provide Quality Service to Internal and External Customers  
 People – Provide a Quality Work Environment So Every Employee can Perform at the Highest Levels  
 Finance – Create Efficiencies at All Levels of the Organization

**Information: New District Policy Exhibit - FO (REGULATION)**

**Board Policy/State Regulation/Law Reference (If Applicable):**

**Overview:**

The purpose of the new regulation is to advise parents of the procedure to follow when they are not in agreement with a campus discipline removal that does not rise to the level of an expulsion. The District is not required by law to provide an appeal process, but does. The Student Code of Conduct directs parents to FNG (LOCAL) which does not address an appeal to a campus discipline removal. FNG (LOCAL) has been revised to reference FO (REGULATION) for this type of due process.

**Attachments:** FO (EXHIBIT)

**Department(s) Submitting Form:** Legal Department

**Division Approval:**

**Date Submitted:** June 20, 2016

GUIDELINES FOR  
PARENT/STUDENT  
APPEALS TO  
DISCIPLINARY  
CAMPUS REMOVAL  
RECOMMENDATIONS

Questions from parents regarding disciplinary measures should first be addressed to the campus behavior coordinator.

When student misconduct occurs on a campus that results in the campus behavior coordinator providing notice that the student shall be removed from the campus and assigned to a DAEP, either the District Community Learning Center or Highpoint Academy East, the District does provides an appeal to that removal which may be made by the parent (or student if the student is over the age of 18).

FILING AN APPEAL

The appeal must be made within 10 District business days of receipt of the campus removal notice form the campus.

The appeal must be made to the Humble ISD Board of Trustee's/Superintendent's Designee, which is the Humble ISD General Counsel's Office, under this process.

Appeals must be received either via telephone call or in person to the General Counsel's Office, 20200 Eastway Village Drive, Humble, TX 77338, (281) 641-8208. The campus discipline removal notice shall contain instructions, as well.

The General Counsel's Office will coordinate the appeal proceeding, assign the hearing officer, assist the hearing officer, and provide the decision of that hearing officer to the parent.

Parent/students should contact the General Counsel's office, in advance of the appeal hearing, to advise if they are represented by legal counsel or if they will have an advocate present at the appeal.

THE HEARING

Both the campus and the parent/student will be able to make opening statements, present their position, and make a closing statement.

There is no cross examination between the campus and the parent/student.

Parent/student and/or the campus representative may bring written evidence in support of their position. Witnesses may also be introduced. Written statements, such as personal recommendations, may be read into the record.

Students are encouraged to attend their own appeal hearing.

The appeal is recorded by a Notary Public and the parent/student is entitled to a copy of that recording upon request to the General Counsel's Office.

Disciplinary consequences shall not be deferred pending the outcome of an appeal.

THE HEARING  
OFFICER'S  
DETERMINATION

The hearing officer will make a determination to either uphold the campus removal, reverse the campus decision to remove, or make a modification to the recommended placement. That decision shall be provided to the parent and campus through the General Counsel's Office and within ten District business days of the appeal hearing.

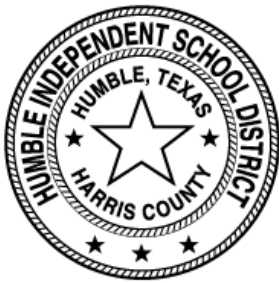
The decision to place a student in a DAEP cannot be appealed beyond the decision of the assigned hearing officer.

STUDENTS WITH  
DISABILITIES

Any disciplinary consequences for a student with a disability will be made in accordance with provisions in the student's individualized education program (IEP) or the Student Code of Conduct, as appropriate.

STUDENT DISCIPLINE  
COMPLAINTS

Complaints regarding student discipline may be addressed in accordance with FNG (LOCAL).



## Board of Trustees Agenda Item

**Meeting Date: August 9, 2016**

**Meeting Type**

- Regular Meeting  
 Special Meeting/  
Workshop

**Agenda Item Type**

- Information/  
Discussion Item

**Agenda Placement**

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**District Pillars (Check All That Apply):**

- Student Achievement – Prepare Students to be College and Career Ready  
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**Information: Proposed Revisions to Policy BQA (LOCAL) and BQB (LOCAL)**

**Board Policy/State Regulation/Law Reference (If Applicable):**

**Overview:** Policies BQA and BQB LOCAL, Planning and Decision-Making Process District – Level Planning and Decision-Making Process Campus – Level, were last updated on April 18, 2012.

The recommended revisions to Policy BQA and BQB LOCAL reflect changes in the composition and selection of parents to the district and campus committees and the number of meetings per year for the district decision making committee.

**Attachments:**

- Policy BQA (LOCAL) – Attachment 1  
Policy BQB (LOCAL) – Attachment 2

**Department(s) Submitting Form:** Learning Division

**Division Approval:** Dr. Thomas Price

**Date Submitted:** August 3, 2016

PLANNING AND DECISION-MAKING PROCESS  
DISTRICT-LEVEL

BQA  
(LOCAL)

DISTRICT-LEVEL  
COMMITTEE

In compliance with Education Code 11.251, the District-level committee 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 committee shall serve exclusively in an advisory role except that the committee shall approve staff development of a Districtwide nature.

CHAIRPERSON

The Superintendent shall be the Board's designee and shall name the chairperson of the committee from among the committee's members. The Superintendent shall meet with the committee periodically.

MEETINGS

The chairperson of the committee shall set its agenda and shall schedule at least ~~one-three~~ meetings per year ~~or and~~ at the call of the chairperson. All committee meetings normally shall be held outside of the regular school day. All committee meetings shall be posted at least 72 hours in advance of the meeting and shall be open to the public. Members of the public, however, are not allowed to participate in any meeting.

DUTIES OF  
COMMITTEE

The committee shall perform duties as described in BQA(LEGAL).

ADMINISTRATIVE  
PROCEDURES AND  
REPORTS

Administrative procedures of the District-level committee shall meet legal requirements in the areas of planning, budgeting, curriculum, staffing patterns, staff development, and school organization and shall clearly delineate the decisions within these areas that are to be made at the District level. These procedures shall also adequately reflect the District's planning process and expectations for alignment, including implementation guidelines, time frames, necessary resources, and both formative and summative evaluation practices. The Superintendent shall report periodically to the Board on the status of the planning process, including a review of the related administrative procedures, any revisions to improve the process, and progress on implementation of identified strategies.

COMMUNICATIONS

The Superintendent or designee shall ensure that the District-level committee obtains broad-based community, parent, and staff input and provides information to those persons on a systematic basis. Communications shall include, but not be limited to the following:

1. Periodic meetings to gather input and provide information on the work of the committee. These meetings shall be advertised in District publications and through the media.
2. Articles in in-house publications regarding work of the committee.

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3. Regular news releases to the media in the District regarding the work of the committee.
4. Periodic reports to the principals on the work of the committee that may be posted through normal campus media.

COMPOSITION

The committee shall be composed of members who shall represent campus-based professional staff, District-level professional staff, parents, businesses, and the community. At least two-thirds of the District and campus professional staff shall be classroom teachers. The remaining one-third 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.

PARENTS

The committee shall include ~~five-two~~ parents ~~(one~~ from each of the vertical feeder patterns) of students currently enrolled within the District, selected ~~in accordance with administrative procedures from members of campus site-based decision-making committees. [See BQB (LOCAL)]~~ For each vertical feeder pattern, one member shall be selected from the secondary campuses and one member shall be selected from the elementary campuses. The selections shall be made by the principals of each high school feeder pattern after consultation with the other principals in the feeder pattern. The Superintendent shall, through various channels, inform all parents of District students about the committee's duties and composition ~~and shall solicit volunteers.~~ [See BQA(LEGAL)]

COMMUNITY MEMBERS

The committee shall include 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 committee and are provided the opportunity to participate and shall solicit volunteers. Community representatives must reside in the District.

BUSINESS REPRESENTATIVES

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

PROFESSIONAL STAFF

The professional employees shall consist of at least one representative from each campus selected from the duly elected members of the campus site-based decision-making committees. [See



	<p><b><u>BQB (LOCAL)</u></b>- The committee chairperson shall ensure that at least two-thirds of the nominated and elected representatives are classroom teachers with the remaining one-third being nominated and elected by nonteaching professional staff members. At least one District-level professional staff member, other than the Superintendent, shall be elected by all professional staff.</p>
ELECTIONS	<p>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 representatives on the committee. [See also DGA]</p> <p>The consent of each nominee shall be obtained before the person's name may appear on the ballot. Election of the committee shall be held in the fall of each school year at a time determined by the Board or its designee. Nomination and election shall be conducted in accordance with this policy and administrative regulations.</p>
TERMS	<p>Representatives shall serve staggered two-year terms and shall be limited to two consecutive terms on the committee. After the initial election or selection, representatives shall draw lots, within each representative category, to determine the length of initial terms.</p>
VACANCY	<p>If a vacancy occurs among the representatives, a selection shall be made by the Superintendent or designee for the unexpired term.</p>
OTHER ADVISORY GROUPS	<p>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.</p>

Humble ISD  
101913

PLANNING AND DECISION-MAKING PROCESS  
CAMPUS-LEVEL

BQB  
(LOCAL)

SITE-BASED  
DECISION-MAKING  
COMMITTEE

A campus-level committee shall be established on each campus to assist the principal. The committee shall meet for the purpose of implementing planning processes and site-based decision making in accordance with Board policy and administrative procedures and shall be chaired by the principal.

The committee shall serve exclusively in an advisory role except that each committee shall approve staff development of a campus nature.

DUTIES OF  
COMMITTEE

The committee shall perform duties as described at BQB(LEGAL).

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, be specific of the change strategies to be used, 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) preceding 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 committee obtains broad-based community, parent, and staff input, and provides information to those persons on a systematic basis. Methods of communication may include:

1. Periodic meetings to gather input and provide information on the work of the committee. Meetings shall be advertised in the District or campus publications, Web sites, and through the media.
2. Articles in District or campus publications and Web sites regarding work of the committee.
3. Regular news releases to the media in the District regarding the work of the committee.
4. Periodic reports on the work of the committee that may be posted on campus bulletin boards, sent home to parents in campus newsletters, and posted on the District or campus Web sites.

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PLANNING AND DECISION-MAKING PROCESS  
CAMPUS-LEVEL

BQB  
(LOCAL)

COMPOSITION	The committee shall be composed of members who shall represent campus-based professional staff, parents, businesses, and the community. At least two-thirds of the elected District and campus professional staff shall be classroom teachers. The remaining one-third 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.
PARENTS	The committee shall include at least one parent of a student currently enrolled within the District, <del>selected in accordance with administrative procedures</del> . The principal shall, through various channels, inform all parents of campus students about the committee's duties and composition, and shall <del>solicit volunteers</del> <u>accept an appointment from the campus' parent-teacher organization of a duly elected representative. If the parent-teacher organization does not provide a representative, then the principal shall solicit a volunteer.</u> [See BQB(LEGAL)]
COMMUNITY MEMBERS	The committee shall include at least one community member, selected in accordance with administrative procedures that provide for adequate representation of the community's diversity. The principal shall use several methods of communication to ensure that community residents are informed of the committee and are provided the opportunity to participate, and shall solicit volunteers. All community representatives must reside in the District.
BUSINESS REPRESENTATIVES	The committee shall include at least one business representative, selected in accordance with administrative procedures that provide for adequate representation of the community's diversity. The principal shall use several methods of communication to ensure that area businesses are informed of the committee and are provided the opportunity to participate, and shall solicit volunteers. Business representatives need not reside in nor operate businesses in the District.
CLASSROOM TEACHERS	Classroom teachers shall be nominated and elected by classroom teachers assigned to that campus.
CAMPUS-BASED NONTEACHING PROFESSIONALS	Other campus-based nonteaching professionals shall be nominated and elected by nonteaching professionals assigned to that campus.
DISTRICT-LEVEL PERSONNEL	District-level personnel shall be appointed by the Superintendent.
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 representatives on the committee. Nominated employees shall give their consent to serve on the committee before they are

Humble ISD  
101913

PLANNING AND DECISION-MAKING PROCESS  
CAMPUS-LEVEL

BQB  
(LOCAL)

eligible for election. Nominations and elections shall be conducted in accordance with this policy and administrative regulations.

TERMS

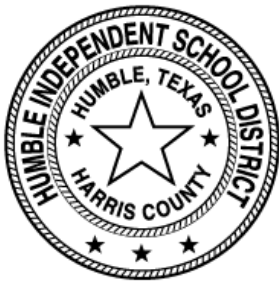
Representatives shall serve staggered two-year terms and shall be limited to two consecutive terms on the committee. After the initial election or selection, representatives shall draw lots, within each representative category, to determine the length of initial terms.

VACANCY

If a vacancy occurs among the representatives, a selection will be made by the principal or designee for the unexpired term.

MEETINGS

The committee shall meet at the call of the principal. The principal shall set the agenda for each meeting and shall schedule at least one meeting per year. Meetings may be held during the regular school day or outside of the regular day as long as all committee members have the opportunity to participate.



# Board of Trustees Agenda Item

**Meeting Date: August 9, 2016**

**Meeting Type**

- Regular Meeting
- Special Meeting/  
Workshop

**Agenda Item Type**

- Action Item

**Agenda Placement**

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| <input checked="" type="checkbox"/> Superintendent's Division | <input type="checkbox"/> Support Services Division  |
| <input type="checkbox"/> Learning Division                    | <input type="checkbox"/> District-Wide              |
| <input type="checkbox"/> Financial Services Division          |   |

**District Pillars (Check All That Apply):**

- Student Achievement – Prepare Students to be College and Career Ready
- Service – Provide Quality Service to Internal and External Customers
- People – Provide a Quality Work Environment So Every Employee can Perform at the Highest Levels
- Finance – Create Efficiencies at All Levels of the Organization

**Title: District of Innovation Plan**

**Recommended Action:** The Superintendent recommends that the Board of Trustees approve the District of Innovation Plan

**Board Policy/State Regulation/Law Reference (If Applicable):** House Bill 1842

**Overview:** On August 9, 2016, the District of Innovation Committee in partnership with the District Decision Making Committee, will present Humble ISD Plan of Innovation for the school board to consider and vote on. The plan must be adopted by an affirmative vote of two-third of the membership of the Board as required by TEC 12A.005.

**Fiscal Impact:** none

**Attachments:** District of Innovation Plan

**Department(s) Submitting Form:** Learning Division

**Division Approval:** Dr. Thomas Price

**Date Submitted:** July 26, 2016

## Humble ISD District of Innovation Plan

### Introduction

HB 1842 was passed during the 84th Texas Legislative Session in Spring 2015, and provides Texas public school districts the opportunity to be designated as Districts of Innovation. To access these flexibilities, a school district must adopt an innovation plan, as set forth in Texas Education Code Chapter 12A.

Districts of Innovation may be exempted from a number of state statutes and will have:

- greater local control as the decision makers over the educational and instructional model for students;
- increased freedom and flexibility, with accountability, relative to state mandates that govern educational programming; and
- empowerment to innovate and think differently.

Districts are not exempt from statutes including curriculum and graduation requirements, and academic and financial accountability.

### Our Process

On June 21, 2016, the Humble Independent School District's Board of Trustees passed a Resolution to Initiate the Process of Designation as a District of Innovation in order to support innovation and local initiatives to improve student learning.

The Board also appointed a District of Innovation Committee on June 21 representing various stakeholders across the district, including teachers, parents, campus administration, and local business owners. The Committee met on June 30, 2016, to discuss and draft this Local Innovation Plan. Based on direction provided by the Board and input from various district stakeholders, the Committee proposes this Plan of Innovation.

The District Decision Making Team, a body composed of representatives from all stakeholder groups within the district's community, will meet on August 2, 2016. If a majority of their membership approves the plan, it will go to the Board on August 9, 2016, for final approval.

### The Plan

#### 1. Teacher Certification for Career and Technical Education Instructors

Prior to 2013, students were expected to graduate under the "4x4" which required such courses as physics and Algebra II. With the adoption of House Bill 5 by the Texas Legislature in 2013, the state's graduation requirements moved to a more personalized graduation plan that allowed students to earn endorsements in specific areas of study, including STEM, business and industry, public services, etc. Many of the career pathways that fall under the endorsements, such as health services or engineering, require very specialized certification in that particular field. Texas Education Code, sections 21.003, 21.053, 21.044 and 19 Texas Administrative Code Chapter 231, inhibit the development of post high school plans and improvement of work force skills to the extent these laws limit the District's ability to hire teachers to teach hard-to-fill, high demand career and technical courses when quality certified teachers are not available.

In order to enable more students to obtain the educational benefit of career and technical course offerings, the District seeks to establish its own local qualification requirements for such courses in lieu of the requirements set for in law while adhering to Texas Education Code 21.055(d.1).

This exemption will afford the District the flexibility to hire professionals in certain trades and vocations to teach the crafts of those trades and vocations, such as welding, health sciences, architecture and construction, in career and technical courses.

## **2. Class Size and Notice of Class Size**

Texas Education Code 25.112 addresses the number of students who may be in a single kindergarten, first, second, third, or fourth grade class and limits that number to 22. The intent of this statute was to ensure that classrooms maintained a small teacher/student ratio under the belief that smaller classes led to improved achievement for students who benefited from more individualized teacher attention. While the maximum number of students in K-4 classrooms may be addressed by a state waiver, said waivers must be applied for annually and must be applied by each district, each year. By seeking an exception from 25.112 the District would have flexibility for all campuses and classrooms for the duration of the District of Innovation Designation and would not be required to seek waivers annually.

Previously, we have asked for waivers when a classroom exceeds the state-mandated ratio of 22:1. This practice has allowed us the flexibility to keep students in their current classroom environment where they have formed relationships with their peers and teachers. This consistency allows for structure and processes for learning to remain intact.

While the District intends to remain within the guidelines of the current education code as much as possible, the District seeks flexibility to provide the best learning environment for our K-4 students.

The District intends to remain within the 22:1 ratio in K-3. In the event a classroom exceeds the 22:1 ratio in K-3 or 24:1 in grade 4, the situation will be reviewed by appropriate district and campus personnel and additional assistance will be provided. The Board will be informed of K-4 classes that exceed 22:1 in K-3 or 24:1 in grade 4.

## **3. Length of Instructional Day**

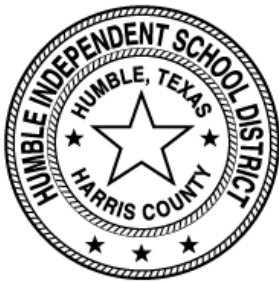
Both Texas Education Codes 25.081 and 25.082 address the length of the instructional day by limiting it to “420 minutes of instruction” or “seven hours each day including intermissions and recesses.” While the intent of the Legislature was to standardize across all districts the amount of time students spent learning in a classroom, Humble ISD wishes to meet the goal of 75,600 minutes of instruction per year, but seeks an exemption from these statutes so that it may reach the 75,600 minute total in a more creative manner without being limited to either 420 minutes or seven hours of instruction every day. The length of the instructional day cannot be changed absent the District becoming a District of Innovation.

For the past 15 years, Humble ISD has been a progressive district that functions as a Professional Learning Community during the school day by providing a two hour late arrival or early release

once every week for secondary students while elementary students have received early release times during the school year.

Humble ISD believes that having a flexible school day benefits teachers and campus leaders who participate in Professional Learning Communities, perfecting their craft, deepening their content knowledge, and analyzing student data. In addition, at the elementary level this flexible day allows for teachers to conference with parents about the progress of their child. The loss of a flexible day would be counterproductive to the Humble ISD community which has embraced the current flexible school day.





# Board of Trustees Agenda Item

**Meeting Date:** August 9, 2016

**Meeting Type**

- Regular Meeting
- Special Meeting/  
Workshop

**Agenda Item Type**

- Action Item

**Agenda Placement**

- |   |   |
|---|---|
| <input type="checkbox"/> Governance                           | <input type="checkbox"/> Human Resources Department |
| <input checked="" type="checkbox"/> Superintendent's Division | <input type="checkbox"/> Support Services Division  |
| <input type="checkbox"/> Learning Division                    | <input type="checkbox"/> District-Wide              |
| <input type="checkbox"/> Financial Services Division          |   |

**District Pillars (Check All That Apply):**

- Student Achievement – Prepare Students to be College and Career Ready
- Service – Provide Quality Service to Internal and External Customers
- People – Provide a Quality Work Environment So Every Employee can Perform at the Highest Levels
- Finance – Create Efficiencies at All Levels of the Organization

**Title: 2016-2017 Procurement of Legal Services**

**Recommended Action:** The Superintendent asks that the Board of Trustees approve the General Counsel's selection of outside counsel to represent the District for the current school calendar year.

**Board Policy/State Regulation/Law Reference (If Applicable):**

BDD (LEGAL) states that purchasing requirements of Education Code 44.031 do not apply to a contract for professional services rendered by an attorney.

Services to be performed by outside counsel shall be reasonable compensation as set forth in a written contract between the Board and the attorney or attorneys.

Requests for advice or information from the District's outside counsel will usually channel through the District's General Counsel. Humble ISD General Counsel shall monitor legal fees and maintain compliance with finance and purchasing guidelines as appropriate.

Thompson & Horton LLP  
 Rogers, Morris & Grover LLP  
 Walsh, Gallegos, Trevino, Russo & Kyle  
 Bracewell LLP  
 Cindy Price Law Offices  
 Wesley Tyler Mathis  
 Richard F. Hightower, PC

**Fiscal Impact:** N/A

**Attachments:**

Attachment 1 – Thompson &amp; Horton LLP

Attachment 2 – Rogers, Morris &amp; Grover LLP

Attachment 3 – Walsh, Gallegos, Trevino, Russo &amp; Kyle

Attachment 4 – Bracewell LLP

Attachment 5 – Cindy Price Law Offices

Attachment 6 – Wesley Tyler Mathis

Attachment 7 – Richard F. Hightower, PC

**Department Submitting Form:** General Counsel's Office**Division Approval:** Dr. Elizabeth Fagen**Date Submitted:** July 14, 2016



ATTORNEYS | COUNSELORS

Houston Janet L. Horton  
Dallas Partner  
Austin

(713) 554-6746 Office  
(713) 583-8997 Fax

[jhorton@thompsonhorton.com](mailto:jhorton@thompsonhorton.com)

Thompson & Horton LLP  
Phoenix Tower, Suite 2000  
3200 Southwest Freeway  
Houston, Texas 77027-7754

August 1, 2016

Dr. Elizabeth Fagen, Superintendent  
Humble Independent School District  
P. O. Box 2000  
Humble, Texas 77347

Re: Engagement Letter for Legal Services

Dear Dr. Fagen:

Welcome to the Humble Independent School District (“District”)! We have provided legal services to the District for many years and we look forward to working with you. Mr. Randy Gunter, General Counsel, has asked us to provide a current engagement letter. This letter describes the terms on which we will provide services and the role and responsibilities of both Thompson & Horton LLP (“T&H”) and the District.

**Terms of Engagement.** T&H will represent the District in connection with specific legal matters as requested by the District. Requests for legal advice or representation on any specific matters will be submitted through the Superintendent, the Board President, the General Counsel, or individuals authorized by the Superintendent, the Board President, or General Counsel. This Engagement Letter and Terms of Engagement (Attachment A) shall serve as the written agreement between the District and T&H.

This letter may be supplemented or amended to reflect new matters that deviate from the current engagement in complexity, scope, nature or risk, or that require a substantial change in terms and conditions.

**Fees and Staffing.** The current partners in the Houston office of T&H are David Thompson, Janet Horton, Merri Schneider-Vogel, Lisa Brown, David Hodgins, Chris Gilbert, Chris Borreca, Philip Fraissinet, Maureen Singleton, Lisa McBride, Sandy Hellums, John Hopkins, and Arturo Michel. Current associates include Brandon Winchester, Frances Broussard, Rebecca Weimer, Brad Domangue, Melisa Meyler, Geneva Englebrecht, Liam McElhiney, Audrey Shakra, and Ben Wells. The former Texas Commissioner of Education, Jim Nelson, Counsel, and Holly McIntush, associate, are in our Austin office. Current partners in our Dallas office are Dianna Bowen, Kathryn Long, and Carlos Lopez. Current associates in our Dallas office are Malerie Anderson, David Giddens, Oleg Nudelman, and Van Pham. Under this proposed engagement, Philip Fraissinet and I will serve as your primary



Dr. Elizabeth Fagen  
August 1, 2016  
Page 2

attorneys. Philip's hourly rate is \$320. My hourly rate is \$330. Other partners' rates range from \$300 to \$370, and associates' rates range from \$175 to \$295. Paralegals will be billed at \$75 per hour.

We bill in increments of fifteen minutes. We will not require a retainer; the District will be billed for services provided. Additionally, the rates charged may vary due to arrangements with insurance companies in litigation matters. Billing rates are evaluated on an annual basis, but any adjustments will be made only after notice to the District. T&H will attempt to staff each legal and litigation matter in a manner that is most economical to the District based on the nature of the project.

Under the terms of this Engagement Letter, the District will have specific obligations to T&H, for example, the obligation to provide complete and accurate information to the firm. If you have any questions about this document or the District's rights and obligations respecting this engagement or relationship with T&H, please feel free to contact me or any other partner of the firm.

It is T&H's practice to comply with the professional standards and ethics requirements applicable to Texas attorneys. Based on the information of which we are aware, it does not appear that this engagement is materially adverse to any substantially related matter that T&H is handling for other clients of the firm.

Please call me concerning questions about any aspect of this engagement. If this letter and the Terms of Engagement meet with your approval, we request that the Board President or other authorized agent sign both original letters. We request that you keep one letter for the District's file and return one original to me.

Thank you again for the opportunity to provide legal services to the District.

Very truly yours,

Thompson & Horton LLP

A handwritten signature in blue ink that reads "Janet Little Horton".

Janet Little Horton

JLH:bb

Enclosure  
842660



Dr. Elizabeth Fagen  
August 1, 2016  
Page 3

AGREED AND ACCEPTED:

Humble Independent School District

---

On Behalf of Humble Independent School District

---

Printed Name

---

Date

## ATTACHMENT A

### **Thompson & Horton LLP Terms of Engagement**

#### **Introduction**

These are the Terms of Engagement adopted by Thompson & Horton LLP ("T&H") and referred to in our Engagement Letter as the basis for our representation of the Humble Independent School District (hereafter referred to as "the Client," "the District" or "you"). Because this document is an integral part of our agreement to provide representation, we ask that you review this document carefully. If you have any questions about this document, please contact us.

#### **Identification of the Client**

Under this engagement, our client is the District and not individual trustees, officers, or employees. In the event that the District requests that we undertake representation of a specific individual, such as an individual defendant in a lawsuit, a new engagement letter will need to be prepared that defines the scope of the representation of the individual.

#### **Conflicts of Interest**

T&H represents many educational entities, public entities, businesses, and individuals. We attempt to identify actual and potential conflicts at the outset of any engagement. Occasionally, other clients or prospective clients may ask us to seek a conflict waiver from you so that we can accept an engagement on their behalf, or T&H may be asked to represent someone whose interests may be adverse to you. Please do not take such a request to indicate that we will represent you less zealously; we make such requests because we take our professional responsibilities to all clients and prospective clients very seriously. We will not undertake representation of adverse or conflicting parties without your express and informed consent. If conflicts arise or become apparent after work begins on an engagement, we will comply with applicable rules of professional responsibility under state law in resolving any such situations.

#### **Staffing**

The current partners in the Houston office of T&H are David Thompson, Janet Horton, Merri Schneider-Vogel, Lisa Brown, David Hodgins, Chris Gilbert, Chris Borreca, Philip Fraissinet, Maureen Singleton, Lisa McBride, Sandy Hellums, John Hopkins, and Arturo Michel. Current associates include Brandon Winchester, Frances Broussard, Rebecca Weimer, Brad Domangue, Melisa Meyler, Geneva Englebrecht, Liam McElhiney, Audrey Shakra, and Ben Wells. Jim Nelson, Counsel, and Holly McIntush, associate, are in our Austin office. The current partners in our Dallas office are Dianna Bowen, Kathryn Long, and Carlos Lopez. Current associates are Malerie Anderson, David Giddens, Oleg Nudelman, and Van Pham. I will charge an hourly rate of \$330. Philip Fraissinet will charge an hourly rate of \$320. Other partners' rates range from \$300 to \$370, and associates' rates range from \$175 to \$295. Billing rates are evaluated on an annual basis, but any adjustments will be made only after notice to the District. Paralegals will be billed at \$75 per hour.

The District may, of course, choose to contact any attorney at the firm. Additionally, a certain attorney may be the most appropriate attorney to handle a specific project due the nature of the legal issues and the expertise of the particular attorney. T&H will attempt to staff each legal and litigation matter in a manner that is most economical to the District based on the nature of the project.

### **Fees, Billing Arrangements, and Terms of Payment**

T&H issues invoices on a regular basis, normally each month, for fees and other charges. Invoices are due on presentment and are considered past due 30 days after receipt. It is important to review invoices that are presented each month and to bring any concerns regarding the invoice, services or staffing to the attention of the firm within 30 days of receipt of an invoice.

Fees for professional services and reimbursable expenses are not contingent on the outcome of the project, matter, or lawsuit.

Clients frequently ask us to estimate the fees and other charges they are likely to incur in connection with a particular matter. Any estimate is based on our professional judgment and the facts and circumstances that appear at the time. As such, any estimate is subject to the understanding that, unless we agree otherwise in writing, it does not represent a maximum, minimum, or fixed-fee quotation. The ultimate cost frequently is more or less than the amount estimated.

As an adjunct to providing services, we may incur and pay a variety of charges on your behalf or charge for certain ancillary support services. Whenever we incur such charges on your behalf or charge for such ancillary support services, we will bill them to you as part of your monthly invoice. Examples include charges for photocopying, postage, long-distance telephone calls, travel expenses, delivery charges, computerized research, and facsimile transmissions. Outside expenses generally will be billed at cost, while some in-house expenses (e.g., copying, telecopying, and computer services) may include a reasonable allocation of overhead.

In appropriate cases, reimbursable expenses also may include overtime charges for dedicated services for secretaries and other staff. Such overtime charges will be incurred only with your advance permission. This particular type of charge is most likely to occur if we are working on a project after regular business hours at your request. As a general matter, you will not be charged for staff overtime.

It may be necessary for us to retain third parties, such as consultants, experts, investigators and court reporters, in order to represent you adequately. We will consult with you regarding recommended vendors for these services and obtain your approval for the engagement of such services. Although we may advance third-party disbursements in reasonable amounts, we will ask you to pay larger third-party invoices (usually those over \$500) directly to the third party providing the services. The District ultimately will be responsible for the payment of the invoices of those third parties. We also ask that you pay such bills promptly and send us notice of your payment.

We generally make and retain copies of all documents generated or received by us in the course of your representation. Should you request documents from us at the conclusion of our representation (other than your original documents), you agree to compensate the firm for reproduction charges and professional fees required to review the files.

Although an insurer's payment of defense costs may be applied to billings of the firm, the payment obligation remains with the District. Failure of any insurer to pay all or part of the billings for any matter does not relieve you from the obligation to pay billings in full and in a timely manner.

Should the District's account become delinquent and satisfactory payment terms are not arranged, we may take steps, as permitted under the rules regulating our profession, to withdraw from the representation, cease representation, or terminate the engagement.

If the representation will require a concentrated period of activity, such as a trial, arbitration, or hearing, we reserve the right to require the payment of all amounts owed and the prepayment of the estimated fees and expenses to be incurred in completing the trial, arbitration, or hearing, as well as arbitration fees likely to be assessed. If you fail to timely pay the estimated fees and expenses, we will have the right to cease performing further work and the right to withdraw from the representation, subject to any applicable rules of court or other applicable tribunal.

### **Cooperation and Communication**

To enable us to provide effective representation, the District agrees to: (1) disclose to us, fully and accurately and on a timely basis, all facts and documents that are or might be material or that we may request; (2) keep us apprised on a timely basis of all developments relating to the representation that are or might be material; (3) attend meetings, conferences, and other proceedings when it is reasonable to do so; and (4) cooperate fully with us in all matters relating to the engagement.

### **Insurance Coverage**

We will only represent you, and not your insurer, on matters.

Unless we specifically agree to do so, we will not evaluate any aspect of insurance coverage, advise you with respect to such coverage, or become involved in any policy or coverage dispute. If your matter involves coverage questions, we ask that you let us know in advance so that we do not inadvertently transmit information to your insurer that might somehow affect coverage.

### **Termination**

Our engagement is "at will" and may be terminated by either of us any time by written notice to the other party, subject to any applicable State Bar of Texas rules regarding withdrawal of attorneys.

You may terminate the engagement at any time, with or without cause, by notifying us in writing. The firm may terminate the engagement before the completion of its representation of you if (a) the continued representation would result in a violation of the applicable rules of professional conduct; (b) the termination can be accomplished without material adverse effect on your interests; (c) the firm has a fundamental disagreement with the objective in this engagement; (d) you substantially fail to discharge an obligation regarding this engagement, including the payment of fees and expenses and the duty of cooperation as provided in the Terms of Engagement; or (e) other good cause for termination exist. In the event that the firm intends to terminate the engagement, the firm will give reasonable notice and allow you access to your files relating to this engagement.



The termination of our services will not affect your responsibility for payment of legal services rendered and other charges incurred before termination and in connection with an orderly transition of the project.

After completion of the representation, changes may occur in the applicable laws or regulations that could affect your future rights and liabilities in regard to matters that we previously handled. T&H will have no continuing obligation to give advice with respect to any future legal developments that may relate to the projects.

### **Confidentiality and Document Retention**

T&H will treat all communications received from you during the engagement as confidential. In addition to the normal protections afforded to our clients, T&H will maintain as confidential all documents received or generated during our representation to which any confidentiality provision applies.

You will have a right of access to case-related or project-related materials prepared on your behalf. At the close of any matter, we may return relevant documents to the client, may send remaining pertinent parts of our files to a private storage facility or may destroy certain documents. The attorney closing the file will determine, subject to the following paragraph and otherwise with the client, which portion should be returned to the client, which portion should be sent to private storage (and for how long) and which portions are to be destroyed.

You agree that we will own and retain our own business files pertaining to the engagement and that you will not have the right or ability to require us to deliver such files (or copies thereof) to you, including, for example, firm administrative records, time and expense reports, personnel and staffing materials, credit and accounting records, electronic mail correspondence (other than such correspondence which was sent to you by a member of our firm) and lawyer's internal work product, such as drafts, notes, and internal memoranda prepared by or for the internal use of lawyers. Further, at the discretion of the responsible partner for the project in question, we may destroy any such documentation which is the property of the firm or any documentation which such partner determines to be duplicative or unnecessary and in all cases without having to obtain your consent.

### **Disclaimer**

We cannot guarantee the outcome of any matter. Any expression of our professional judgment regarding any particular matter or the potential outcome is limited by our knowledge of the facts and based on the law at the time of expression. It is also subject to any unknown or uncertain factors or conditions beyond our control.

Either at the commencement or during the course of the representation, we may express opinions or beliefs about the matter or various courses of action and the results that might be anticipated. Any expressions on our part concerning the outcome of the representation, or any other legal matters, are based on our professional judgment and are not guarantees.

By signing the Engagement Letter or otherwise indicating your acceptance of the Engagement Letter, you acknowledge that T&H has made no promises or guarantees to you about the outcome of the representation, and nothing in these Terms of Engagement shall be construed as such a promise or guarantee.

### **Scope of the Representation**

As you may be aware, the Treasury Department has issued Regulations, commonly referred to as Circular 230, that dictate how attorneys must communicate with their clients whenever they render "written advice" on tax issues. The regulations are very broad and will frequently restrict ordinary communications between attorney and client. We can avoid the costly and time-consuming process of preparing a formal opinion to comply with Circular 230 by including a legend on written advice similar to the following: "As required by United States Treasury Regulations, you should be aware that this communication is not intended or written by the sender to be used, and it cannot be used, by any recipient for the purpose of avoiding penalties that may be imposed on the recipient under United States federal tax laws." It is unlikely that we will be providing written advice on tax issues but if we do, unless we agree in advance to the contrary, any written advice that we prepare for you will contain this legend.

### **Complaints**

The State Bar of Texas investigates and prosecutes complaints of professional misconduct against attorneys licensed in Texas. A brochure entitled Attorney Complaint Information is available at all of our offices and is likewise available upon request. A client that has any questions about the State Bar's disciplinary process should call the Office of the General Counsel of the State Bar of Texas at 1-800-932-1900 (toll free).

### **Modification of Our Agreement**

The Terms of Engagement reflect our agreement on the terms of all engagements, and are not subject to any oral agreements, modifications, or understandings. Any change in these Terms of Engagement must be made in writing signed by both T&H and the District.

We look forward to a long and mutually satisfying relationship with you and the District. If at any time you have a question or concern about any aspect of our representation, please feel free to contact any partner of the firm.



5718 WESTHEIMER ROAD, SUITE 1200  
HOUSTON, TEXAS 77057  
PHONE: (713) 960-6000 • FAX: (713) 960-6025  
[www.rmglp.com](http://www.rmglp.com)

RICHARD A. MORRIS  
Direct Dial: (713) 960-6019  
[rmorris@rmglp.com](mailto:rmorris@rmglp.com)

July 14, 2016

**Email**

Dr. Elizabeth Fagen  
Humble Independent School District  
20200 Eastway Village Drive  
Humble, Texas 77338

Re: Engagement Letter

Dear Dr. Fagen:

I would like to thank the District for considering Rogers, Morris & Grover, L.L.P. (the "Firm") to assist you and your organization. The purpose of this letter is to confirm the terms and conditions of our engagement.

We appreciate the opportunity to serve the District, and we recognize that the District's satisfaction with our services is the key to a successful professional relationship. This requires a mutual understanding of expectations and candid communications between us. Therefore, please let me know promptly if you have questions at any time concerning the matters our Firm is handling for the District.

**DESCRIPTION OF SERVICES**

The scope of representation to provide general legal services will be determined on an as needed or case-by-case basis. Counsel may be called upon to represent the District against claims or lawsuits presented against it, its Board of Trustees, officers, employees, etc. Specific assignments may include investigating, advising, negotiating, drafting, and/or reviewing documents, and providing consultation and representation in all areas of school law, construction, real estate, general business, labor and employment. The Firm is prepared to provide representation in court, administrative hearings or alternative dispute resolution processes.

### **FEE ARRANGEMENTS**

Experience has shown that a mutual understanding at the outset about fee arrangements will enhance our working relationship. In this regard, we propose the following:

No retainer is required. The Firm will render a monthly statement(s) to the District for our fees calculated using rates set forth in the attached fee schedule. These rates are subject to increase at the start of each calendar year. Reimbursable expenses include costs incurred for transportation, lodging and meals where travel is required in connection with our representation of the District, expenses of long distance telephone, telex or telecopy charges, photographic reproductions, courier services, shipping costs, and the like. Payment of each statement is due within thirty (30) days of the billing.

Whenever appropriate and consistent with proper legal representation, we use legal assistants, investigators and less senior attorneys in order to minimize the time requirements of our more senior attorneys. This enables us to provide our clients economical and efficient legal services and to avoid assigning senior attorneys to tasks performed equally as well by other staff members.

### **THIRD-PARTY VENDORS AND SERVICES**

Please also note that it is our general policy to direct all third-party vendors and services (*e.g.*, mediators, arbitrators, etc.) to look directly to our clients for payment. Accordingly, the District hereby agrees to pay all third-party vendors and services directly and promptly. We will attempt to advise you in advance of such expenses and seek your prior approval of any single expenditure in excess of \$100.00.

### **TERMINATION OF SERVICES**

Under certain circumstances, it may be necessary to terminate our services and our attorney/client relationship prior to completion of the matter or matters for which we have been retained. In that event, we have agreed to the following:

- A. Upon receipt of written notice, the Firm will withdraw from representing the District.
- B. The Firm, at its option, may withdraw from representing the District at any time if the District:



- (1) insists on presenting a claim or defense that is not warranted under existing law and cannot be supported by good faith argument for an extension, modification or reversal of existing law;
- (2) insists that the Firm pursue a course of conduct that is illegal or that is prohibited under the Texas Disciplinary Rules of Professional Conduct;
- (3) by any other conduct, renders it unreasonably difficult for the Firm to carry out its employment;
- (4) insists that the Firm engage in conduct that is contrary to the judgment and advice of the attorneys but not prohibited under the Texas Disciplinary Rules of Professional Conduct; or
- (5) fails to perform any agreement or obligation to the Firm with respect to the payment of costs or fees for services rendered.

In the event of withdrawal from employment, the Firm will take reasonable steps to avoid foreseeable prejudice to your rights, including giving due notice to the District and allowing time for employment of other counsel, delivering all papers and property to which the District is entitled and complying with applicable laws and rules governing such withdrawal from employment.

#### **DISCLAIMER**

You acknowledge that the Firm has not made any representation, nor can any representation be made, as to the ultimate outcome or success of the matters as to which we have been, or in the future, may be engaged to represent the District. The only material representation that has been made by us is that we will exert our best professional efforts in our representation of the District and its interests.



Dr. Elizabeth Fagen  
July 14, 2016  
Page 4

If the foregoing terms and conditions are acceptable, please execute this letter agreement in the space provided below and return an executed copy to our office. Once again, we appreciate the District's business and look forward to a successful relationship.

Very truly yours,

Rogers, Morris & Grover, L.L.P.



Richard A. Morris

ACCEPTED AND AGREED TO THIS  
\_\_\_ day of \_\_\_\_\_, 2016:

Humble Independent School District

\_\_\_\_\_  
Dr. Elizabeth Fagen, Superintendent of Schools



## HUMBLE ISD FEE SCHEDULE

### HUMBLE ISD RATES

2016

MORRIS, RICHARD A.	\$315.00
GROVER, CLAY	\$305.00
MORRIS, MICKI	\$285.00
NICHOLS, ERIK	\$285.00
LAMP, PAUL A.	\$285.00
SPALDING, ELLEN H.	\$285.00
TUCKER, AMY	\$285.00
BRUSH, JONATHAN	\$285.00
LANGLOIS, SARAH	\$285.00
SARMECANIC, LEILA	\$285.00
COURTIN, ADAM	\$225.00
ENGEL, LENA	\$225.00
EVANS, MARIANA	\$225.00
FARMER, DYLAN	\$225.00
MAHER, STEPHANIE	\$225.00
MOELLER, ALYSSA	\$225.00
RUSH, CORY	\$225.00
SEWELL, CAITLIN	\$225.00
LEGAL ASSISTANTS	\$105.00

June 1, 2016

**VIA FIRST CLASS MAIL**

Dr. Guy Sconzo  
Superintendent  
Humble ISD  
P.O. Box 2000  
Humble, Texas 77347

**RECEIVED**  
**JUN 07**  
**Superintendent's Office**

RE: Renewal of Membership in Walsh Gallegos' Retainer Program

Dear Dr. Sconzo:

It is our privilege to serve Humble Independent School District through the Walsh Gallegos Retainer Program. It is time to renew your membership and so enclosed with your monthly statement you will find our Legal Services Retainer Agreement and our invoice for membership in our Retainer Program. This program includes the following valuable benefits for just \$1,000.00 per year:

- No-charge telephone consultation on day-to-day general and special education matters with attorneys in any of our offices,
- Reduced rates for legal work,
- Reduced fees for inservices,
- Reduced rates for practical Walsh Gallegos products such as the web-based Student Code of Conduct, The Legal Guide to DAEP & Expulsion and the Extracurricular Code of Conduct,
- A free subscription to our bi-monthly general education newsletter "*Time Out with Walsh Gallegos*,"
- A free subscription to our monthly special education newsletter "*This Just In*," and
- Email updates about the latest developments in education law.

More information about these services and other advantages of the retainer program are included in the attached description. Also enclosed is information about our EFT/ACH payment program that provides a convenient, efficient, secure, and less costly method of payment than paper checks.



It is an honor to be of service to Humble Independent School District. Many districts have adopted the Texas Association of School Boards' policy BDD (local) which requires approval of the agreement by the Board of Trustees; check your policy to see who is authorized to approve and sign the Agreement. Additionally, please note that in accordance with the requirements of HB 1295 we have filed Form 1295 with the Texas Ethics Commission and are enclosing a certification of filing of Form 1295 for your records.

We look forward to receiving your signed contract. In the meantime, please remember that you can call any of our offices and speak with the attorney of your choice to get the guidance you need, when you need it. I am pleased to be your shareholder contact regarding the retainer program. Should you have any questions about the Retainer Agreement or wish to reach me directly, please contact me at (800) 565-6864.

Sincerely,

A handwritten signature in black ink, appearing to read "Oscar G. Treviño", with a long horizontal flourish extending to the right.

Oscar G. Treviño

OGT/glo  
Enclosures

cc: Mr. Robert Sitton, Board President  
Dr. Kirsten Allman, Director of Special Education  
(not including billing statement or email update form)

RECEIVED  
JUL 6 - 2016  
Superintendent's Office

June 29, 2016

Dr. Elizabeth Fagen  
Superintendent  
Humble ISD  
P.O. Box 2000  
Humble, Texas 77347

Dear Dr. Fagen:

I am writing to inform you that our rates will be changing effective July 16, 2016 to those shown in the charts below. The statement you receive on September 1, 2016 will be the first statement reflecting the new rates. This will be our first rate change in three years.

Retainer Rates				
Shareholders	Associates licensed over two years	Associates licensed one-two years	Associates licensed less than one year	Paralegals & Law Clerks
\$295	\$275	\$230	\$220	\$115

Non-Retainer Rates				
Shareholders	Associates licensed over two years	Associates licensed one-two years	Associates licensed less than one year	Paralegals & Law Clerks
\$315	\$295	\$230	\$220	\$125

Please note that retainer clients will continue to receive free telephone consultation on general matters, the reduced retainer rates shown above on all other work, and reduced rates on Inservices and products.

We appreciate the trust you have placed in us and we hope to continue to provide excellent service in the years to come. If you have any questions or concerns, please do not hesitate to contact our Billing Department.

Very Truly Yours,



Diana Stangl  
Firm Administrator

DLS/yl

**SPECIAL EDUCATION LEGAL SERVICES RETAINER AGREEMENT  
FOR HUMBLE INDEPENDENT SCHOOL DISTRICT**

---

The Humble Independent School District (hereinafter "District"), acting by and through the authorized Trustee or Employee whose signature appears below, hereby retains the law firm of Walsh Gallegos Treviño Russo & Kyle P.C. (hereinafter "Law Firm"), to provide the services to the District set forth below.


1. Telephone Consultation: The Law Firm shall provide telephone consultation at no charge to the District's Board President, Superintendent, Special Education Director, or designee pertaining to questions arising out of the general operation of the District. The District shall have access to a statewide toll-free telephone number for calls to the Law Firm.
2. Additional Legal Work: The District shall be entitled to reduced hourly rates for additional legal work over and above general telephone consultation. Examples of such additional legal work are research, opinion letters, and legal advice or representation in adversarial matters. Expenses incurred by the Law Firm in providing such additional legal work shall be charged.
3. Publications: The Law Firm shall provide at no charge the monthly publication This Just In, dealing with special education law issues, and the bi-monthly general school law publication Time Out with Walsh Gallegos, both published by the Law Firm.
4. E-mail Updates: The Law Firm shall send periodic e-mail updates to designated District personnel and trustees relating to developments in school law. The content and publication schedule of such updates shall be determined solely by the Law Firm.
5. Retainer Term and Cost: There shall be a fee of \$1,000.00 for this Retainer Agreement due upon execution and annually thereafter on the anniversary of the execution date below. This Retainer Agreement shall remain in effect until notice of cancellation is received.
6. Scope of Attorney-Client Relationship: This Retainer Agreement establishes a limited attorney-client relationship only between the Law Firm and the District. The relationship exists only as to the consultations and additional legal work that are initiated by the District and accepted by the Law Firm pursuant to this Agreement. The Retainer Agreement does not impose any duty upon the Law Firm to provide advice or work to the District regarding legal matters absent a request by the District's Board President, Superintendent, Special Education Director, or designee for such advice or work on a matter. The Law Firm and the District acknowledge and represent that this Agreement

does not establish an attorney-client relationship between the Law Firm and any individual Trustees or Employees of the District. If a lawsuit or other adversarial matter is brought against the District and/or any Trustee or Employee of the District, the Law Firm may require the execution of one or more separate Letters of Engagement prior to undertaking an attorney-client relationship in the matter.

HUMBLE INDEPENDENT SCHOOL DISTRICT

By: \_\_\_\_\_  
(Signature)  
\_\_\_\_\_  
(Print Name)  
\_\_\_\_\_  
(Title)  
\_\_\_\_\_  
(Date)

WALSH GALLEGOS TREVIÑO RUSSO & KYLE P.C.

By:  \_\_\_\_\_  
Joe A. De Los Santos  
Managing Shareholder  
  
6/11/2016  
\_\_\_\_\_  
(Date)

# CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.  
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

## OFFICE USE ONLY CERTIFICATION OF FILING

**1 Name of business entity filing form, and the city, state and country of the business entity's place of business.**  
Walsh Gallegos Trevino Russo & Kyle P.C.  
Austin, TX United States

Certificate Number:  
2016-58312

Date Filed:  
05/19/2016

**2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.**  
Humble Independent School District

Date Acknowledged:

**3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.**  
12600  
Legal Services - Legal Services Retainer Agreement

4 Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
		Controlling	Intermediary
Walsh, Jim	Austin, TX United States	X	
Gallegos, Elena	Austin, TX United States	X	
Trevino, Oscar	Austin, TX United States	X	
Kyle, Paige	Austin, TX United States	X	

**5 Check only if there is NO Interested Party.**

**6 AFFIDAVIT** I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.



*[Signature]*  
Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said Diana Stangl, this the 20th day of May, 2016, to certify which, witness my hand and seal of office.

Elizabeth Clay Signature of officer administering oath  
Elizabeth Clay Printed name of officer administering oath  
Administrative Assistant Title of officer administering oath



## Program for EFT/ACH Payments

Walsh Gallegos Treviño Russo & Kyle P.C. is working to improve our services to you and assist you in saving time and money. To that end, we now offer our clients the option to pay their invoices electronically by either Electronic Funds Transfer (EFT) or Automated Clearing House (ACH) payment--instead of the traditional paper, check-by-mail method.

An EFT/ACH payment authorizes the client's bank to move funds from its bank account to the bank account of the authorized merchant (Walsh, Gallegos). This movement of funds is done between banks electronically—thus the term Electronic Funds Transfer (EFT) or Automated Clearing House (ACH). This electronic movement of funds between banks is more convenient, efficient, secure, and far less costly than the handling of paper checks.

If your district is interested in participating in our EFT/ACH payment program, please e-mail a request to [WA-EFT@wabsa.com](mailto:WA-EFT@wabsa.com) or call Debra Krutsinger at (800) 252-3405 to receive our bank account information for EFT/ACH payments.

We are excited to be able to extend this opportunity to our clients. Please feel free to contact us if you have any questions.



FEE SCHEDULE AS OF JULY 16, 2013  
LEGAL SERVICES RETAINER AGREEMENT

For Retainer Program Clients

Annual retainer fee is \$1,000 billed each year on the anniversary of the client joining the program.

Telephone consultation with school officials in this program regarding general routine legal matters is free of charge. The firm has toll-free telephone numbers that are made available to these clients.

An hourly rate of \$210/hour for associates licensed less than one year, \$220/hour for associates licensed one to two years, \$255/hour for associates licensed over two years, or \$275/hour for shareholders is charged for time spent on research, opinion letters, office visits, board meetings, and other work of a general nature.

For matters requiring more in-depth work, such as document review, negotiation of a contract, grievance, nonrenewal, review of construction documents, litigation, administrative appeals, and the like, all time, including telephone calls, is charged at the current hourly retainer rates shown above, plus expenses. A new file is set up so that the billings show legal fees attributable to that particular matter.

For Non-retainer Program Clients

An hourly rate of \$210/hour for associates licensed less than one year, \$220/hour for associates licensed one to two years, \$275/hour for associates licensed over two years, or \$295/hour for shareholders is charged for time spent on any work, including all telephone calls, office visits, litigation, research, opinion letters, hearings, and the like.

The above rates are subject to change at any time.

## BENEFITS OF THE RETAINER PROGRAM

1. **FREE TELEPHONE CONSULTATION:** The law firm provides telephone consultation at no charge to the District's Board President, Superintendent, Special Education Director or any designee pertaining to questions arising out of the general operation of the District. Last year, our member clients received an average of 12 free hours of telephone consultation. That is a \$3,060 value in telephone calls alone!

As a retainer client, the District has exclusive access to the statewide toll-free telephone numbers for calls to the law firm. Before making decisions with legal consequences, use our exclusive toll-free number to reach any Walsh Gallegos attorney:

- Austin (800) 252-3405
- San Antonio (800) 232-9169
- Irving (800) 231-4207
- Houston (888) 565-6864
- Rio Grande Valley (866) 770-6864
- Albuquerque (800) 771-6864

2. **REDUCED RATES FOR ADDITIONAL LEGAL WORK:** The District receives reduced hourly rates for additional works that goes beyond the initial general telephone consultations, such as analyzing documents, writing opinion letters, attending school board meetings, or follow up phone consultations. Though the hourly rates are reduced for retainer clients, any actual expenses (copy costs or mileage, for example) incurred by the law firm in providing such additional work are charged.

3. **FREE SUBSCRIPTIONS TO FIRM PUBLICATIONS:** Membership in the Walsh Gallegos Retainer Program also entitles the District to receive free subscriptions to both of the firm's newsletters:

- (1) the informative bi-monthly newsletter "*Time Out with Walsh Gallegos*" that provides timely reminders and practical suggestions about general education law issues arising throughout the school year, and
- (2) the monthly publication "*This Just In*" which addresses legal issues specific to the special needs of students with disabilities

4. **E-MAIL UPDATES:** As another benefit of the Retainer Program, Walsh Gallegos sends periodic e-mail updates to you (and to any other District personnel or trustees you designate) to help keep the District abreast of the latest developments in school law. These updates, averaging more than one per month, address a broad range of timely topics and are designed to keep you informed and better prepared in your work for the District. Examples of the topics of our updates include:

- Guidance on responding to PIA Requests regarding High School Deputy Voter Registrars



- Information on Optional Homestead Exemptions and Senate Bill 1
- Implementation of SB 149 regarding new Graduation Rules
- Attorney General opinions impacting school district elections
- New U.S. Department of Labor rules on FMLA
- Assistance in responding legally and respectfully to parent requests for testing exemptions
- Recent case reaffirming that school attendance officers have the authority to investigate all truancy complaints, including those involving home-schooled children
- Educational issues related to emancipated minors and students living separate and apart from their parents

Don't let your District personnel miss our next update!

5. **REDUCED RATES ON ALL WALSH GALLEGOS INSERVICES:** Our Retainer Program members also receive reduced rates on all inservices presented at the District. Our up-to-date training programs are presented by attorneys with firsthand experience and knowledge about the current legal issues confronting Texas school districts. Our retainer clients also receive priority scheduling for inservice training.
  
6. **REDUCED RATES ON ALL WALSH GALLEGOS PRODUCTS:** To assist clients in their day-to-day operations, we have developed several practical products to save you time and head off potential problems during the school year. These products are easy to navigate, written in plain language, and are full of useful suggestions. As a member of the Retainer Program, clients receive reduced rates on these helpful tools, including:
  - Interactive Student Code of Conduct
  - Discipline Guide for DAEP & Expulsion
  - Student Dress Code
  - Extracurricular Code of Conduct
  - Student Activities Guide
  - Administrator's Anti-Bullying Toolkit
  
7. **ONE FREE AUDIO CONFERENCE:** Our retainer clients are also eligible for one free audio conference of the District's choice, to be selected from our published audio conference schedule. Our audio conferences provide excellent training for school administrators without having to leave the district.

**HUMBLE ISD E-MAIL UPDATE FORM**

The Walsh Gallegos E-mail Update program is designed to keep our clients informed of the latest developments in school law. These updates address a broad range of topics related to legal issues confronting school districts. In addition, e-mail update recipients will also be notified of upcoming audio/video conferences and specialty publications produced by Walsh Gallegos.

Below is the list of personnel and/or Board of Trustees that are currently in our system. Please review carefully and make any necessary changes or additions. Also note that there may be some names without an e-mail address or position. Please provide a current e-mail address, indicate whether the individual should remain one of our e-mail update recipients, and provide the named position of the individual. If you are having difficulty receiving our e-mail updates, please ask your technology department to add mypinpointe.com to the list of accepted domains.

<u>Name</u>	<u>Title</u>	<u>E-mail</u>
Ms. Carol Atwood	Assistant Superintendent of Data Quality	carol.atwood@humble.k12.tx.us
Mr. Rick Gardner	Assistant Superintendent of Human Resources	rick.gardner@humble.k12.tx.us
Dr. Thomas Price	Deputy Superintendent/Chief Academic Officer	thomas.price@humble.k12.tx.us
Dr. Kirsten Allman	Director of Special Education	<i>randall / kirsten.allman@humble.k12.tx.us</i>
Mr. Randy Gunter	General Counsel	<i>randy.gunter@humble.k12.tx.us</i>
Dr. Guy Sconzo	Superintendent	<del>guy.sconzo@humble.k12.tx.us</del>
Mr. Brent Engelage	Board Member	brent@brent-engelage.com
Mr. Robert Sitton	Board President	rjsitton@comcast.net

*Elizabeth.fagen*

Attach additional sheets if necessary. Please return this form to Client Services. If you have any questions or need additional information, please contact Client Services at (800) 252-3405.

VIA FAX  
(512) 467-9318

VIA MAIL  
Client Services  
Walsh Gallegos  
P.O. Box 2156  
Austin, TX 78768

VIA E-MAIL  
[info@wabsa.com](mailto:info@wabsa.com)

*emailed 7/13/16*

Texas  
New York  
Washington, DC  
Connecticut  
Seattle  
Dubai  
London

Bracewell LLP  
711 Louisiana Street  
Suite 2300  
Houston, Texas  
77002-2770

713.223.2300 Office  
713.221.1212 Fax

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

***DRAFT***

July 28, 2016

Dr. Elizabeth Fagen  
Humble Independent School District  
20200 Eastway Village Drive  
Humble TX 77338

Re: Engagement Letter –Humble Independent School District

Dear Dr. Fagen:

Thank you for engaging us to represent the Humble Independent School District (“District” or “Client”) as bond counsel and as counsel on additional matters as requested by the District. We appreciate the confidence you have shown in Bracewell LLP (“Bracewell” or “Firm”) and look forward to this opportunity to represent your interests.

It is our practice to confirm the terms and conditions of our engagements, and that is the purpose of this Engagement Letter and the attached Terms of Engagement. This engagement has been approved by Bracewell subject to the conditions described in this letter.

Scope of Engagement

Bracewell will represent the District in connection with its issuance, from time to time, of bonds, maintenance tax notes and other obligations (“Obligations”).

We agree that our services as bond counsel will include the following:

1. Attendance at all meetings of the Board of Trustees of the District (the “Board”) as required or requested in connection with the planning and authorization of Obligations, including consultation on federal income tax matters;
2. Preparation of bond election orders, as necessary;

3. Preparation of the orders or resolutions of the Board authorizing issuance of Obligations, together with all other legal documents comprising the transcript of proceedings for authorization and issuance of Obligations;
4. The review of those sections of the offering documents that pertain to the description and security of the Obligations, the District's documents related to the financing, matters related to the exemption and our opinion;
5. Preparation of and submission to the Attorney General of Texas of a transcript of proceedings for each series of Obligations to obtain the approval of the Attorney General and registration of Obligations by the Comptroller of Public Accounts of Texas;
6. Preparation and filing of legal documents required under federal income tax law for the Obligations, and the preparation of and delivery to the District of a Letter of Instructions with respect to the federal income tax treatment of Obligation proceeds;
7. Representation of the District at the closing of the sale of Obligations, including preparation of all closing documents;
8. If appropriate, the delivery at closing of our approving opinion as to the validity of the Obligations under Texas law, and the exclusion of interest on the Obligations from gross income of the holders under federal income tax law; and
9. In connection with the first issuance of Obligations covered by this letter, we will work with the District to prepare post-issuance compliance procedures.

We will also provide you with routine assistance as requested by the District in connection with federal and state law questions arising in connection with the disposition of bond financed assets and the use of bond proceeds as well as routine questions related to the District's disclosure obligations and related transactional services. If such assistance would require research so significant as to no longer constitute routine assistance, we will notify the District, and we will not initiate work on such issues prior to reaching an agreement with the District regarding the scope of work and fees for such matter or issue.

The services outlined above do not include such matters as services as disclosure counsel in connection with the sale of the Obligations, obtaining IRS rulings or clarifications of federal tax law, presentations to rating agencies or bond insurers, or "blue sky" or securities registration services. We will be pleased to provide legal services in connection with any matters not included in paragraphs 1 through 9 above, but we believe that such additional services, if requested by the District, should be the subject of an addendum to this letter or a

separate letter of engagement. Our representation of the District with respect to any particular series of Obligations will end upon the closing for that particular series of Obligations. Our representation of the District will also include representation in connection with payroll tax and other tax matters not related to the issuance of a particular series of Obligations as requested by the District.

This Engagement Letter may be supplemented to reflect new matters or issues that deviate from the current engagement in scope, billing arrangements, complexity, risk, or that otherwise require a substantial change in terms and conditions. The Terms of Engagement, however, will govern all projects and engagements for Client. Bracewell will not initiate work on any such new matters or issues prior to reaching an agreement with the District regarding the scope of work and fees for such matter or issue. Any written agreement for new matters or issues must be signed by the District's Superintendent, Assistant Superintendent for Financial Services, or the District's General Counsel.

#### Fees, Expenses and Billing

For our services in connection with the District's issuance of any particular series of Obligations, our fee will be calculated in accordance with the fee schedule attached hereto as Schedule I. For traditional fixed rate tax exempt bonds, such fees will be payable at and contingent upon the closing of the transaction. As described in the fee schedule, our fee and the timing of payment for certain other transactions will be determined by mutual agreement of the District and Bracewell.

Fees for matters not related to any particular series of Obligations, will be based primarily on an hourly charge determined by the amount of time devoted by Bracewell professionals to perform the legal services contemplated by this engagement. Other factors authorized by Rule 1.5(a) of the ABA Model Rules of Professional Conduct also may be considered when determining the fees charged by Bracewell.

#### Other Charges

In addition to our fees, there will be other charges for items incident to the performance of our legal services, such as the cost of transcripts, photocopying, messengers, travel expenses, long-distance telephone calls, facsimile transmissions, postage, overtime for secretaries and other non-legal staff, specialized computer applications such as computerized legal research, and filing fees.

#### Conflicts of Interest: Applicable Standard

For purposes of evaluating conflicts of interests, you acknowledge that Bracewell relies upon the Texas Disciplinary Rules of Professional Conduct. Bracewell may represent other clients

Humble Independent School District  
July 28, 2016  
Page 4

that may be adverse to your interests in substantially unrelated matters, and it may represent other clients within the same industry.

Conclusion

You are encouraged to discuss the terms of this engagement letter with your general counsel. Please call me if you wish to discuss any aspect of this engagement.

If this Engagement Letter, including the provisions in the attached Terms of Engagement, correctly reflects your understanding of the terms and conditions of our representation, please sign the enclosed copy of this letter in the space provided and return it to me.

Thank you again for the opportunity to represent you in this matter.

Very truly yours,

Bracewell LLP

By: \_\_\_\_\_  
Name: Jonathan K. Frels

Attachments

AGREED AND ACCEPTED:

**Humble Independent School District**

By: \_\_\_\_\_

Date: \_\_\_\_\_

## SCHEDULE I

### Proposed Bond Counsel Fee Schedule

#### I. New Money Bonds

Proceeds Amount	Fee
First \$20 million	\$4,000 plus \$1.00 per \$1,000 in proceeds, with a maximum of \$20,000
\$20,000,001 to \$75,000,000	\$20,000 plus \$0.75 per \$1,000 in proceeds in excess of \$20 million
Over \$75,000,000	\$61,250 plus \$0.50 per \$1,000 in proceeds in excess of \$75 million.

\*For transactions with proceeds in excess of \$100 million, fees will be agreed upon by the District and our firm in advance.

#### II. Refunding Bonds

Fees for refunding transactions will be based on the new money schedule plus 15%.<sup>1</sup>

#### III. Combination New Money and Refunding Bonds

Fees for combination new money and refunding transactions will be based on the new money schedule plus 7.5%.<sup>2</sup>

#### IV. Other

The fee schedule above assumes the issuance of fixed rate tax exempt bonds. The fees for other types of transactions, such as variable rate bonds with third party credit or liquidity enhancement, tax credit bonds (e.g. build America bonds) or qualified school construction bonds, or other services will be agreed upon by the District and our firm in advance.

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<sup>1</sup> In order to calculate the fee for refunding bonds, a base fee would be calculated using the schedule for new money bonds, and the base fee would be multiplied by 1.15.

<sup>2</sup> In order to calculate the fee for bonds issued as combination new money and refunding bonds, a base fee would be calculated using the schedule for new money bonds, and the base fee would be multiplied by 1.075.

## **BRACEWELL LLP**

### **TERMS OF ENGAGEMENT**

#### **Introduction**

These are the Terms of Engagement adopted by Bracewell LLP (“Bracewell”) and the addressee of the preceding Engagement Letter (“Client”) and referred to in our Engagement Letter as the basis for our representation. Because they are an integral part of our agreement to provide representation, we ask that you review this document carefully and retain it for your files. If you have any questions after reading it, please promptly inform your principal contact at the Firm.

#### **Client of the Firm**

Because Bracewell has been engaged to represent the Client only, the engagement does not include the Client’s family members, affiliated or related entities, or their respective individual officers, directors, partners, equity owners or employees.

Unless otherwise specifically stated in the Engagement Letter, our representation does not include any parent, subsidiary, or affiliated entity; employee, officer, director, shareholder, member or partner of an entity; or, any commonly owned entity. For any trade association, our representation does not include any member of the trade association; and for individuals, our representation does not include any employer, partner, spouse, sibling, or other family member. In the event we are asked to undertake representation of any other entity in connection with this engagement, we will do so only by agreement defined in the Engagement Letter. By execution of the Engagement Letter, Client consents to Bracewell's use of the name and a generic description of the transaction in Bracewell marketing materials. Confidential Client information will not be included in such materials.

#### **Our Relationship with Others and Conflicts of Interest**

Conflict of Interest is a concern for Bracewell and its clients. We attempt to identify actual and potential conflicts at the outset of each engagement. Unfortunately, conflicts sometimes arise or become apparent after work begins on an engagement. When that happens, we will do our best to address and resolve the situation in the manner that best serves the interests of all of our affected clients.

If a Conflict of Interest unrelated to this engagement develops between you and another client of Bracewell, you consent to the firm’s adverse representation in the unrelated matter.

Bracewell accepts this engagement on the understanding that our representation of you will not preclude us from accepting another engagement from a new or existing client provided that (1) such engagement is not substantially related to the subject matter of services we provide to you and (2) such other engagement would not impair the confidentiality of related client information.



### Staffing the Project

In most cases, one attorney will be your primary contact. In order to provide you with the expertise of our firm, and to provide services on a cost effective basis, that attorney will delegate parts of your work to other lawyers, paralegals and professionals.

### Billing Arrangements and Terms of Payment

Fees for professional services and expenses are not contingent on the outcome of the project, unless expressly stated in the Engagement Letter.

Unless expressly stated in the Engagement Letter, Bracewell issues invoices on a periodic basis, normally each month, for fees and expenses. Invoices are due on receipt and are considered past due 30 days after receipt.

Clients frequently ask us to estimate the fees and other charges they are likely to incur in connection with a particular matter. Any estimate is based on professional judgment and facts and circumstances that appear at the time. As such, any estimate is subject to the understanding that, unless we agree otherwise in writing, it does not represent a maximum, minimum, or fixed-fee quotation. The ultimate cost frequently is more or less than the amount estimated.

It may be necessary for us to retain third parties, such as consultants, experts and investigators, in order to represent you adequately. In that event, you will be responsible for the prompt payment of the invoices of those third parties. Although we may advance third-party disbursements in reasonable amounts, we will ask you to pay larger third-party invoices (usually those over \$500) directly to the third party providing the services.

If the representation will require a concentrated period of activity, such as a trial, arbitration, or hearing, we reserve the right to require the payment of all amounts owed and the prepayment of the estimated fees and expenses to be incurred in completing the trial, arbitration, or hearing, as well as arbitration fees likely to be assessed. If you fail to pay timely the estimated fees and expenses, we will have the right to cease performing further work and the right to withdraw from the representation, subject to any applicable rules of court or other applicable tribunal.

Although an insurer's payment of defense costs may be applied to billings of the firm, the payment obligation remains with you. Failure of any insurer to pay all or part of the billings for this project does not relieve you from the obligation to pay billings in full and in a timely manner.

### Taxes

The Client agrees that all payments under the Engagement Letter shall be payable to Bracewell in U.S. Dollars, free and clear of any and all present and future taxes, levies, imposts, duties, deductions, withholdings, fees, liabilities and similar charges (the "Taxes"). If any Taxes are required to be withheld or deducted from any amount payable under the Engagement Letter, then the amount payable under the Engagement Letter shall be increased to the amount which, after deduction from such increased amount of all Taxes required to be withheld or deducted

therefrom, will yield to Bracewell the amounts stated to be payable to Bracewell under the Engagement Letter.

### Termination

Because Bracewell has been engaged to provide services in connection with the representation specifically defined in our Engagement Letter, the attorney-client relationship terminates upon our completion of those services.

You may terminate the engagement at any time, with or without cause, by notifying us in writing. The firm also can terminate the engagement before the completion of its representation of you in the specified matter if (a) the continued representation would result in a violation of the applicable rules of professional conduct or other law; (b) the termination can be accomplished without material adverse effect on your interests; (c) you persist in a course of action that Bracewell reasonably believes is criminal or fraudulent, or you have used our services to perpetrate a crime or fraud, (d) the firm has a fundamental disagreement with the objective or tactics in this engagement; (e) you deliberately and substantially fail to discharge an obligation regarding this engagement, including the payment of fees and expenses and the duty of cooperation as provided in the Terms of Engagement; or (f) other good cause for termination exist. In the event that the firm intends to terminate the engagement, the firm will give reasonable notice and allow you access to your files relating to this engagement.

For purposes of this Engagement Letter, this engagement terminates upon written notice of termination by Client or by Bracewell.

The termination of our services will not affect your responsibility for payment of legal services rendered and other charges incurred before termination and in connection with an orderly transition of the project.

After completion of the representation, however, changes may occur in the applicable laws or regulations that could affect your future rights and liabilities in regard to the matter. Bracewell has no continuing obligation to give advice with respect to any future legal developments that may relate to the project.

### Bracewell Files

You agree that Bracewell will own and retain its own files and any related electronically stored information pertaining to the engagement. You will not have the right or ability to require us to deliver such files and records (or copies thereof) to you, except as required by law. Examples of Bracewell files and records are: firm administrative records, financial files and documents, time and expense reports, personnel and staffing materials, credit and accounting records, electronic mail correspondence (other than such correspondence which was sent to you by a member of our firm) and internal lawyer's work product, such as drafts, notes, memoranda and legal and factual research, including investigative reports prepared by or for the internal use of lawyers. Further, at the discretion of the responsible partner for the project in question, we may destroy any such documentation which is the property of Bracewell or any documentation which such partner determines to be duplicative or unnecessary in all cases without having to obtain your consent,

provided, however, that Bracewell shall follow the Client's record retention schedule as published at the time of this engagement.

### Choice of Law

Because Bracewell performs legal services in a number of jurisdictions, for consistency and predictability, the Client and Bracewell agrees that the Texas Disciplinary Rules of Professional Conduct (found at [www.texasbar.com](http://www.texasbar.com) or [www.txethics.org](http://www.txethics.org)) will govern all issues of legal ethics and professionalism.

### Disclaimer

We cannot guarantee the outcome of any matter. Any expression of our professional judgment regarding your matter or the potential outcome is, of course, limited by our knowledge of the facts and based on the law at the time of expression. It is also subject to any unknown or uncertain factors or conditions beyond our control.

Either at the commencement or during the course of the representation, we may express opinions or beliefs about the matter or various courses of action and the results that might be anticipated. Any expressions on our part concerning the outcome of the representation, or any other legal matters, are based on our professional judgment and are not guarantees.

By signing the Engagement Letter or otherwise indicating your acceptance of the Engagement Letter, you acknowledge that Bracewell has made no promises or guarantees to you about the outcome of the representation, and nothing in these Terms of Engagement shall be construed as such a promise or guarantee.

### Your Cooperation

To enable us to provide effective representation, you agree to: (1) disclose to us fully, accurately and on a timely basis, all facts and documents that are or might be material or that we may request; (2) keep us apprised on a timely basis of all developments relating to the representation that are or might be material; (3) attend meetings, conferences, and other proceedings when it is reasonable to do so; (4) provide updated information for conflicts purposes, if necessary; and (5) cooperate fully with us in all matters relating to the engagement.

### Modification of Our Agreement

The Terms of Engagement reflect our agreement on the terms of all engagements, and are not subject to any oral agreements, modifications, or understandings. Any change in these Terms of Engagement must be made in writing signed by both Bracewell and Client.

### In Conclusion

If you have questions or concerns, at any time, relating to the terms and conditions of this engagement, the services or advice provided by Bracewell, or the fees and expenses reflected in the invoices, please bring them to the attention of your principal contact at our firm, or Bracewell's General Counsel or Managing Partner.

**LAW OFFICES OF CINDY S. PRICE, P.C.**

ATTORNEY AT LAW  
10820 Eagle Drive  
P.O. Box 1936  
Mont Belvieu, Texas 77580

Phone: 281-576-2020

Fax: 281-576-2033

July 20, 2016

Dr. Elizabeth Fagen,  
Superintendent, Humble Independent School District  
P.O. Box 2000  
Humble, Texas 77347

RE: Engagement Letter with Humble ISD for the 2016-2017 School Year

Mr. Gunter

This letter serves as my office's Letter of Engagement with Humble Independent School District.

Under the terms of this agreement I will perform the legal services for Humble Independent School District as requested by the district.

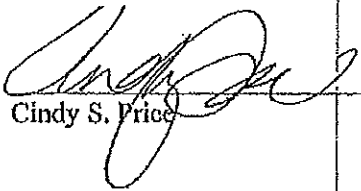
The hourly billing rate will be \$200.00 per hour. I will provide you with detailed billings reflecting what was done on each case, when the case was complete and the time expended, and any costs and expenses incurred.

You are free to contact me at any time with any questions or concerns that you may have regarding the investigation.

If this is not your understanding of the agreement, please let me know. Your signature below will indicate your acceptance of this engagement.

CLIENT

ATTORNEY

  
Cindy S. Price

**Wesley Mathis**  
**Attorney at Law**

---

August 2, 2016

Dr. Elizabeth Fagen  
Humble ISD  
20200 Eastway Village Drive  
Humble, Texas 77338

Re: Agreement for Legal Services

Dear Dr. Fagen,

The purpose of this letter is to confirm that the Humble Independent School District wishes to engage the Law Office of Wesley Mathis to provide general legal services to the District from time to time, and as agreed upon by the District and the firm.

The hourly rate for services performed by lawyers of this firm is \$200/hour. Generally you will be billed for all time spent on your matter, including telephone calls and email. You will also be billed for reasonable expenses incurred on your behalf.

If this letter fairly states our agreement, please so indicate by signing and returning a copy of this letter to [wmathis@gmail.com](mailto:wmathis@gmail.com). If you have any questions or would like to discuss, please do not hesitate to contact my office. I look forward to working with you.

Sincerely,



Wesley Mathis

HUMBLE ISD

By: \_\_\_\_\_

RICHARD F. HIGHTOWER, P.C.

Attorney/Mediator

2323 S. Shepherd, 14th Floor

Houston, Texas 77019-7024

E-mail: richard@richardhightower.com

www.richardhightower.com

713-626-5805

Telefax: 713-979-4440

**LETTER OF ENGAGEMENT FOR LEGAL SERVICES  
RICHARD F. HIGHTOWER, P.C.**

This Letter of Engagement ("Agreement") is between the Humble Independent School District ["District"] and the law firm of Richard F. Hightower P.C. ["the Firm"] and is intended as an Agreement for providing legal services as requested by the District.

It is agreed by the parties that the Firm will provide legal services to the District for the time period July 1, 2016 through June 30, 2017 pursuant to the terms of this Agreement. This Agreement may be renewed at annual cycles. Renewals of this Agreement shall be in writing and agreed upon by the parties. Both parties reserve the right to terminate the Agreement upon thirty (30) day's prior written notice to the other party. Upon termination of the Agreement, the Firm shall have a (30) day period from the effective date of the termination notice to close out any outstanding matter.

During the term of this Agreement, The Firm will submit itemized invoices to an appropriate District representative at an agreed hourly rate of \$275.00 per hour plus reasonable reimbursement for necessary expenses. The Firm will submit invoices to the District on a monthly basis, or at the conclusion of a matter, if sooner, or at another date that is agreed upon by the parties. The Firm agrees not to undertake future representation of any person or entity in a manner adverse to the District's interest during the term of this Agreement and for a period of one year after the termination of this agreement by either party.

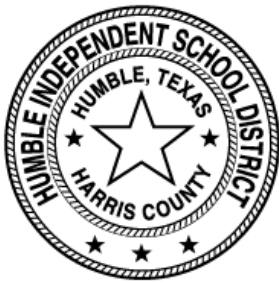
Approved:

\_\_\_\_\_  
Dr. Elizabeth Fagen  
Superintendent, Humble ISD

*Richard Hightower*  
\_\_\_\_\_  
Richard F. Hightower  
Richard F. Hightower P.C.

\_\_\_\_\_  
Date

*July 14, 2016*  
\_\_\_\_\_  
Date



# Board of Trustees Agenda Item

**Meeting Date: August 9, 2016**

**Meeting Type**

- Regular Meeting
- Special Meeting/  
Workshop

**Agenda Item Type**

- Information/  
Discussion Item

**Agenda Placement**

- |   |   |
|---|---|
| <input type="checkbox"/> Governance                   | <input type="checkbox"/> Human Resources Department |
| <input type="checkbox"/> Superintendent's Division    | <input type="checkbox"/> Support Services Division  |
| <input checked="" type="checkbox"/> Learning Division | <input type="checkbox"/> District-Wide              |
| <input type="checkbox"/> Financial Services Division  |   |

**District Pillars (Check All That Apply):**

- Student Achievement – Prepare Students to be College and Career Ready
- Service – Provide Quality Service to Internal and External Customers
- People – Provide a Quality Work Environment So Every Employee can Perform at the Highest Levels
- Finance – Create Efficiencies at All Levels of the Organization

**Information: Public Hearing on Adoption of Optional Flexible School Day Program**

**Board Policy/State Regulation/Law Reference (If Applicable): TEC §29.0822 and TAC § 129.1027**

**Overview:**

The Optional Flexible School Day Program (OFSDP) allows district to provide flexible hours and days of attendance for students who meet at least one of the requirements of the Texas Education Code §29.0822(a) as a student who has dropped out or is at risk of dropping out of school or participates in an approved early college high school plan. The goal of OFSDP is to improve graduation rates for students who are in danger of dropping out of school or have dropped out or who are behind in core subject areas. Implementing OFSDP allows the District to document attendance in an alternative manner so that state funding for these students can be maximized as allowed under student attendance accounting procedures.

The Board of Trustees is required to hold a public hearing concerning the proposed application for an OFSDP before applying to operate an OFSDP.

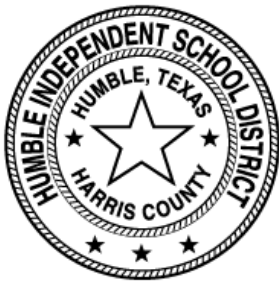
OFSDP, as an alternative method of reporting attendance, will be used at two programs in the District: PACE and Quest Early College High School.

**Attachments:** None

**Department(s) Submitting Form:** Learning Division

**Division Approval:** Dr. Thomas Price

**Date Submitted:** July 11, 2016



# Board of Trustees Agenda Item

**Meeting Date: August 9, 2016**

**Meeting Type**

- Regular Meeting
- Special Meeting/ Workshop

**Agenda Item Type**

- Action Item

**Agenda Placement**

- |   |   |
|---|---|
| <input type="checkbox"/> Governance                   | <input type="checkbox"/> Human Resources Department |
| <input type="checkbox"/> Superintendent's Division    | <input type="checkbox"/> Support Services Division  |
| <input checked="" type="checkbox"/> Learning Division | <input type="checkbox"/> District-Wide              |
| <input type="checkbox"/> Financial Services Division  |   |

**District Pillars (Check All That Apply):**

- Student Achievement – Prepare Students to be College and Career Ready
- Service – Provide Quality Service to Internal and External Customers
- People – Provide a Quality Work Environment So Every Employee can Perform at the Highest Levels
- Finance – Create Efficiencies at All Levels of the Organization

**Title: Optional Flexible School Day Program (OFSDP)**

**Recommended Action:** The Superintendent recommends that the Board of Trustees approve the application for Optional Flexible School Day Program for the 2016-17 school year for certain programs.

**Board Policy/State Regulation/Law Reference (If Applicable): TEC §29.0822 and TAC § 129.1027**

**Overview:**

The Optional Flexible School Day Program (OFSDP) allows district to provide flexible hours and days of attendance for students who meet at least one of the requirements of the Texas Education Code §29.0822(a) as a student who has dropped out or is at risk of dropping out of school or participates in an approved early college high school plan. The goal of OFSDP is to improve graduation rates for students who are in danger of dropping out of school or have dropped out or who are behind in core subject areas. Implementing OFSDP allows the District to document attendance in an alternative manner so that state funding for these students can be maximized as allowed under student attendance accounting procedures.

Two programs in the District, PACE and Quest Early College High School, are eligible for OFSDP as an alternative method of recording and reporting attendance.

Humble ISD's PACE program serves students enrolled at our high schools who have dropped out of school or are at risk of dropping out of school due to deficient credits. PACE offers opportunities for original credit and credit recovery through blended learning (teacher instruction and computer-based instructions) and tutorial classes designed to assist students with passing state assessments. Implementing flexible hours and days under OFSDP will allow the District to provide needed services to students while maximizing funding from the state.



Quest Early College High School (QECHS) in partnership with Lone Star College – Kingwood provides students the opportunity to earn a High School Diploma and a two-year Associate Degree after four years of high school. In order to accommodate students taking college course at Lone Star College, QECHS must offer flexible scheduling depending on the day of the week. Currently, many of these students are considered part-time or non-eligible for state funding under the standard attendance accounting rules. OFSDP will allow these students to be considered as full-time without having to meet the four hour *daily* instruction rule within the confines of the traditional high school start and end times.

**Fiscal Impact:** Implementing OFSDP would result in an estimated increase of \$205,600 per year for students that the District does not receive any funding for currently.

**Attachments:** Application: Optional Flexible School Day Program 2016- 2017 School Year

**Department(s) Submitting Form:** Learning Division

**Division Approval:** Dr. Thomas Price

**Date Submitted:** July 11, 2016

# Texas Education Agency



## APPLICATION

### Optional Flexible School Day Program (OFSDP)

\_\_\_\_\_ School Year

**ELIGIBLE APPLICANTS:** The Texas Education Agency (TEA) will make available to eligible school districts and open-enrollment charter schools an application form that must be completed and submitted to the TEA for approval.

## Definition of Program Provisions

### Eligible Students

A student is eligible to participate in an optional flexible school day program (OFSDP) authorized under the Texas Education Code (TEC) §29.0822, if:

1. the student meets one of the following conditions:
  - the student is at risk of dropping out of school, as defined by the TEC, §29.081; or
  - the student is attending a school implementing an approved innovative campus plan; or
  - the student is attending a school with an approved early college high school program designation; or
  - the student, as a result of attendance requirements under the TEC, §25.092, will be denied credit for one or more classes in which the student has been enrolled;

and

2. the student, if less than 18 years of age and not emancipated by marriage or court order, and the student's parent, or person standing in parental relation to the student, agree in writing to the student's participation.

### Assessment

The student must take the required state assessments specified under the TEC, §39.023, during the regularly scheduled assessment calendar.

### Participation in University Interscholastic League (UIL)

A student enrolled in an OFSDP under the TEC, §29.0822, may participate in a competition or other activity sanctioned or conducted under the authority of the University Interscholastic League (UIL) only if he or she meets all UIL eligibility criteria.

### Attendance Credit

A student attending an OFSDP under the TEC, §29.0822, may be counted in attendance for purposes of funding under the TEC, Chapters 41, 42, and 46, only for the actual number of contact hours the student receives, not to exceed 720 hours per 12-month period.

### Public Hearings

The board of trustees of a school district or governing board of an open-enrollment charter school must hold a public hearing concerning the proposed application for an OFSDP before applying to operate an OFSDP under the TEC, §29.0822. In addition, the board of trustees of a school district or governing board of an open-enrollment charter school must hold a public hearing annually to review the performance of the OFSDP (see Appendix Two).

## Continuation or Revocation of Program Authorization

Applications are approved for a period of one (1) school year. Continuation of the approval for the OFSDP will be contingent on the demonstrated success of the program. Determination of success will include a review and analysis of data provided in the mandatory final progress report(s). The commissioner of education may revoke authorization for participation in the OFSDP after consideration of relevant factors, including performance of students participating in the program on assessment instruments required under the TEC, Chapter 39; the percentage of students participating in the program who graduate from high school; and other criteria agreed to in the application and adopted by the commissioner of education. A decision to revoke approval of the program by the commissioner of education is final and may not be appealed.

## Reporting Requirements

Following approval of the application, the applicant may be required to submit progress reports based on criteria selected by the applicant and agreed to by the commissioner. When requested, reports will require applicants to disclose the overall progress of the students in the program, the number of students enrolled in the program (disaggregated by ethnicity, age, gender, and socioeconomic status), the number of students graduating from high school (disaggregated by ethnicity, age, gender, and socioeconomic status), and additional criteria selected by the applicant and agreed to by the commissioner. The TEA will provide notice to applicants and additional instructions for completion of reports at least 45 days before the date a report is due, or as soon as possible, in order to give school districts and charter schools adequate time to prepare and submit the reports to the TEA. The TEA may request additional reports as necessary to monitor and assess progress of students participating in the program.

# Provisions of Agreement

## Article I - Parties to Agreement

This agreement is entered into by and between the Texas Education Agency, an agency of the State of Texas, hereinafter referred to as the "TEA," and

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(Legal Name of School District or Open-Enrollment Charter School)

located at

---

(Physical Address)

hereinafter referred to as "district."

## Article II - Period of Agreement

The period of the agreement, for a maximum of one school year unless terminated or as otherwise provided for in this agreement and in statute or rule, is the period beginning \_\_\_\_\_ (Month, Day, Year) and ending \_\_\_\_\_ (Month, Day, Year).

**Please note that the agreement term is subject to annual renewal.**

## Article III - Purpose of Agreement

The district must perform all of the functions and duties set out in the agreement, the authorizing program statute, and applicable regulations.

## Article IV - Reporting Requirements

The district may be required to submit progress reports based on criteria selected by the applicant and agreed to by the commissioner. The TEA may request additional reports as necessary to monitor and assess progress of students participating in the program.

## Article V - General and Special Provisions to the Agreement

Attached hereto and made a part hereof by reference is each of the provisions indicated below with an "X" beside it:

- Appendix One, Assurances
- Appendix Two, Public Hearings
- Appendix Three, Narrative Description of Proposed Program
- Appendix Four, Contact Sheet
- Attachment, Copy of articulation agreement between district and university/college if one or more participating campuses have an Early College High School Program designation

## Article VI - Application Process

For questions or assistance regarding this application, please contact Ashley Behnke by telephone at (512) 463-4834 or by email at [Ashley.Behnke@tea.texas.gov](mailto:Ashley.Behnke@tea.texas.gov).

**EMAIL THE COMPLETED APPLICATION TO: [Ashley.Behnke@tea.texas.gov](mailto:Ashley.Behnke@tea.texas.gov).**



## Appendix One Assurances

**The definition of terms of the application applies to this Appendix One, Assurances. The school district or open-enrollment charter school hereinafter called “district” does hereby certify and agree to the following conditions of the agreement.**

**PAGE LIMIT: SUBMIT NO ADDITIONAL PAGES FOR APPENDIX ONE. ALL INFORMATION REQUESTED MUST BE INCLUDED WITH THIS FORM.**

The district agrees to enroll only eligible students to participate in an OFSDP authorized under this application. A student is eligible to participate in an OFSDP authorized under the TEC, §29.0822, if:

1. the student meets one of the following conditions:
  - the student is at risk of dropping out of school, as defined by the TEC, §29.081; or
  - the student is attending a school implementing an approved innovative campus plan; or
  - the student is attending a school with an approved early college high school program designation; or
  - the student, as a result of attendance requirements under the TEC, §25.092, will be denied credit for one or more classes in which the student has been enrolled;

and

2. the student, if less than 18 years of age and not emancipated by marriage or court order, and the student's parent, or person standing in parental relation to the student, agree in writing to the student's participation.

The district agrees:

1. to administer mandatory assessment instruments during the regular assessment cycle to students enrolled in OFSDPs;
2. All instructional materials and facilities must be comparable to or exceed the required standards for students in similar programs;
3. that the students participating in an OFSDP will not be isolated from other academic and vocational programs of the school district and that all students will have access to school counselors for pre- and post-entry counseling, academic or personal counseling, and career counseling;
4. to provide knowledgeable, highly qualified instructors and staff for the program;
5. to adopt a policy that does not penalize students participating in an OFSDP in accordance with the 90% rule (TEC, §25.092[a]) or the 75% to 90% rule for class credit (TEC, §25.092[a-1]);
6. to adopt a policy to require students to attend regularly scheduled instruction for the OFSDP with penalties for nonattendance including filing truancy charges, if appropriate;
7. to comply with all reporting requirements established by the TEA;
8. not to discriminate based on disability, race, color, national origin, religion, or sex; and

9. to prohibit a student participating in an OFSDP from participating in a competition or other activity sanctioned or conducted under the authority of the UIL unless the student meets all UIL eligibility requirements.

AGREED and accepted terms and conditions of Appendix One on behalf of the school district or open-enrollment charter school by persons authorized to bind the district.

---

Name, Title, and Telephone Number of School Board President

---

Signature of School Board President

Date

---

Name, Title, and Telephone Number of District Superintendent or Charter School Chief Operations Officer

---

Signature of Person Authorized to Bind the District or Charter School

Date



## Appendix Two Public Hearings

**The definition of terms of the application applies to this Appendix Two, Public Hearings. The school district or open-enrollment charter school hereinafter called "district" does hereby certify and agree to the following conditions of the agreement.**

**PAGE LIMIT: SUBMIT NO ADDITIONAL PAGES FOR APPENDIX TWO. ALL INFORMATION REQUESTED MUST BE INCLUDED WITH THIS FORM.**

1. The board of trustees of the school district or the governing board of the open-enrollment charter school agrees to hold a public hearing concerning the proposed application for an OFSDP.
2. The board of trustees of the school district or the governing board of the open-enrollment charter school agrees to hold a public hearing annually to review the performance of the program proposed under this application.

**The pre-application public hearing was conducted on:**

Month:

---

Day:

---

Year:

---

Time:

---

Location:

---

NOTE: The applicant will be required to include a copy of the posting of this public hearing in the final progress report.

**AGREED and accepted on behalf of the school district or open-enrollment charter school by persons authorized to bind the district.**

---

Name, Title, and Telephone Number of School Board President

---

Signature of School Board President

Date

---

Name, Title, and Telephone Number of District Superintendent or Charter School Chief Operations Officer

---

Signature of Person Authorized to Bind the District

Date

## Appendix Three Narrative Description of Proposed Program

**The definition of terms of the application applies to this Appendix Three, Narrative Description of Proposed Program. The school district or open-enrollment charter school hereinafter called “district” does hereby certify and agree to the following conditions of the agreement.**

Appendix Three describes the school district or charter school proposed OFSDP.

On 8 ½ x 11 inch paper, provide a concise description of the:

- program goals and objectives;
- proposed schedule offered to students participating in the OFSDP;
- staff positions and resource personnel (teachers, administrators, counselors, support staff, etc.) associated with the program. Include the contact hours the position and resource will be obligated to the program;
- qualification standards established for each staff and resource position;
- local procedures for identifying students, including how the school confirms and documents student eligibility;
- procedures for obtaining student and parental consent for participation in the OFSDP;
- process that will be implemented to maintain records of student eligibility, consent, and attendance;
- procedure the district will establish to ensure all students enrolled in the OFSDP are administered the required assessment instruments in the timeline established by the TEA; and
- criteria selected to report the progress of students participating in the OFSDP.

**Appendix Three**  
**Narrative Description of Proposed OFSDP Program**  
**PACE Program**

**Goals and Objectives – PACE Program**

Students enrolled at any Humble ISD high school may apply to attend PACE. The goal of the PACE Program is to improve the graduation rate for at-risk students who have dropped out of school or are at risk of dropping out of school due to deficient credits. A school schedule that allows flexibility for students who are supporting themselves, who are parents, or who are working to contribute to their households allows students to earn credits to complete school. PACE offers opportunities for original credit and credit recovery through blended learning (teacher instruction and computer-based instruction) and tutorial classes designed to assist students with passing the state assessment.

**Proposed Schedule– PACE Program**

To meet the varied needs of the students, PACE operating hours are Mondays through Thursdays 7:00 a.m. to 7:00 p.m. and Fridays 7:00 a.m. to 3:00 p.m. Teachers will record the number of minutes each student is present daily and the total number of attendance minutes will be entered by a secretary into our Student Information System daily. Students will be required to attend at least 45 minutes each day present and no more than 10 hours per day.

**Staff Positions & Resource Personnel and Qualification Standards– PACE Program**

<b>Staff/Resource Personnel</b>	<b>Contact Hours Daily</b>	<b>Qualification Standards</b>
Program Principal (Day) Assistant Principal (Day) Program Manager (Evening)	8 8 4	Administrators, counselors, and teachers are fully certified. All teachers are highly qualified and have proven success in teaching and working with at-risk students. All instructional staff are adept in differentiated instruction.
Counselor At Risk Counselor	8 8	See above
Teachers (9) Testing Coordinator (1)	8 8	See above
Office Manager Secretary IT Aide	8 8 8	Support staff members have a proven record of working with at-risk students. Annual performance evaluations and recommendations are used as standards.

**Local Procedures for Identifying Students– PACE Program**

PACE students are identified using at-risk criteria found in Texas Education Code §29.081. Students who have failed one or more courses, failed one or more assessments, and those who are deficient in credits from their cohorts are given priority. Students supporting families, those who are pregnant or who are parenting, and those with recommendations from academic

counselors will also be considered priority candidates. Student At-Risk eligibility is confirmed by Data Quality department and is documented in the Student Information System, eSchoolPlus.

**Procedures for Obtaining Student and Parental Consent– PACE Program**

Consent	Parent & student signatures are required for those under the age of 18 as part of the PACE application. Students 18 years of age and older can sign for themselves.
Recommendations, Application forms, Courses & EOC needed	Home campus counselors and the PACE counselor will analyze transcripts and verify courses with graduation plans. A detailed report of every course still needed for graduation and every EOC still needed will be included in the PACE application.

**Records of Student Eligibility, Consent, and Attendance– PACE Program**

All student records will be maintained in the PACE program office and in eSchoolPlus. Student Eligibility and Consent are part of the PACE application. Attendance will be maintained by teachers and entered into eSchoolPlus by the secretary on a daily basis. The PACE Office Manager will track attendance and communicate information to the home campus Assistant Principal and Counselor.

**Assessment– PACE Program**

All students enrolled in PACE will be administered the state assessments as established by TEA unless they have already met the standards.

**Criteria Selected to Report Progress– PACE Program**

Success of the program will reflect a reduction in the dropout rate, including a reduction in the number of seniors needing to remain after their cohort has graduated. The program will also increase the number of continuing students as a result of flexible scheduling for those returning to school.

**Appendix Three**  
**Narrative Description of Proposed OFSDP Program**  
**QECHS**

**Goals and Objectives – QECHS**

Students may apply to attend Quest Early College High School (QECHS) beginning in grade 9. QECHS is a partnership between Humble ISD and Lone Star College that provides students the opportunity to earn a High School Diploma and a 2 year Associate Degree (or 60 college hours) after 4 years of high school at no cost to the students.

**Proposed Schedule– QECHS**

Because many of the dual credit courses taken by early college students are offered at Lone Star College, QECHS must offer flexible scheduling. For example, a student may have a full schedule on Mondays and Wednesday, but a light schedule on Tuesdays and Thursdays. OFSDP will allow students to be considered full-time without having to meet the 4 hour daily instruction rule. Standard operating hours for Mondays through Thursdays are 8:45 a.m. to 4:30 p.m. and Fridays are 8:45 a.m. to 1:15 p.m. but students may attend college classes earlier or later than those times.

**Staff Positions & Resource Personnel and Qualification Standards– QECHS**

<b>Staff/Resource Personnel</b>	<b>Contact Hours Daily</b>	<b>Qualification Standards</b>
Program Principal (1) Assistant Principal (1) Counselor (1) At Risk Counselor (1) Teachers (30)	8	Administrators, counselors, and teachers are fully certified. All teachers are highly qualified and most are certified to teach dual credit courses. All instructional staff are adept in differentiated instruction.
Testing Coordinator (1)	8	See above
Office Personnel (5)	8	Support staff members have a proven record of working with at-risk students. Annual performance evaluations and recommendations are used as standards.

**Local Procedures for Identifying Students– QECHS**

QECHS students apply for admission to QECHS in the spring of 8<sup>th</sup> grade through an application and interview process.

**Procedures for Obtaining Student and Parental Consent– QECHS**

Consent	Parent & student signatures are required for those under the age of 18 as part of the QECHS application. Students 18 years of age and older can sign for themselves.
Recommendations & Application forms	8 <sup>th</sup> grade campus counselors, administrators, and teachers recommend students through the QECHS application process, which also contains student eligibility, consent, and attendance

**Records of Student Eligibility, Consent, and Attendance– QECHS**

All student records will be maintained in the QECHS office and in eSchoolPlus. Student Eligibility and Consent are part of the QECHS application. Attendance will be maintained by teachers and entered into eSchoolPlus daily.

**Assessment– QECHS**

All students enrolled in QECHS will be administered the state assessments as established by TEA.

**Criteria Selected to Report Progress– QECHS**

Success of the program will reflect a reduction in the dropout rate and an increase in the number of college hours earned by high school students.

## Appendix Four Contact Sheet

**The definition of terms of the application applies to this Appendix Four, Contact Sheet. The school district or open-enrollment charter school hereinafter called "district" does hereby certify and agree to the following conditions of the agreement:**

**PAGE LIMIT: SUBMIT NO ADDITIONAL PAGES FOR APPENDIX FOUR, CONTACT SHEET. ALL INFORMATION REQUESTED MUST BE INCLUDED WITH THIS FORM.**

### District Contact for the Application

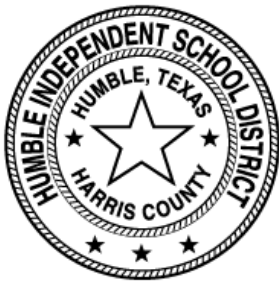
<b>Contact Name:</b>	
<b>District Superintendent or Charter School Chief Operations Officer:</b>	
<b>Mailing Address:</b>	
<b>City, State, Zip Code:</b>	
<b>Telephone Number:</b>	
<b>Alternate Telephone Number:</b>	
<b>Fax Number:</b>	
<b>Email Address:</b>	

<b>Contact Name:</b>	
<b>Email Address:</b>	

<b>Contact Name:</b>	
<b>Email Address:</b>	

<b>Contact Name:</b>	
<b>Email Address:</b>	

*NOTE: The majority of the contact for the approved OFSDP is done via email. Please make sure that a valid email address or valid email addresses are submitted on this form. More than one email address may be submitted. Please provide the full name(s) of the person or persons who are the email contact(s) to ensure that the TEA has accurate information.*



# Board of Trustees Agenda Item

**Meeting Date: August 9, 2016**

**Meeting Type**

- Regular Meeting
- Special Meeting/  
Workshop

**Agenda Placement**

- |   |   |
|---|---|
| <input type="checkbox"/> Governance                   | <input type="checkbox"/> Human Resources Department |
| <input type="checkbox"/> Superintendent's Division    | <input type="checkbox"/> Support Services Division  |
| <input checked="" type="checkbox"/> Learning Division | <input type="checkbox"/> District-Wide              |
| <input type="checkbox"/> Financial Services Division  |   |

**Agenda Item Type**

- Action Item

**District Pillars (Check All That Apply):**

- Student Achievement – Prepare Students to be College and Career Ready
- Service – Provide Quality Service to Internal and External Customers
- People – Provide a Quality Work Environment So Every Employee can Perform at the Highest Levels
- Finance – Create Efficiencies at All Levels of the Organization

**Title: Dual Credit Attendance Application**

**Recommended Action:** The Superintendent recommends that the Board of Trustees approve the application for dual credit attendance reporting using an alternate calendar for Quest Early College seniors.

**Board Policy/State Regulation/Law Reference (If Applicable):**

Most of the seniors at Quest Early College receive both high school and college credit for all of the courses taken in their senior year. Since the Lone Star College calendar is shorter than the Humble ISD calendar, these students complete the requirements for both their high school diploma and associate degree before the end of the Humble ISD school calendar. To better align the dates for both of these graduations; the Districts can report these students on a different calendar track than other students.

According to the published Texas Education Agency Student Attendance Account Handbook, before the District may report students in this manner, the Board must approve the waiver application and the District must submit and receive approval of the waiver from the Texas Education Agency.

**Fiscal Impact:** None

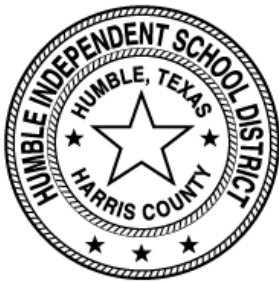
**Attachments:** None

**Department(s) Submitting Form:** Dr. Thomas Price

**Division Approval:** Learning Division

**Date Submitted:** July 14, 2016





# Board of Trustees Agenda Item

**Meeting Date: August 9, 2016**

**Meeting Type**

- Regular Meeting
- Special Meeting/  
Workshop

**Agenda Placement**

- |   |   |
|---|---|
| <input type="checkbox"/> Governance                             | <input type="checkbox"/> Human Resources Department |
| <input type="checkbox"/> Superintendent's Division              | <input type="checkbox"/> Support Services Division  |
| <input type="checkbox"/> Learning Division                      | <input type="checkbox"/> District-Wide              |
| <input checked="" type="checkbox"/> Financial Services Division |   |

**Agenda Item Type**

- Action Item

**District Pillars (Check All That Apply):**

- Student Achievement – Prepare Students to be College and Career Ready
- Service – Provide Quality Service to Internal and External Customers
- People – Provide a Quality Work Environment So Every Employee can Perform at the Highest Levels
- Finance – Create Efficiencies at All Levels of the Organization

**Title: Tax Refunds**

**Recommended Action:** The Superintendent recommends that the Board of Trustees approve the petitions for tax refunds.

**Board Policy/State Regulation/Law Reference (If Applicable):** Texas Property Tax Code Section 31.11(c)

**Overview:** The Texas Property Tax Code, Section 31.11(c) states "If a taxpayer applies to the tax collector of a taxing unit for a refund of an overpayment or erroneous payment of taxes and the auditor for the unit determines that the payment was erroneous or excessive, the tax collector shall refund the amount of the excessive or erroneous payment from available current tax collections or from funds appropriated by the unit for making refunds. However, the collector may not make the refund unless: (1) in the case of a collector who collects taxes for one taxing unit, the governing body of the taxing unit also determines that the payment was erroneous or excessive and approves the refund if the amount of the refund exceeds....(B) \$500 for a refund to be paid by any other taxing unit;...an application for a refund must be made within three years after the date of the payment or the taxpayer waives the right to the refund."

Refunds requested by taxpayers for overpayments or for payments made in error by the taxpayer are listed on the attachment. If the Board approves this consideration, Humble ISD will be in compliance with the Texas Property Tax Code.

**Fiscal Impact:** The total effect of the refunds will result in a reduction of total collections received of \$4,000.09. Overpayments are recorded as a liability on the general ledger upon receipt and, therefore, do not cause a decrease in recorded revenue when refunded.

**Attachments:** Summary of Petitions for Refunds in Excess of \$500

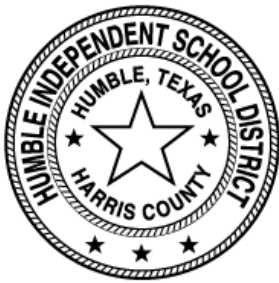
**Department(s) Submitting Form:** Treasury and Property Tax Administration

**Division Approval:** Mike Seale

**Date Submitted:** August 1, 2016

**Humble Independent School District  
Summary of Petitions for Refunds in Excess of \$500  
August 9, 2016**

<b>Reason for Refund</b>	<b>Year</b>	<b>Property Description</b>	<b>Account No.</b>	<b>Refund Amount</b>
Overpayment (1)	2015	LT 40 BLK 6 TIMBER HILLS SEC 1	113-974-006-0040	\$ 710.37
Overpayment (1)	2015	LT 28 BLK 15 ATASCOCITA NORTH SEC 3 R/P	114-139-015-0028	\$ 1,345.93
Overpayment (1)	2015	LT 18 BLK 22 ELM GROVE VILLAGE SEC 2	114-385-022-0018	\$ 500.00
Overpayment (1)	2015	VEHICLES	P215-3472	\$ 817.54
Overpayment (1)	2015	2103 FLEETWOOD YES 16X72 BRN HUD#PFS1112951 MEADOWBROOK MHP	600-000-301-7901	\$ 626.25
				<b>\$ 4,000.09</b>
(1) Payment made in error by property owner or mortgage company.				
(2) Taxpayer paid incorrect amount.				



## Board of Trustees Agenda Item

**Meeting Date: August 9, 2016**

**Meeting Type**

- Regular Meeting  
 Special Meeting/  
Workshop

**Agenda Placement**

- Governance  
 Superintendent's Division  
 Learning Division  
 Financial Services Division

- Human Resources Department  
 Support Services Division  
 District-Wide

**Agenda Item Type**

- Action Item

**District Pillars (Check All That Apply):**

- Student Achievement – Prepare Students to be College and Career Ready  
 Service – Provide Quality Service to Internal and External Customers  
 People – Provide a Quality Work Environment So Every Employee can Perform at the Highest Levels  
 Finance – Create Efficiencies at All Levels of the Organization

**Title: Waiver of P&I**

**Recommended Action:** The Superintendent recommends that the Board of Trustees approve the request(s) for waiver of penalty & interest on delinquent tax accounts.

**Board Policy/State Regulation/Law Reference (If Applicable):** Texas Property Tax Code Sections 1.08 and 33.011

**Overview:** Section 1.08, Timeliness of Action by Mail and Section 33.011, Waiver of Penalty and Interest, of the Texas Property Tax Code, provide conditions for timely payments and waivers of penalties and interest.

The taxpayer(s) listed on the attached schedule has/have provided satisfactory evidence to meet the requirements of these sections of the Property Tax Code. Documentation is available for review in the Tax Office.

If the Board approves the recommendation to grant the request(s) for waiver of penalty and interest, Humble ISD will be in compliance with the Texas Property Tax Code (as well as consistent with treatment of previous requests of this nature).

**Fiscal Impact:** The total effect of the request(s) for waiver of penalty and interest results in a loss of \$4,314.28.

**Attachments:** Request for Waiver of Penalty and Interest on Delinquent Taxes

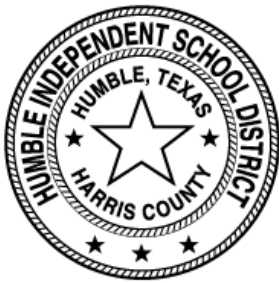
**Department(s) Submitting Form:** Tax Office

**Division Approval:** Mike Seale

**Date Submitted:** August 1, 2016

**Humble Independent School District**  
**Request for Waiver of Penalty and Interest on Delinquent Taxes**  
**August 9, 2016**

<b>Reason for Waiver Request</b>	<b>Property Owner #</b>	<b>Account #</b>	<b>Check #</b>	<b>Date Mailed</b>	<b>Contacted HISD</b>	<b>Satisfactory Proof</b>	<b>P&amp;I Amount</b>
<b>Sec. 1.08 Timeliness of Action</b>	A	041-051-001-0267	2702	12/31/15	07/23/16	In Tax Office	\$ 4,314.28
<b>Total</b>							<b>\$ 4,314.28</b>



# Board of Trustees Agenda Item

**Meeting Date: August 9, 2016**

**Meeting Type**

- Regular Meeting
- Special Meeting/  
Workshop

**Agenda Item Type**

- Action Item

**Agenda Placement**

- |   |   |
|---|---|
| <input type="checkbox"/> Governance                             | <input type="checkbox"/> Human Resources Department |
| <input type="checkbox"/> Superintendent's Division              | <input type="checkbox"/> Support Services Division  |
| <input type="checkbox"/> Learning Division                      | <input type="checkbox"/> District-Wide              |
| <input checked="" type="checkbox"/> Financial Services Division |   |

**District Pillars (Check All That Apply):**

- Student Achievement – Prepare Students to be College and Career Ready
- Service – Provide Quality Service to Internal and External Customers
- People – Provide a Quality Work Environment So Every Employee can Perform at the Highest Levels
- Finance – Create Efficiencies at All Levels of the Organization

**Title: Budgetary Amendments**

**Recommended Action:** The Superintendent recommends that the Board of Trustees approve the budgetary amendments.

**Board Policy/State Regulation/Law Reference (If Applicable):** Texas Education Code Section 44.006; Texas Education Agency Financial Accountability System Resource Guide (FASRG) Sections 2.10.6 and 5.3.4 and Board Policy CE(LEGAL), CE(LOCAL), and CE(REGULATION).

**Overview:** Approval of the budgetary amendments will allow the District to maintain compliance with the above referenced statutes.

**Fiscal Impact:** The Assigned General Fund Restricted Fund Balance will decrease by \$725,187. There is no change to the Unassigned General Fund Restricted Fund Balance, the National School Breakfast & Lunch Program Restricted Fund Balance, or the Debt Service Fund Restricted Fund Balance.

**Attachments:** Budgetary Amendments Detail – Attachment 1  
Budget Summary – Attachment 2

**Department(s) Submitting Form:** Budget Department

**Division Approval:** Mike Seale

**Date Submitted:** August 3, 2016

Humble Independent School District  
 Budgetary Amendments Detail  
 August 9, 2016

General Fund Explanation of Amendment	Net Effect on Fund Balance	Change in Estimated Revenues	Instruction	Media Svcs	Staff Develop	Instruct Leadership	School Leadership	Guidance/ Counsel	Social Svcs	Health Svcs	Pupil Transp	Cocurric/ Extracurr	Gen Admin	Maint & Operation	Security Svcs	Data Process	Commun Svcs	Debt Svc	Facility Acquisit	Juvenile Justice	TIRZ	Other
			11	12	13	21	23	31	32	33	34	36	41	51	52	53	61	71	81	95	97	99
<b>Items Affecting Fund Balance:</b>																						
Establish budget for release of funds from 6/30/16 assignment of unspent funds from Repairs and Maintenance.	(725,187)													617,980						107,207		
<b>Items Affecting Revenues and Functional</b>																						
<b>Transfers Between Functional Categories:</b> Transfers between functional categories for proper coding of contracted maintenance, telephones, consulting services, misc contracted svcs, general supplies, employee travel, misc operating expenses, bldg improvements and capital outlay > \$5,000.			(33,779)	0	(9,400)	0	13,000	30,179	0	0	0	0	0	24,903	(4,100)	(20,803)	0	0	0	0	0	0
<b>Totals</b>	(725,187)	0	(33,779)	0	(9,400)	0	13,000	30,179	0	0	0	0	0	642,883	(4,100)	(20,803)	0	0	107,207	0	0	0

National School Breakfast & Lunch Program Explanation of Amendment	Net Effect on Fund Bal	Change in Estimated Revenues	Revenue			Food Service	Maint & Operation	Security Svcs	Data Process	Facility Acquisit
			Local	State	Federal					
<b>Items Affecting Fund Balance:</b>										
<b>Items Affecting Revenues and Functional Categories:</b>										
Increase budget due to a deposit from the Training Assistance Grant from the Texas Department of Agriculture.		5,000				5,000				
<b>Transfers Between Functional Categories:</b>										
<b>Totals</b>	0	5,000	0	0	0	5,000	0	0	0	0

Debt Service Explanation of Amendment	Net Effect on Fund Bal	Change in Estimated Revenues	Transfers In	Revenue		Transfers Out	Expenditures	
				Local	State		Debt	TIRZ
<b>Items Affecting Fund Balance:</b>								
<b>Items Affecting Revenues and Functional Categories:</b>								
<b>Transfers Between Functional Categories:</b>								
<b>Totals</b>	0		0	0	0	0	0	0

Humble I.S.D.  
2015-16 Budget Summary  
August 9, 2016

GENERAL FUND	Adopted Budget	Non-Recurring Budget	July	August	September	October	November	December	January	February	March	April	May	June	Amended Budget
<b>Revenues</b>															
Local Taxes	\$159,236,940														\$159,236,940
Local TIRZ	\$4,161,500														\$4,161,500
Local Other	\$983,500														\$983,500
State	\$173,708,922														\$173,708,922
State Other	\$0														\$0
TRS On-Behalf	\$16,377,286														\$16,377,286
Federal	\$75,000														\$75,000
<b>Total Revenues</b>	<b>\$354,543,148</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$354,543,148</b>
<b>Expenditures</b>															
11-Instruction	\$210,624,615	\$1,412,600	\$568,008	(\$33,779)											\$212,571,444
12-Instructional Resources & Media Svcs.	\$3,353,138														\$3,353,138
13-Curriculum Dev. & Instructional Staff Dev.	\$12,219,480	\$731,725	\$47,995	(\$9,400)											\$12,989,800
21-Instructional Leadership	\$3,514,915	\$2,500	\$95,867												\$3,613,282
23-School Leadership	\$21,481,182	\$3,000	\$3,600	\$13,000											\$21,500,782
31-Guidance, Counseling & Evaluation Svcs.	\$16,437,428	\$116,414	\$35,636	\$30,179											\$16,619,657
32-Social Work Services	\$167,602														\$167,602
33-Health Services	\$3,462,231														\$3,462,231
34-Student (Pupil) Transportation	\$10,861,441		\$660,060												\$11,521,501
36-Cocurricular / Extracurricular Activities	\$7,529,947	\$400,000	\$2,122												\$7,932,069
41-General Administration	\$10,102,798	\$126,504	\$43,101												\$10,272,403
51-Plant Maintenance & Operations	\$32,909,425	\$10,114,675	\$1,278,361	\$642,883											\$44,945,344
52-Security & Monitoring Svcs.	\$4,050,977	\$529,100	\$302,979	(\$4,100)											\$4,878,956
53-Data Processing Svcs.	\$5,411,925	\$149,040	\$1,153,070	(\$20,803)											\$6,693,232
61-Community Svcs.	\$766,597	\$205,000													\$971,597
71-Debt Service	\$0														\$0
81-Facilities Acquisition & Construction	\$0		\$226,981	\$107,207											\$334,188
95-Payments to Juvenile Justice Prg.	\$111,800		\$28,000												\$139,800
97-Payments to Tax Increment Fund	\$7,889,553														\$7,889,553
99-Other Intergovernmental Charges	\$1,645,000														\$1,645,000
<b>Total Expenditures</b>	<b>\$352,540,054</b>	<b>\$13,790,558</b>	<b>\$4,445,780</b>	<b>\$725,187</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$371,501,579</b>
<b>Excess / (Deficiency) of Revenues Over / (Under) Expenditures</b>	<b>\$2,003,094</b>	<b>(\$13,790,558)</b>	<b>(\$4,445,780)</b>	<b>(\$725,187)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$16,958,431)</b>
<b>Other Financing Sources and Uses</b>															
Other Resources (Transfer In) / Other Uses (Transfers Out)	\$0														\$0
<b>Net Other Financing Sources and Uses</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>06/30/16 Released Assignments Included Above</b>	<b>\$0</b>	<b>\$13,790,558</b>	<b>\$4,258,981</b>	<b>\$725,187</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$4,984,168</b>
<b>Net Impact to Unassigned Fund Balance</b>	<b>\$2,003,094</b>	<b>\$0</b>	<b>(\$186,799)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$11,974,263)</b>

Note: The District shall target a yearly unassigned general fund balance between 17% (60 days) and 25% (90 days) of total operating expenditures.

Note: The Non-Recurring Budget column represents non-recurring expenditures approved for the 2016-17 school year.

Note: Amounts included under the July column heading represent prior year assignment budgets that were not fully expended by June 30, 2016 and \$186,799 which represents a portion of the prior year Dual Credit budget not expended by June 30, 2016.



Humble I.S.D.  
2015-16 Budget Summary  
August 9, 2016

GENERAL FUND	Adopted Budget	Non-Recurring Budget	July	August	September	October	November	December	January	February	March	April	May	June	Amended Budget
<b>Current Fund Balance Assignments/Nonspendable:</b>															
Assigned-Encumbrances	\$0														\$0
Assigned-Capital Expenditures-Campus Carryforwards	\$0														\$0
Assigned-E-Rate	\$0		(\$346,989)												(\$346,989)
Assigned-Facility Rental	\$0														\$0
Assigned-Capital Expenditures	\$0		(\$648,423)												(\$648,423)
Assigned-Technology	\$0		(\$292,008)												(\$292,008)
Assigned-Insurance Deductibles - CE(REG.) - Tier 2	\$500,000														\$500,000
Assigned-Legal Services - CE(REG.) - Tier 2	\$400,000		(\$21,500)												\$378,500
Assigned-Special Education - CE(REG.) - Tier 2	\$5,262,500														\$5,262,500
Assigned-Contingency - CE(REG.) - Tier 2	\$356,457		(\$15,418)												\$341,039
Assigned-Emergency Preparedness - CE(REG.) - Tier 2	\$4,000,000														\$4,000,000
District-Wide One-Time Expenditures - CE(REG.) - Tier 3	\$821,216		(\$27,552)												\$793,664
Unassigned Miscellaneous - Tier 3	\$0	(\$13,790,558)													
Division Controllable & Capital Assets - CE(REG.) - Tier 3	\$4,832,598		(\$295,062)												\$4,537,536
Technology Controllable & Capital Assets - CE(REG.) - Tier 3	\$3,672,665		(\$756,148)												\$2,916,517
Portable Buildings - CE(REG.) - Tier 3	\$2,053,039		(\$207,031)												\$1,846,008
Buses - CE(REG.) - Tier 23	\$53,039		(\$293,776)												(\$240,737)
Safe & Secure Schools Contr. & Cap. Assets - CE(REG.) - Tier 3	\$205,304														\$205,304
Repairs & Maintenance - CE(REG.) - Tier 3	\$389,812			(\$725,187)											(\$335,375)
Assigned-Student Achievement-College/Career Ready (Goal #1)	\$0		(\$21,760)												(\$21,760)
Assigned-Safe/Nurturing School Environment (Goal #2)	\$0		(\$1,279,845)												(\$1,279,845)
Assigned-Retain Staff (Goal #3)	\$0		(\$465)												(\$465)
Assigned-Accountability; Effective/Efficient Operations (Goal #5)	\$103,140		(\$53,004)												\$50,136
Nonspendable-Inventories	\$307,120														\$307,120
Nonspendable-Prepays	\$192,545														\$192,545
<b>Total Fund Balance Assignments</b>	<b>\$23,149,435</b>	<b>(\$13,790,558)</b>	<b>(\$4,258,981)</b>	<b>(\$725,187)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$18,165,267</b>
<b>Total General Fund Balance</b>	<b>TBD</b>	<b>(\$13,790,558)</b>	<b>(\$4,445,780)</b>	<b>(\$725,187)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>#VALUE!</b>

Note: The Fund Balance information is provided for balancing purposes only. Finalized amounts will be provided after year-end audit.

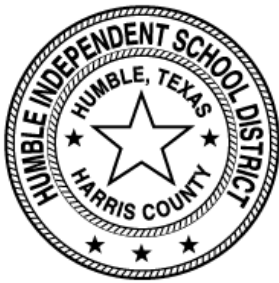
Humble I.S.D.  
2015-16 Budget Summary  
August 9, 2016

NATIONAL SCHOOL BREAKFAST AND LUNCH PROGRAM	Adopted Budget	July	August	September	October	November	December	January	February	March	April	May	June	Amended Budget
<b>Revenues</b>														
Local Revenue	\$8,849,073													\$8,849,073
State	\$88,000		\$5,000											\$93,000
Federal	\$8,756,227													\$8,756,227
<b>Total Revenues</b>	<b>\$17,693,300</b>	<b>\$0</b>	<b>\$0</b>	<b>\$5,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$17,698,300</b>
<b>Expenditures</b>														
35-Food Services	\$16,863,177		\$5,000											\$16,868,177
51-Plant Maintenance & Operations	\$764,117	\$31,826												\$795,943
52-Security & Monitoring Services	\$65,106													\$65,106
53-Data Processing Svcs.	\$900													\$900
81-Facilities Acquisition/Construction	\$0													\$0
<b>Total Expenditures</b>	<b>\$17,693,300</b>	<b>\$0</b>	<b>\$31,826</b>	<b>\$5,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$17,730,126</b>
<b>Excess / (Deficiency) of Revenues Over / (Under) Expenditures</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$31,826)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$31,826)</b>
<b>Other Financing Sources and Uses</b>														
Other Resources (Transfer In)	\$0													\$0
Other Uses (Transfers Out)	\$0						\$0							\$0
<b>Net Other Financing Sources and Uses</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>06/30/15 Restricted Fund Balance</b>	<b>TBD</b>													<b>TBD</b>
<b>Current Restricted Fund Balance</b>	<b>TBD</b>													<b>#VALUE!</b>

Note: Federal guidelines restrict fund balance to no greater than the total of three months of operating expenditures (or approximately 25%).

DEBT SERVICE FUND	Adopted Budget	July	August	September	October	November	December	January	February	March	April	May	June	Amended Budget
<b>Revenues</b>														
Local Taxes	\$50,977,726													\$50,977,726
Local - TIRZ	\$9,840,482													\$9,840,482
Local Other	\$30,000													\$30,000
State	\$2,756,043													\$2,756,043
<b>Total Revenues</b>	<b>\$63,604,251</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$63,604,251</b>
<b>Expenditures</b>														
71-Debt Service	\$55,872,714													\$55,872,714
97-Payments to Tax Increment Fund	\$4,615,840													\$4,615,840
<b>Total Expenditures</b>	<b>\$60,488,554</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$60,488,554</b>
<b>Excess / (Deficiency) of Revenues Over / (Under) Expenditures</b>	<b>\$3,115,697</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$3,115,697</b>
<b>Other Financing Sources and Uses</b>														
Other Resources (Transfer In)	\$0													\$0
Sale of Bonds	\$0													\$0
Premium/Discount-Bonds	\$0													\$0
Prepaid Interest	\$0													\$0
Other Uses (Transfers Out)	\$0													\$0
<b>Net Other Financing Sources and Uses</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>06/30/15 Restricted Fund Balance</b>	<b>TBD</b>													<b>TBD</b>
<b>Current Restricted Fund Balance</b>	<b>TBD</b>													<b>#VALUE!</b>

Note: The District shall target a yearly minimum restricted fund balance of 25% of annual debt service requirements on all outstanding debt issuance.



# Board of Trustees Agenda Item

**Meeting Date: August 9, 2016**

**Meeting Type**

- Regular Meeting
- Special Meeting/  
Workshop

**Agenda Placement**

- |   |   |
|---|---|
| <ul style="list-style-type: none"><li><input type="checkbox"/> Governance</li><li><input type="checkbox"/> Superintendent's Division</li><li><input type="checkbox"/> Learning Division</li><li><input checked="" type="checkbox"/> Financial Services Division</li></ul> | <ul style="list-style-type: none"><li><input type="checkbox"/> Human Resources Department</li><li><input type="checkbox"/> Support Services Division</li><li><input type="checkbox"/> District-Wide</li></ul> |
|---|---|

**Agenda Item Type**

- Action Item

**District Pillars (Check All That Apply):**

- Student Achievement – Prepare Students to be College and Career Ready
- Service – Provide Quality Service to Internal and External Customers
- People – Provide a Quality Work Environment So Every Employee can Perform at the Highest Levels
- Finance – Create Efficiencies at All Levels of the Organization

**Title: Investment Pool Authorized Representatives**

**Recommended Action:** The Superintendent recommends that the Board of Trustees approve the resolutions to amend the District's authorized representatives for transacting business with TexPool and Lone Star Investment Pools.

**Board Policy/State Regulation/Law Reference (If Applicable):** Texas Government Code 2256.005. Board Policy CDA Local

**Overview:** Texas Government Code 2256.06 states that "The Board shall designate one or more officers or employees as investment officers to be responsible for the investment of its funds. Authority granted to a person to invest an entity's funds is effective until rescinded by the Board or until termination of the person's employment by the District."

The District's Investment Policy CDA LOCAL designates the Chief Financial Officer and the Director of Treasury and Property Tax Administration as Investment Officers for the District.

The superintendent is listed as an authorized representative for the District at Lone Star and TexPool. The Lone Star and TexPool Investment Pools require that changes to the authorized investment representatives be approved by Board resolution. The attached resolutions add Dr. Elizabeth Fagen as an authorized representative for Humble ISD at Lone Star and TexPool.

**Fiscal Impact:** None

**Attachments:** TexPool Resolution Amending Authorized Representatives-Attachment 1  
Lone Star Investment Pool Authorized Representative Form – Attachment 2

**Department(s) Submitting Form:** Treasury and Property Tax Administration

**Division Approval:** Mike Seale

**Date Submitted:** August 1, 2016



**Authorized Representative Add Form**

Name of Participant Humble Independent School District

**Addition of Authorized Representative**

The following officers, officials, or employees of the Participant are hereby designated as Authorized Representatives within the meaning of the Inter-local Agreement (Agreement), with full power and authority to execute the Agreement and any other documents, as may be required to deposit money to and withdraw money from the Participant's Lone Star Investment Pool (Lone Star) account from time to time in accordance with the Agreement and the Information Statement and take all other actions deemed necessary or appropriate for the investment of local funds of the Participant:

	Rep #1	Rep #2	Rep #3
Printed Name	<u>Mike Seale</u>	<u>Janice Himpele</u>	<u>Elizabeth Fagen</u>
Title	<u>Chief Financial Officer</u>	<u>Dir. of Treasury &amp; Prop Tax</u>	<u>Superintendent</u>
E-mail address	<u>robert.seale@humble.k12.tx.us</u>	<u>janice.himpele@humble.k12.tx.us</u>	<u>elizabeth.fagen@humble.k12.tx.us</u>
Signature	<u></u>	<u></u>	<u></u>

In accordance with Lone Star procedures, an Authorized Representative shall promptly notify Lone Star of any changes in who is serving as Authorized Representative.

In addition to the foregoing Authorized Representative, each Investment Officer of Lone Star appointed by the Lone Star Investment Pool Board of Trustees from time to time is hereby designated as an investment officer of the Government Entity and, as such, shall have responsibility for investing the share of Lone Star assets representing local funds of the Government Entity.

PASSED AND APPROVED this 9th day of August, 2016.

By: \_\_\_\_\_

Keith Lapeze  
*Printed Name, Board President*

By: \_\_\_\_\_

Heath Rushing  
*Printed Name, Board Secretary*

State of Texas,  
County of \_\_\_\_\_

Before me, \_\_\_\_\_, on this day personally appeared \_\_\_\_\_, known to  
*(name of notary)* *(name of President and Secretary)*  
me (or proved to me on the oath of \_\_\_\_\_) or through \_\_\_\_\_ to be the person(s)  
*(person providing oath)* *(identification item)*

whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 20••\_\_\_\_,

(Personalized Seal)

\_\_\_\_\_  
*Notary Public's Signature*



# Resolution Amending Authorized Representatives

Please use this form to amend or designate Authorized Representatives.

This document supersedes all prior Authorized Representative forms.

\* Required Fields

## 1. Resolution

WHEREAS,

Humble Independent School District

Participant Name\*

7 | 7 | 6 | 3 | 5

Location Number\*

("Participant") is a local government of the State of Texas and is empowered to delegate to a public funds investment pool the authority to invest funds and to act as custodian of investments purchased with local investment funds; and

WHEREAS, it is in the best interest of the Participant to invest local funds in investments that provide for the preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act; and

WHEREAS, the Texas Local Government Investment Pool ("TexPool/ Texpool Prime"), a public funds investment pool, were created on behalf of entities whose investment objective in order of priority are preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act.

NOW THEREFORE, be it resolved as follows:

- A. That the individuals, whose signatures appear in this Resolution, are Authorized Representatives of the Participant and are each hereby authorized to transmit funds for investment in TexPool / TexPool Prime and are each further authorized to withdraw funds from time to time, to issue letters of instruction, and to take all other actions deemed necessary or appropriate for the investment of local funds.
- B. That an Authorized Representative of the Participant may be deleted by a written instrument signed by two remaining Authorized Representatives provided that the deleted Authorized Representative (1) is assigned job duties that no longer require access to the Participant's TexPool / TexPool Prime account or (2) is no longer employed by the Participant; and
- C. That the Participant may by Amending Resolution signed by the Participant add an Authorized Representative provided the additional Authorized Representative is an officer, employee, or agent of the Participant;

List the Authorized Representative(s) of the Participant. Any new individuals will be issued personal identification numbers to transact business with TexPool Participant Services.

1. Dr. Elizabeth Fagen

Name

Superintendent

Title

281-641-8001/281-641-1050-fax, elizabeth.fagen@humble.k12.tx.us

Phone/Fax/Email

Signature

2. Mike Seale

Name

Chief Financial Officer

Title

281-641-8014/281-641-1051-fax, robert.seale@humble.k12.tx.us

Phone/Fax/Email

Signature

**1. Resolution (continued)**

3. Janice Himpele  
 Name  
Directory of Treasury and Property Tax Administration  
 Title  
281-641-8185, 281-641-1059-fax, janice.himpele@humble.k12.tx.us  
 Phone/Fax/Email  
 Signature

4. \_\_\_\_\_  
 Name  
 \_\_\_\_\_  
 Title  
 \_\_\_\_\_  
 Phone/Fax/Email  
 \_\_\_\_\_  
 Signature

List the name of the Authorized Representative listed above that will have primary responsibility for performing transactions and receiving confirmations and monthly statements under the Participation Agreement.

Janice Himpele  
 Name

In addition and at the option of the Participant, one additional Authorized Representative can be designated to perform only inquiry of selected information. This limited representative cannot perform transactions. If the Participant desires to designate a representative with inquiry rights only, complete the following information.

Ida Schultze  
 Name  
Director of Accounting & Financial Reporting  
 Title  
281-641-8016/281-641-1051-fax. ida.schultze@humble.k12.tx.us  
 Phone/Fax/Email

D. That this Resolution and its authorization shall continue in full force and effect until amended or revoked by the Participant, and until TexPool Participant Services receives a copy of any such amendment or revocation. This Resolution is hereby introduced and adopted by the Participant at its regular/special meeting held on the 9th day August, 20 16.

Note: Document is to be signed by your Board President, Mayor or County Judge and attested by your Board Secretary, City Secretary or County Clerk.

Humble Independent School District  
 Name of Participant\*

SIGNED

ATTEST

\_\_\_\_\_  
 Signature\*  
Keith Lapeze  
 Printed Name\*  
President, Board of Trustees  
 Title\*

\_\_\_\_\_  
 Signature\*  
Heath Rushing  
 Printed Name\*  
Secretary, Board of Trustees  
 Title\*

**2. Mailing Instructions**

The completed Resolution Amending Authorized Representatives can be faxed to TexPool Participant Services at 1-866-839-3291, and mailed to:

TexPool Participant Services  
1001 Texas Avenue, Suite 1400  
Houston, TX 77002

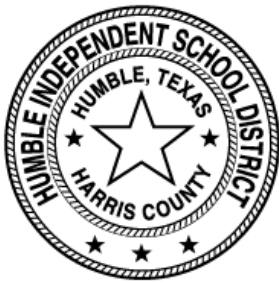
ORIGINAL SIGNATURE AND DOCUMENT REQUIRED

TEX-REP

2 OF 2

TexPool Participant Services  
1001 Texas Avenue, Suite 1400 • Houston, TX 77002  
Phone: 1-866-TEXPOOL (839-7665) • Fax: 1-866-839-3291 • www.texpool.com

Managed and  
Serviced by **Federated**  
G4534017 (12/15)



## Board of Trustees Agenda Item

**Meeting Date: August 9, 2016**

**Meeting Type**

- Regular Meeting
- Special Meeting/  
Workshop

**Agenda Item Type**

- Information/  
Discussion Item

**Agenda Placement**

- Governance
- Superintendent's Division
- Learning Division
- Financial Services Division
- Human Resources Department
- Support Services Division
- District-Wide

**District Pillars (Check All That Apply):**

- Student Achievement – Prepare Students to be College and Career Ready
- Service – Provide Quality Service to Internal and External Customers
- People – Provide a Quality Work Environment So Every Employee can Perform at the Highest Levels
- Finance – Create Efficiencies at All Levels of the Organization

**Information: Financial Services Reports**

**Board Policy/State Regulation/Law Reference (If Applicable):** Texas Property Tax Code, Section 31.10.

**Overview:** Section 31.10 of the Texas Property Tax Code requires the Tax Collector for a taxing unit to prepare and submit to the governing body a written report accounting for all taxes collected for the unit during the preceding month. In accordance with the Tax Code, the attached Tax Collection Report as of July 31, 2016 has been provided for information.

**Attachments:** Tax Collection Report – Attachment 1

**Department(s) Submitting Form:** Treasury and Property Tax Administration

**Division Approval:** Mike Seale

**Date Submitted:** August 1, 2016

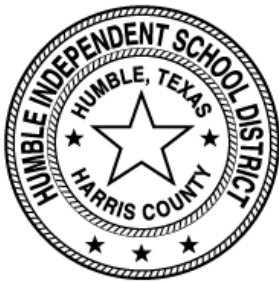
**Humble I.S.D.**  
**Tax Collection Report**  
**7-31-16**

	Maintenance & Operations		Interest & Sinking		Total Collections	
	Current Month	Year To Date	Current Month	Year To Date	Current Month	Year To Date
<b>Current Year Taxes</b>		\$ -		\$ -	\$ -	\$ -
<b>Prior Year Taxes</b>	564,524.07	564,524.07	168,825.28	168,825.28	733,349.35	733,349.35
<b>Penalties &amp; Interest</b>	74,011.46	74,011.46	21,509.76	21,509.76	95,521.22	95,521.22
<b>Tax Certificates / Ret. Item Fees</b>	62.14	62.14	-	-	62.14	62.14
<b>Total Tax Collections</b>	638,597.67	638,597.67	190,335.04	190,335.04	828,932.71	828,932.71
<b>Attorney Fees</b>	67,575.41	67,575.41			67,575.41	67,575.41
<b>Rendition Penalties</b>	2,685.60	2,685.60			2,685.60	2,685.60
<b>Overpayments</b>	7,362.12	7,362.12			7,362.12	7,362.12
<b>Mobile Home Escrow</b>		0.00			-	0.00
<b>Total Collections</b>	716,220.80	716,220.80	190,335.04	190,335.04	906,555.84	906,555.84
<b>Refunds Due to Roll Corrections</b>	(138,542.68)	(138,542.68)	(41,436.05)	(41,436.05)	(179,978.73)	(179,978.73)
<b>Refunds Due to Overpayments (1)</b>	(32,013.80)	(32,013.80)			(32,013.80)	(32,013.80)
<b>Returned Checks</b>	(2,929.52)	(2,929.52)	(848.34)	(848.34)	(3,777.86)	(3,777.86)
<b>Attorney Fees</b>	(67,575.41)	(67,575.41)			(67,575.41)	(67,575.41)
<b>Net Collections</b>	\$ 475,159.39	\$ 475,159.39	\$ 148,050.65	\$ 148,050.65	\$ 623,210.04	\$ 623,210.04

	Current Taxes		Preliminary	Prior Year Taxes	
	Tax Year 2016	Tax Year 2015	Tax Year 2015	As of 7-31-16	As of 7-31-15
<b>Total Appraised Value as of Certification Date</b>			\$ 14,541,651,920	\$ -	
<b>Certified Taxable Value</b>			12,357,909,235		
<b>Year To Date Supplementals</b>			1,630,180,195		
<b>Year To Date Corrections</b>			(62,036,771)		
<b>Year To Date Adjustments (Timber)</b>			9,858,374		
<b>Adjusted Taxable Value</b>	-		13,935,915,033		
<b>Tax Rate</b>	1.52	1.52	1.52		
<b>Beginning Tax Levy</b>	-		187,840,220	6,659,743	6,847,543
<b>Adjust Delinquent Taxes Due to Statute of Limitations</b>					
<b>Adjusted Delinquent Tax Roll</b>				6,659,743	6,847,543
<b>Year-To-Date Adjustments</b>	-		23,985,688		
<b>Adjusted Tax Levy</b>	-		211,825,909	6,659,743	6,847,543
<b>Levy Lost Due to Frozen Accounts</b>			(6,662,181)		
<b>Current Levy</b>	-		205,163,728		
<b>Net Collections (2)</b>	\$ -		\$ 202,474,910.52	\$ 730,197.91	\$ 825,211.81
<b>% Collected</b>			98.69%	10.96%	12.05%

- (1) Overpayments/double payments by taxpayers or mortgage companies.  
(2) Net collections equal current collections minus refunds and returned checks.





# Board of Trustees Agenda Item

**Meeting Date: August 09, 2016**

**Meeting Type**

- Regular Meeting
- Special Meeting/ Workshop

**Agenda Item Type**

- Action Item

**Agenda Placement**

- |  |   |
|--|---|
| <input type="checkbox"/> Governance                  | <input type="checkbox"/> Human Resources Department           |
| <input type="checkbox"/> Superintendent's Division   | <input checked="" type="checkbox"/> Support Services Division |
| <input type="checkbox"/> Learning Division           | <input type="checkbox"/> District-Wide                        |
| <input type="checkbox"/> Financial Services Division |   |

**District Pillars (Check All That Apply):**

- Student Achievement – Prepare Students to be College and Career Ready
- Service – Provide Quality Service to Internal and External Customers
- People – Provide a Quality Work Environment So Every Employee can Perform at the Highest Levels
- Finance – Create Efficiencies at All Levels of the Organization

**Title: Partial Release of Easement for Drainage Ditch Located on Will Clayton Parkway**

**Recommended Action:** The Superintendent recommends that the Board of Trustees approve a Partial Release of Easement across a 2.46 acre tract on Will Clayton Parkway.

**Board Policy/State Regulation/Law Reference (If Applicable):** CV(LOCAL)

**Overview:** The existing drainage ditch servicing Humble High School is currently located across the center of a tract of land owned by a property owner on the south side of Will Clayton Parkway. The Owner has exercised his right, as granted in the original easement instrument, to request that the drainage ditch be relocated at Humble ISD's expense, to permit the owner's development of the tract.

Accordingly, Humble ISD will be releasing the portion of the existing easement running through the center of the landowner's tract, which will be replaced with an easement along the property line of the same property.

By approving this agenda Item, the Board of Trustees will authorize the Board President to execute the Partial Release of Easement, which will be recorded in the County's public records.

**Fiscal Impact:** N/A

**Attachments:** Release of Easement – Humble ISD – A&M Prime Investments, LLC

**Department(s) Submitting Form:** Facility Planning, Construction, Maintenance & Operations

**Division Approval:** Dr. Roger Brown

**Date Submitted:** July 26, 2016

**PARTIAL RELEASE OF EASEMENT**

**THE STATE OF TEXAS**           §  
  §  
**COUNTY OF HARRIS**           §

**HUMBLE INDEPENDENT SCHOOL DISTRICT** a body politic and corporate of Harris County, Texas (“**Humble ISD**”), the Grantee, set forth in that certain Easement filed for record as document number E239935 of the Harris County Clerk Records, in Harris County, Texas (the “Original Easement Document”), does hereby forever release, discharge and relinquish unto **A&M Prime Investments, LLC** (“**A&M Prime**”), successor in interest to Cities Service Oil Company, the Grantor in the Original Easement Document, any and all rights to a portion of that Easement granted in the Original Easement Document, as more particularly described in in Exhibit A, attached hereto and incorporated herein by reference (the “Released Portion”).

Notwithstanding the foregoing, this Partial Release of Easement shall not affect any other easements granted in the Original Easement Document (the “Remaining Easements”). Such Remaining Easements shall remain in full force and effect for the benefit of Humble ISD and its successors and assigns, and are not released hereby.

The undersigned so declares for itself and for its heirs, legal representatives, successors, and assigns.

Executed this \_\_\_\_ day of \_\_\_\_\_, 2016.

*[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]  
[SIGNATURES ON FOLLOWING PAGES]*

HUMBLE INDEPENDENT SCHOOL DISTRICT,  
a body politic and corporate of Harris County,  
Texas

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**THE STATE OF TEXAS**       §  
  §  
**COUNTY OF HARRIS**       §

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 2016, by  
\_\_\_\_\_, \_\_\_\_\_ of Humble  
Independent School District, on behalf of such School District.

\_\_\_\_\_  
Notary Public in and for the State of Texas

\_\_\_\_\_  
Name printed or typed  
My Commission Expires: \_\_\_\_\_

After recording, return to:

Luis Suarez  
Attorney at Law  
P.O. Box 7175  
Cut and Shoot, Texas 77306-0175

**EXHIBIT A**

Fieldnote Description to a 0.20 Relinquishment Area  
James Strange Survey, A-695  
Harris County, Texas

Fieldnotes to that certain lot, tract, or parcel of land situated in the James Strange Survey, A-695, Harris County, Texas, 0.20 acre, more or less, being a part of a tract conveyed in a Special Warranty Deed dated December 17, 2014, from Mark Haman and Ali-Reza Faraji to A&M Prime Investments, LLC with a File Number 20140570373 and Film Code of 093-57-0134, and acclaimed to be part of a Drainage Easement dated August 1974, from Cities Service Oil Company to Humble Independent School District with a File Number of E239935 and Film Code of 108-19-2140, Deed Records, Harris County, Texas, to which reference is hereby made to for any and all purposes. Said tract described by metes and bounds as follows, to wit:

Beginning at a ½" iron rod (capped Goodwin-Lasiter) set for the northwest corner of a 0.34 acre Drainage Easement (thirty feet wide) described this same date. Same being in the northern line of the referenced tract and in the southern right of way of Will Clayton Parkway (File Number F558574). Said point bears S87°36'09"W 24.30 feet and S87°25'04"W 2.13 feet from a 3/8" iron rod found for the common northern corner of the referenced tract and Serna Plaza, of record as Film Code 631168;

THENCE SOUTH 02°12'48" EAST 47.65 feet, across and through the referenced tract and with the western line of said 0.34 acre drainage easement, to a point for corner;


THENCE SOUTH 34°12'31" WEST 266.38 feet, continuing across and through the referenced tract and along a southeastern line of the referenced drainage easement, to a point in a northern line of the aforesaid 0.34 acre drainage easement. Same being thirty feet northerly of the southern line of the referenced tract;

THENCE SOUTH 87°32'40" WEST 37.40 feet, along a northern line of said 0.34 acre drainage easement and thirty feet northerly of and parallel to the southern line of the referenced tract, to a point for the western northwest corner of said 0.34 acre easement;

THENCE NORTH 34°12'31" EAST 325.77 feet, along the northwestern line of the referenced drainage easement and continuing across the referenced tract, to a point in the northern line of said tract and the southern right of way of Will Clayton Parkway. From said point a 5/8" iron rod found for the northwest corner of the referenced tract bears S87°25'04"W 260.72 feet;

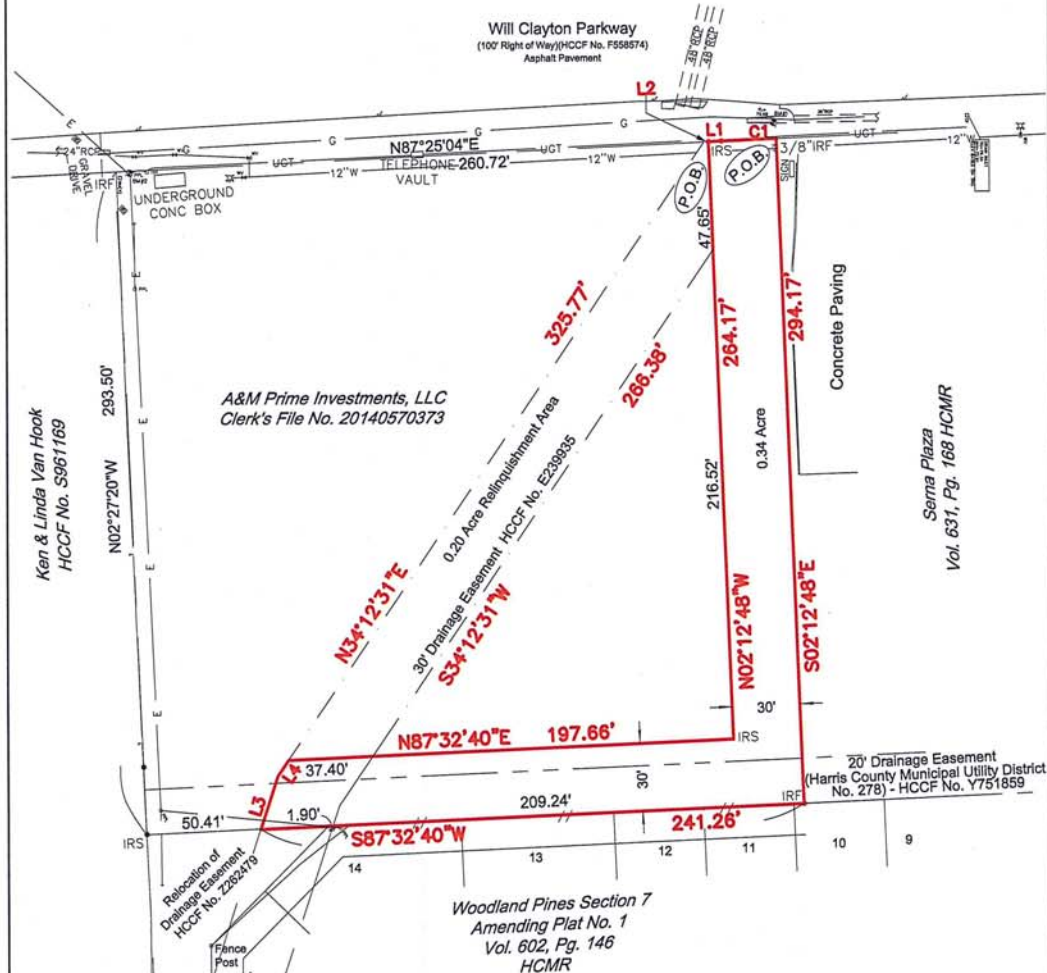
THENCE NORTH 87°25'04" EAST 2.13 feet, with said northern line and said southern right of way, to the Point of Beginning and containing 0.20 acre, more or less, as shown on the accompanying survey plat of even date herewith.

Bearing Note: Bearings are based on NAD 83 Grid Values.

  
Kirk Raymond, R.P.L.S. 4957  
Raymond Surveying & Mapping  
(a division of Goodwin-Lasiter, Inc.)  
TBPLS Firm License No. 10110902  
April 12, 2016

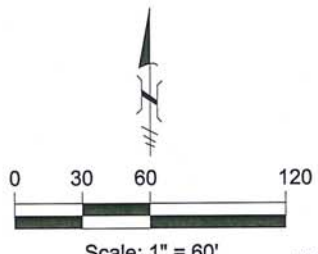


James Strange Survey, A-695  
Harris County, Texas



NUM	BEARING	DISTANCE
L1	N87°25'04"E	5.69'
L2	N87°25'04"E	2.13'
L3	N17°59'27"E	24.72'
L4	N34°12'31"E	8.52'

CURVE	DELTA	Radius	LENGTH	CHORD BEARING	CHORD DIST.
C1	000°22'10"	3769.72'	24.31'	N87°36'09"E	24.30'



I, Kirk Raymond, certify that this survey represents the results of an on the ground survey made by me or under my supervision during April 2016.

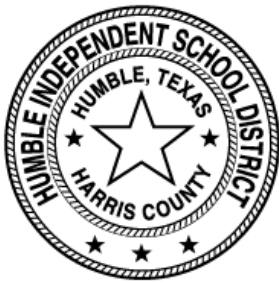
*Kirk Raymond*  
Kirk Raymond, R.P.L.S. 4957



RAYMOND SURVEY & MAPPING - A DIVISION OF GOODWIN-LASITER, INC.  
202 W. BRAZOS STREET - GROESBECK, TEXAS 78642 - (254) 729-5750 - RPLS@EMBARQMAIL.COM - TBPLS FIRM# 10110902

**GOODWIN-LASITER-STRONG**  
ENGINEERING - ARCHITECTURE - INTERIOR DESIGN - SURVEYING  
1608 S. CHESTNUT DR. STE. 202 - LUFKIN, TEXAS 75801 - (936) 837-4800  
4077 CROSS PARK DR. STE. 100 - BRYAN, TEXAS 77803 - (979) 778-6700

Date: 04-12-16	Drawn By: BW	App'd By: KR	Client: Humble ISD/ PBK	Job #: 209020
Survey Plat of a Thirty Foot Wide Drainage Easement and a 0.20 Acre Relinquishment Area in the James Strange Survey, A-695, Harris County, Texas.				Sheet No. <b>1 of 2</b>
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## Board of Trustees Agenda Item

**Meeting Date: August 09, 2016**

**Meeting Type**

- Regular Meeting  
 Special Meeting/  
Workshop

**Agenda Placement**

- |  |   |
|--|---|
| <input type="checkbox"/> Governance                  | <input type="checkbox"/> Human Resources Department           |
| <input type="checkbox"/> Superintendent's Division   | <input checked="" type="checkbox"/> Support Services Division |
| <input type="checkbox"/> Learning Division           | <input type="checkbox"/> District-Wide                        |
| <input type="checkbox"/> Financial Services Division |   |

**Agenda Item Type**

- Action Item

**District Pillars (Check All That Apply):**

- Student Achievement – Prepare Students to be College and Career Ready  
 Service – Provide Quality Service to Internal and External Customers  
 People – Provide a Quality Work Environment So Every Employee can Perform at the Highest Levels  
 Finance – Create Efficiencies at All Levels of the Organization

**Title: Utility Easement for Elementary 28 and Middle School 9 Property**

**Recommended Action:** The Superintendent recommends that the Board of Trustees approve two (2) Storm Sewer Easements, and one (1) Water Line Easement out of the District's 45.14 acre property along the future Madera Run Parkway.

**Board Policy/State Regulation/Law Reference (If Applicable):** CV (LOCAL)

**Overview:** In connection with the development of Elementary School #28 and Middle School #9, Harris County Municipal Utility District No. 504 has requested that Humble ISD grant to them two (2) Storm Sewer Easements, and one (1) Water Line Easement out of the District's 45.14 acre property along the future Madera Run Parkway.

By approving this agenda Item, the Board of Trustees will authorize the Board President to execute final versions of these Easements, which will be recorded in the County's public records.

**Fiscal Impact:** N/A

**Attachments:** Release of Easement

**Department(s) Submitting Form:** Facility Planning, Construction, Maintenance & Operations

**Division Approval:** Dr. Roger Brown

**Date Submitted:** July 26, 2016

**STORM SEWER EASEMENT  
(0.0031 Acre)**

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

**THE STATE OF TEXAS  
COUNTY OF HARRIS**

§  
§  
§

**KNOW ALL BY THESE PRESENTS:**

THAT **HUMBLE INDEPENDENT SCHOOL DISTRICT** ("Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has GRANTED, SOLD, AND CONVEYED and, by these presents, does GRANT, SELL, AND CONVEY unto **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 504**, a political subdivision of the State of Texas, its successors and assigns ("Grantee"), a permanent and perpetual non-exclusive easement and right-of-way (the "Easement") for the laying, construction, installation, maintenance, repair, relocation, replacement, removal, modification and operation of storm sewer lines and all related connections and appurtenances (collectively, the "Facilities") across, along, under, over, upon and through that certain tract of land located in Harris County, Texas, containing 0.0031 acre, as more particularly described and shown in **Exhibit A** attached hereto and incorporated herein for all purposes (the "Easement Tract").

Grantee may lay, construct, install, maintain, repair, relocate, replace, remove, modify and operate the Facilities across, along, under, over, upon and through the Easement Tract, and may enter upon the Easement Tract to engage in all activities as may be necessary, requisite, convenient, or appropriate in connection therewith. Grantee's rights shall include, without limitation, the right to clear and remove trees, growth, shrubbery, and other improvements from within the Easement Tract and the right to bring and operate such equipment on the Easement Tract as may be necessary, requisite, convenient, or appropriate to effectuate the purposes for which the Easement is granted. Subject to the rights granted to Grantee herein, Grantee will, at all times after doing any work in connection with the Easement, restore the surface of the Easement Tract as nearly as reasonably practicable to substantially its condition prior to the undertaking of such work; provided, however, that Grantee shall not be obligated to replace or restore any trees, growth, shrubbery, or other improvements or obstructions removed from within the Easement Tract in connection with the construction,



installation, repair, maintenance, relocation, replacement, removal, upgrade, change in the size of, operation, placement, inspection, protection, or alteration of the Facilities. Grantee shall remove, at Grantee's expense, any trash and debris, as well as dirt, earth, or other material excavated from the Easement Tract in connection with Grantee's construction, operation, or maintenance of the Facilities that is not used in connection with Grantee's activities hereunder.

Grantee shall be solely responsible, at Grantee's sole cost and expense, for the maintenance of the Facilities.

Subject to the limitations set forth herein, Grantor expressly reserves the right to the use and enjoyment of the surface of the Easement Tract for any and all purposes, provided, however, that such use and enjoyment of the surface of the Easement Tract shall not unreasonably interfere with, obstruct, or restrict the full and complete use and enjoyment of the Easement for the purposes set forth herein. Notwithstanding anything herein to the contrary, Grantor shall not, without the prior written consent of Grantee, which consent shall not be unreasonably denied or delayed, (i) construct or place or allow to be constructed or placed, any fences, houses, buildings, structures, pavement, or other above-ground improvements or other obstructions, whether temporary or permanent, or plant or locate any trees, vegetation, or shrubs on the Easement Tract; (ii) install or permit the installation of pipelines or other underground facilities within the Easement Tract; (iii) dedicate other easements within the Easement Tract; or (iv) change the grade over the Facilities constructed under the Easement Tract. If Grantor constructs, places, installs, or permits any construction, placement, or installation that unreasonably interferes with, obstructs, or restricts Grantee's full and complete use and enjoyment of the Easement for the purposes set forth herein, Grantee shall have the right to prevent or remove such obstructions, at Grantor's sole cost and expense without any obligation to restore the same or any liability to Grantor.

Grantor reserves all oil, gas, and other minerals in, on, or under the Easement Tract, but waives all right to use the surface of the Easement Tract for, and all rights of ingress and egress for, the purpose of exploring, developing, mining, or drilling for the same; provided, however, that nothing herein shall prohibit or in any manner restrict the right of Grantor to extract oil, gas, and other minerals from and under the Easement Tract by directional drilling or other means that does not interfere with or disturb the surface of the Easement Tract or Grantee's use of the Easement Tract for the purposes set forth herein.

This conveyance is further made subject to any and all restrictions, covenants, easements, rights-of-way, encumbrances, and mineral or royalty reservations or interests affecting the Easement Tract and appearing of record in the Official Public Records of Real Property of Harris County, Texas, to the extent in effect and validly

enforceable against the Easement Tract (the "Permitted Encumbrances"); provided, however, to the extent that Grantor has the ability to enforce any of the Permitted Encumbrances, Grantor will not do so in a manner that would unreasonably prejudice or interfere with Grantee's exercise of its rights in the Easement and use of the Easement Tract for the purposes set forth herein.

TO HAVE AND TO HOLD, subject to the matters set forth herein and the Permitted Encumbrances, the Easement, together with, all and singular, the rights and appurtenances thereto in any wise belonging, including all necessary rights to ingress, egress, and regress, unto Grantee, its successors and assigns, forever. Grantor does hereby bind itself and its successors and assigns to WARRANT AND FOREVER DEFEND, all and singular, the Easement and right-of-way and other rights described herein unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through, or under Grantor, but not otherwise.

The covenants and agreements contained herein shall run with the land and shall inure to the benefit of and shall be binding upon Grantor and Grantee and their respective successors and assigns.

The prevailing party in any suit, action, or other proceeding instituted in connection with any controversy arising out of this instrument or the Easement shall be entitled to recover its reasonable attorneys' fees from the other party.

The individuals signing this instrument on behalf of Grantor and Grantee represents that he/she has the requisite authority to bind Grantor and Grantee, respectively.

Neither party's failure to insist on strict performance of any part of this instrument shall be construed as a waiver of the performance in any other instance.

This instrument shall be interpreted and construed in accordance with the laws of the State of Texas, without regard to conflict of laws, principles, and venue for any suit, action, or proceeding instituted in connection with any controversy arising out of this instrument or the Easement shall be the state courts situated in Harris County, Texas.

This instrument may be executed in multiple counterparts, each of which shall be deemed an original, and all of which, taken together, shall constitute one instrument.

Grantee's address is c/o Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2600, Houston, Texas 77027.

*[Signature pages follow this page.]*

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**GRANTOR:**

**HUMBLE INDEPENDENT  
SCHOOL DISTRICT**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF TEXAS §

§

COUNTY OF \_\_\_\_\_ §

This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by \_\_\_\_\_, acting in his/her capacity as \_\_\_\_\_ of and on behalf HUMBLE INDEPENDENT SCHOOL DISTRICT.

\_\_\_\_\_  
Notary Public, State of Texas

(NOTARY SEAL)



**Attachment:**

Exhibit A – Description and Sketch of Easement Tract

**After recording, please return to:**

Jeanette Harris

Allen Boone Humphries Robinson LLP

3200 Southwest Freeway, Suite 2600

Houston, Texas 77027

EXHIBIT A

TIMBER FOREST STREET DEDICATION  
0.0031 OF ONE ACRE  
PROPOSED STORM SEWER EASEMENT

APRIL 11, 2016  
JOB NO. 4039-00

DESCRIPTION OF A 0.0031 ACRE TRACT OF LAND SITUATED  
IN THE VICTOR BLANCO SURVEY, ABSTRACT NO. 2  
HARRIS COUNTY, TEXAS

BEING a 0.0031 acre (136 square feet) tract of land situated in the Victor Blanco Survey, Abstract No. 2, of Harris County, Texas and being a portion of Lot 12, of HARRIS COUNTY LAND AND IMPROVEMENT COMPANY SUBDIVISION, a subdivision plat recorded under Volume 359, Page 570 of the Harris County Map Records, and also being a portion of a called 45.14 acre tract as described in deed to Humble Independent School District recorded under Harris County Clerk's File Number (H.C.C.F. No.) 20150245054, said 0.0031 acre tract of land described by metes and bounds as follows:

**BEGINNING** at a 1/2-inch iron pipe with cap stamped "Brown & Gay" found for the westerly northwest corner of said 45.14 acre tract, lying on a curve to the right, from which its center bears S 81°05'43" E, 35.00 feet;

**THENCE**, In a Northeasterly direction, along and with the northwesterly line of said 45.14 acre tract, and along said curve to the right, a distance of 18.94 feet, having a radius of 35.00 feet, a central angle of 31°00'10" and a chord which bears N 24°24'21" E, 18.71 feet to the north corner of the herein described tract;

**THENCE**, over and across said 45.14 acre tract the following courses and distances:

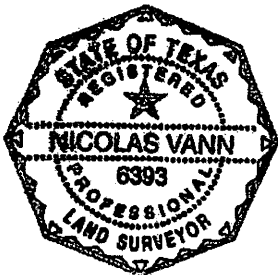
S 08°54'17" W, a distance of 33.03 feet to the southeast corner of the herein described tract;

N 81°05'43" W, a distance of 5.00 feet to the southwest corner of the herein described tract, lying on the west line of said 45.14 acre tract;

**THENCE**, N 08°54'17" E, along and with said west line, a distance of 15.00 feet to the **POINT OF BEGINNING** and containing 0.0031 of one acre (136 square feet) of land.

Bearing orientation is based on the Texas Coordinate System, South Central Zone 4204, NAD-83 and is referenced to monuments found along the north line of said 45.14 acre tract as cited herein.

The above description is not to be used for fee conveyance.

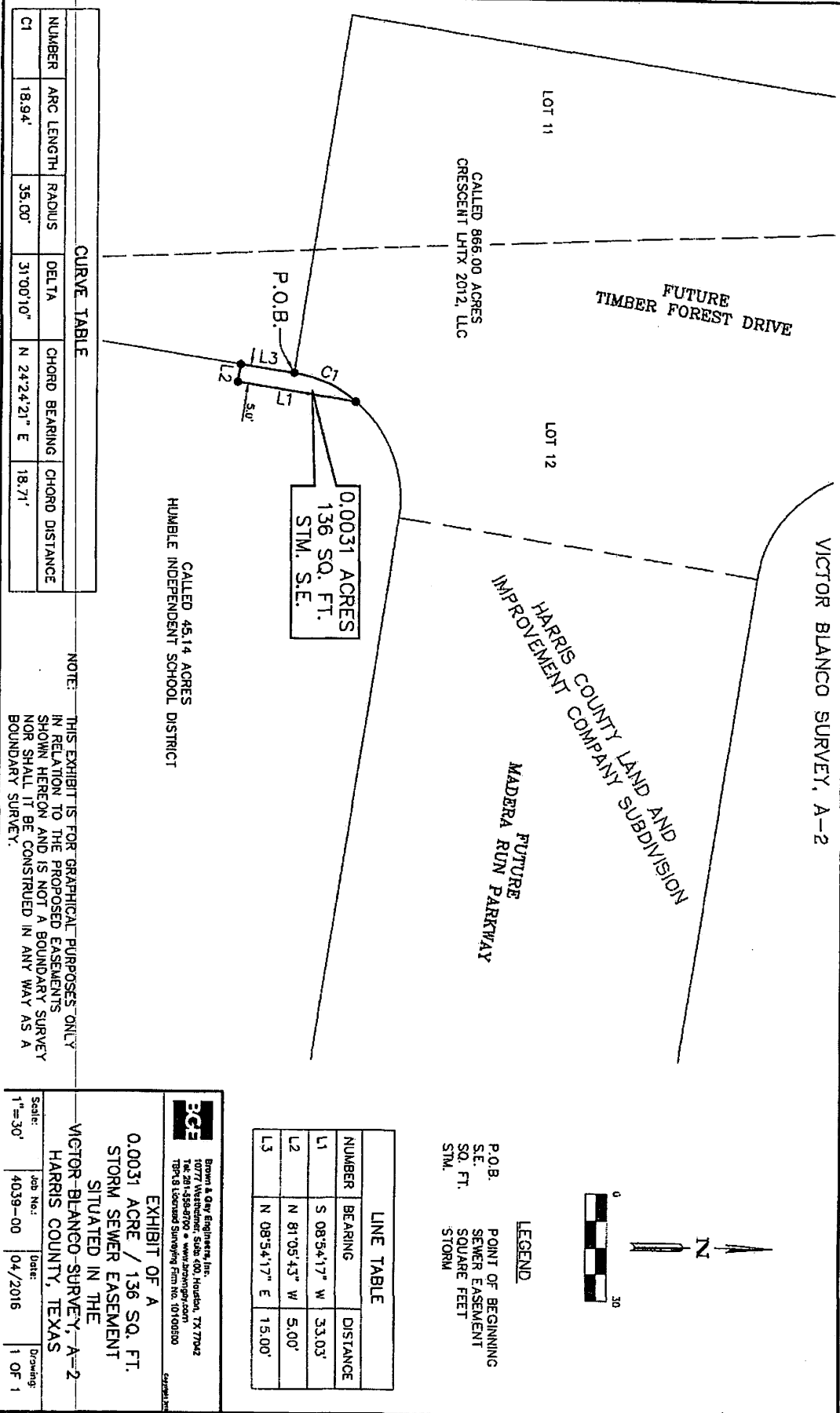


A handwritten signature in black ink, appearing to read "NV", written over a horizontal line.

Nicolas Vann RPLS No. 6393  
Brown & Gay Engineers, Inc.  
10777 Westheimer Road, Suite 400  
Houston, Texas 77042  
Telephone: (281) 558-8700  
TBPLS Licensed Surveying Firm No. 10106500

# EXHIBIT A

X:\Districts\HCM\0504\Timber\_Forest\_Dr\_4039\06\_Survey\04\_Final\STMSE\_EX1.dwg, 4/19/2016 1:06 PM, kboker



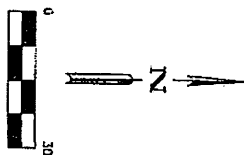
CURVE TABLE					
NUMBER	ARC LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C1	18.94'	35.00'	31°00'10"	N 24°24'21" E	18.71'

NOTE: THIS EXHIBIT IS FOR GRAPHICAL PURPOSES ONLY. IN RELATION TO THE PROPOSED EASEMENTS SHOWN HEREON AND IS NOT A BOUNDARY SURVEY NOR SHALL IT BE CONSTRUED IN ANY WAY AS A BOUNDARY SURVEY.

LINE TABLE			
NUMBER	BEARING	DISTANCE	
L1	S 08°54'17" W	33.03'	
L2	N 81°05'43" W	5.00'	
L3	N 08°54'17" E	15.00'	

P.O.B. POINT OF BEGINNING  
S.E. SQ. FT. SQUARE FEET  
STM. STORM

### LEGEND



**BGE**  
Brown & Gay Engineers, Inc.  
10777 Westheimer, Suite 400, Houston, TX 77042  
Tel: 281-458-8700 • www.bge.com  
TSP-18 Licensed Surveying Firm No. 10106500

**EXHIBIT OF A**  
0.0031 ACRE / 136 SQ. FT.  
STORM SEWER EASEMENT  
SITUATED IN THE  
VICTOR-BLANCO SURVEY, A-2  
HARRIS COUNTY, TEXAS

Scale: 1" = 30'  
Job No.: 4039-00  
Date: 04/2016  
Drawing: 1 OF 1

**STORM SEWER EASEMENT**  
**(0.0054 Acre; 0.0069 Acre; 0.0069 Acre)**

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

**THE STATE OF TEXAS                    §**  
**§            KNOW ALL BY THESE PRESENTS:**  
**COUNTY OF HARRIS                    §**

THAT **HUMBLE INDEPENDENT SCHOOL DISTRICT** ("Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has GRANTED, SOLD, AND CONVEYED and, by these presents, does GRANT, SELL, AND CONVEY unto **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 504**, a political subdivision of the State of Texas, its successors and assigns ("Grantee"), a permanent and perpetual non-exclusive easement and right-of-way (the "Easement") for the laying, construction, installation, maintenance, repair, relocation, replacement, removal, modification and operation of storm sewer lines and all related connections and appurtenances (collectively, the "Facilities") across, along, under, over, upon and through those three (3) certain tracts of land located in Harris County, Texas, containing 0.0054 acre, 0.0069 acre, and 0.0069 acre, respectively, as more particularly described and shown in **Exhibits A, B, and C**, all attached hereto and incorporated herein for all purposes (collectively, the "Easement Tracts").

Grantee may lay, construct, install, maintain, repair, relocate, replace, remove, modify and operate the Facilities across, along, under, over, upon and through the Easement Tracts, and may enter upon the Easement Tracts to engage in all activities as may be necessary, requisite, convenient, or appropriate in connection therewith. Grantee's rights shall include, without limitation, the right to clear and remove trees, growth, shrubbery, and other improvements from within the Easement Tracts and the right to bring and operate such equipment on the Easement Tracts as may be necessary, requisite, convenient, or appropriate to effectuate the purposes for which the Easement is granted. Subject to the rights granted to Grantee herein, Grantee will, at all times after doing any work in connection with the Easement, restore the surface of the Easement Tracts as nearly as reasonably practicable to substantially its condition prior to the undertaking of such work; provided, however, that Grantee shall not be obligated to replace or restore any trees, growth, shrubbery, or other improvements or



obstructions removed from within the Easement Tracts in connection with the construction, installation, repair, maintenance, relocation, replacement, removal, upgrade, change in the size of, operation, placement, inspection, protection, or alteration of the Facilities. Grantee shall remove, at Grantee's expense, any trash and debris, as well as dirt, earth, or other material excavated from the Easement Tracts in connection with Grantee's construction, operation, or maintenance of the Facilities that is not used in connection with Grantee's activities hereunder.

Grantee shall be solely responsible, at Grantee's sole cost and expense, for the maintenance of the Facilities.

Subject to the limitations set forth herein, Grantor expressly reserves the right to the use and enjoyment of the surface of the Easement Tracts for any and all purposes, provided, however, that such use and enjoyment of the surface of the Easement Tracts shall not unreasonably interfere with, obstruct, or restrict the full and complete use and enjoyment of the Easement for the purposes set forth herein. Notwithstanding anything herein to the contrary, Grantor shall not, without the prior written consent of Grantee, which consent shall not be unreasonably denied or delayed (i) construct or place or allow to be constructed or placed, any fences, houses, buildings, structures, pavement, or other above-ground improvements or other obstructions, whether temporary or permanent, or plant or locate any trees, vegetation, or shrubs on the Easement Tracts; (ii) install or permit the installation of pipelines or other underground facilities within the Easement Tracts; (iii) dedicate other easements within the Easement Tracts; or (iv) change the grade over the Facilities constructed under the Easement Tracts. If Grantor constructs, places, installs, or permits any construction, placement, or installation that unreasonably interferes with, obstructs, or restricts Grantee's full and complete use and enjoyment of the Easement for the purposes set forth herein, Grantee shall have the right to prevent or remove such obstructions, at Grantor's sole cost and expense without any obligation to restore the same or any liability to Grantor.

Grantor reserves all oil, gas, and other minerals in, on, or under the Easement Tracts, but waives all right to use the surface of the Easement Tracts for, and all rights of ingress and egress for, the purpose of exploring, developing, mining, or drilling for the same; provided, however, that nothing herein shall prohibit or in any manner restrict the right of Grantor to extract oil, gas, and other minerals from and under the Easement Tracts by directional drilling or other means that does not interfere with or disturb the surface of the Easement Tracts or Grantee's use of the Easement Tracts for the purposes set forth herein.

This conveyance is further made subject to any and all restrictions, covenants, easements, rights-of-way, encumbrances, and mineral or royalty reservations or interests affecting the Easement Tracts and appearing of record in the Official Public

Records of Real Property of Harris County, Texas, to the extent in effect and validly enforceable against the Easement Tracts (the "Permitted Encumbrances"); provided, however, to the extent that Grantor has the ability to enforce any of the Permitted Encumbrances, Grantor will not do so in a manner that would unreasonably prejudice or interfere with Grantee's exercise of its rights in the Easement and use of the Easement Tracts for the purposes set forth herein.

TO HAVE AND TO HOLD, subject to the matters set forth herein and the Permitted Encumbrances, the Easement, together with, all and singular, the rights and appurtenances thereto in any wise belonging, including all necessary rights to ingress, egress, and regress, unto Grantee, its successors and assigns, forever. Grantor does hereby bind itself and its successors and assigns to WARRANT AND FOREVER DEFEND, all and singular, the Easement and right-of-way and other rights described herein unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through, or under Grantor, but not otherwise.

The covenants and agreements contained herein shall run with the land and shall inure to the benefit of and shall be binding upon Grantor and Grantee and their respective successors and assigns.

The prevailing party in any suit, action, or other proceeding instituted in connection with any controversy arising out of this instrument or the Easement shall be entitled to recover its reasonable attorneys' fees from the other party.

The individuals signing this instrument on behalf of Grantor and Grantee represents that he/she has the requisite authority to bind Grantor and Grantee, respectively.

Neither party's failure to insist on strict performance of any part of this instrument shall be construed as a waiver of the performance in any other instance.

This instrument shall be interpreted and construed in accordance with the laws of the State of Texas, without regard to conflict of laws, principles, and venue for any suit, action, or proceeding instituted in connection with any controversy arising out of this instrument or the Easement shall be the state courts situated in Harris County, Texas.

This instrument may be executed in multiple counterparts, each of which shall be deemed an original, and all of which, taken together, shall constitute one instrument.

Grantee's address is c/o Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2600, Houston, Texas 77027.

*[Signature pages follow this page.]*

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**GRANTOR:**

**HUMBLE INDEPENDENT  
SCHOOL DISTRICT**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF TEXAS §

§

COUNTY OF \_\_\_\_\_ §

This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by \_\_\_\_\_, acting in his/her capacity as \_\_\_\_\_ of and on behalf HUMBLE INDEPENDENT SCHOOL DISTRICT.

\_\_\_\_\_  
Notary Public, State of Texas

(PLACE NOTARY SEAL ABOVE)



**Attachments:**

Exhibit A – Description and Sketch of the 0.0054 Acre Easement Tract

Exhibit B – Description and Sketch of the 0.0069 Acre Easement Tract

Exhibit C – Description and Sketch of the 0.0069 Acre Easement Tract

**After recording, please return to:**

Jeanette Harris

Allen Boone Humphries Robinson LLP

3200 Southwest Freeway, Suite 2600

Houston, Texas 77027

EXHIBIT A

MADERA RUN PARKWAY STREET DEDICATION SEC 4  
0.0054 OF ONE ACRE  
PROPOSED STORM SEWER EASEMENT

JUNE 28, 2016  
JOB NO. 1902-02

DESCRIPTION OF A 0.0054 ACRE TRACT OF LAND SITUATED  
IN THE VICTOR BLANCO SURVEY, ABSTRACT NO. 2  
HARRIS COUNTY, TEXAS

BEING a 0.0054 acre (236 square foot) tract of land situated in the Victor Blanco Survey, Abstract No. 2, of Harris County, Texas and being a portion of a called 45.14 acre tract as described in a deed to Humble Independent School District, recorded under Harris County Clerk's File No. (H.C.C.F. No.) 20150245054, and a portion of Lot 13 of HARRIS COUNTY LAND AND IMPROVEMENT COMPANY SUBDIVISION, a subdivision plat recorded under Volume 359, Page 570 of the Harris County Deed Records, said 0.0054 acre tract of land described by metes and bounds as follows:

**BEGINNING** at a 1/2-inch iron pipe with cap stamped "Brown & Gay" found for the northeast corner of the herein described tract and said 45.14 acre tract;

THENCE, S 03°09'17" W, along and with the east line of said 45.14 acre tract, a distance of 15.43 feet to the southeast corner of the herein described tract;

THENCE, N 73°56'25" W, over and across said 45.14 acre tract, a distance of 17.36 feet to the southwest corner of the herein described tract;

THENCE, N 16°03'35" E, continuing over and across said 45.14 acre tract, a distance of 15.24 feet to the northwest corner of the herein described tract and the beginning of a non-tangent curve to the left, from which its center bears N 17°12'02" E, 1,250.00 feet, lying on the north line of said 45.14 acre tract;

THENCE, In an easterly direction, along and with said north line and said curve to the left, a distance of 13.91 feet, having a radius of 1,250.00 feet, a central angle of 00°38'16" and a chord which bears S 73°07'06" E, 13.91 feet to the **POINT OF BEGINNING** and containing 0.0054 of one acre (236 square feet) of land.

Bearing orientation is based on the Texas Coordinate System, South Central Zone 4204, NAD-83 and is referenced to monuments found along the north line of said 45.14 acre tract as cited herein.

The above description is not to be used for fee conveyance.



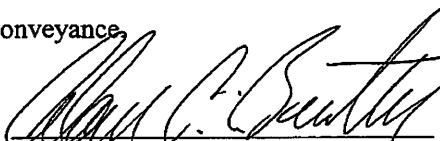
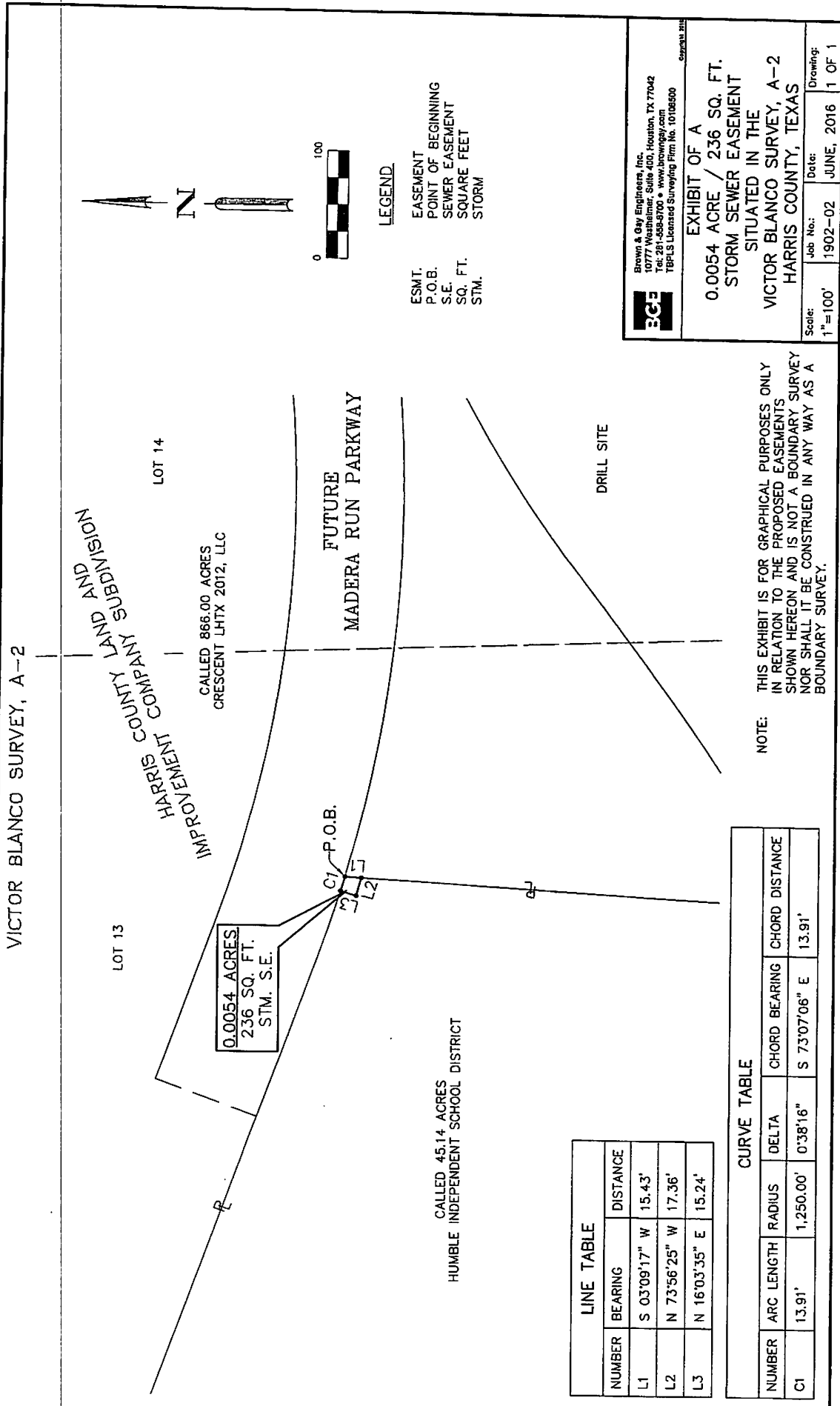
  
Alan C. Bentley RPLS No. 2055  
Brown & Gay Engineers, Inc.  
10777 Westheimer Road, Suite 400  
Houston, Texas 77042  
Telephone: (281) 558-8700  
TBPLS Licensed Surveying Firm No. 10106500

EXHIBIT A



**BGE** Brown & Gay Engineers, Inc.  
 10777 Westheimer, Suite 400, Houston, TX 77042  
 Tel: 281-558-8700 • www.browning.com  
 TBPLS Licensed Surveying Firm No. 10108500

**EXHIBIT OF A**  
 0.0054 ACRE / 236 SQ. FT.  
 STORM SEWER EASEMENT  
 SITUATED IN THE  
 VICTOR BLANCO SURVEY, A-2  
 HARRIS COUNTY, TEXAS

Scale: 1" = 100' Job No.: 1902-02 Date: JUNE, 2016 Drawing: 1 OF 1

NOTE: THIS EXHIBIT IS FOR GRAPHICAL PURPOSES ONLY IN RELATION TO THE PROPOSED EASEMENTS SHOWN HEREON AND IS NOT A BOUNDARY SURVEY NOR SHALL IT BE CONSTRUED IN ANY WAY AS A BOUNDARY SURVEY.

**LINE TABLE**

NUMBER	BEARING	DISTANCE
L1	S 03°09'17" W	15.43'
L2	N 73°56'25" W	17.36'
L3	N 16°03'35" E	15.24'

**CURVE TABLE**

NUMBER	ARC LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C1	13.91'	1,250.00'	0°38'16"	S 73°07'06" E	13.91'

X:\Districts\HUMD504\Madera\_Run\_Parkway\_Dedication\_Sect4\_082\06\_Survey\04\_Finals\04\_Finals\00069\_EX1.dwg, 6/29/2016 6:53 AM, Kbocker



EXHIBIT B

MADERA RUN PARKWAY  
0.0069 OF ONE ACRE  
PROPOSED 20'x15' STORM SEWER ESMT.

JUNE 20, 2016  
JOB NO. 4083-00

DESCRIPTION OF A 0.0069 ACRE TRACT OF LAND SITUATED  
IN THE VICTOR BLANCO SURVEY, ABSTRACT NO. 2  
HARRIS COUNTY, TEXAS

BEING a 0.0069 acre (299 square foot) tract of land situated in the Victor Blanco Survey, Abstract No. 2 of Harris County, Texas and being a portion of a called 45.14 acre tract of land as described in an instrument to Humble Independent School District recorded under Harris County Clerk's File Number (H.C.C.F. No.) 20150245054, and being a portion of Lot 12 of HARRIS COUNTY LAND AND IMPROVEMENT COMPANY SUBDIVISION, a subdivision per plat recorded under Volume 359, Page 570 of the Harris County Deed Records, said 0.0069 acre tract of land described by metes and bounds as follows:

COMMENCING at a 1/2-inch iron pipe with cap stamped "Brown & Gay" found for the most Northerly Northwest corner of said 45.14 acre tract;

THENCE, along and with the North line of said 45.14 acre tract, the following bearings and distances:

S 81° 05' 43" E, a distance of 307.69 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" found for the beginning of a tangent curve to the left;

In an Easterly direction, along said curve to the left, a distance of 362.12 feet, having a radius of 1,250.00 feet, a central angle of 16° 35' 55" and a chord which bears S 89° 23' 41" E, 360.86 feet to the Northwest corner and POINT OF BEGINNING of the herein described tract;

In an easterly direction, continuing along said curve to the left, a distance of 20.00 feet, having a radius of 1,250.00 feet, a central angle of 00° 55' 00" and a chord which bears N 81° 50' 52" E, 20.00 feet to the Northeast corner of the herein described tract;

THENCE, over and across said 45.14 acre tract, the following bearings and distances:

S 08° 09' 08" E, a distance of 15.00 feet to the Southeast corner of the herein described tract;

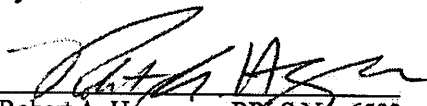
S 81° 50' 52" W, a distance of 20.00 feet to the Southwest corner of the herein described tract;

N 08° 09' 08" W, a distance of 15.00 feet to the POINT OF BEGINNING and containing 0.0069 of one acre (299 square feet) of land.

Bearing orientation is based on the Texas Coordinate System, South Central Zone 4204, NAD-83 and is referenced to monuments found along the North line of said 45.14 acre tract as cited herein.

The above description is not to be used for fee conveyance.



  
Robert A. Harper RPLS No. 6582  
Brown & Gay Engineers, Inc.  
10777 Westheimer Road, Suite 400  
Houston, Texas 77042  
Telephone: (281) 558-8700  
TBPLS Licensed Surveying Firm No. 10106500

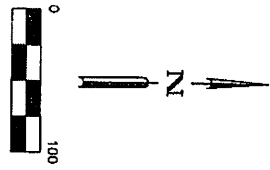
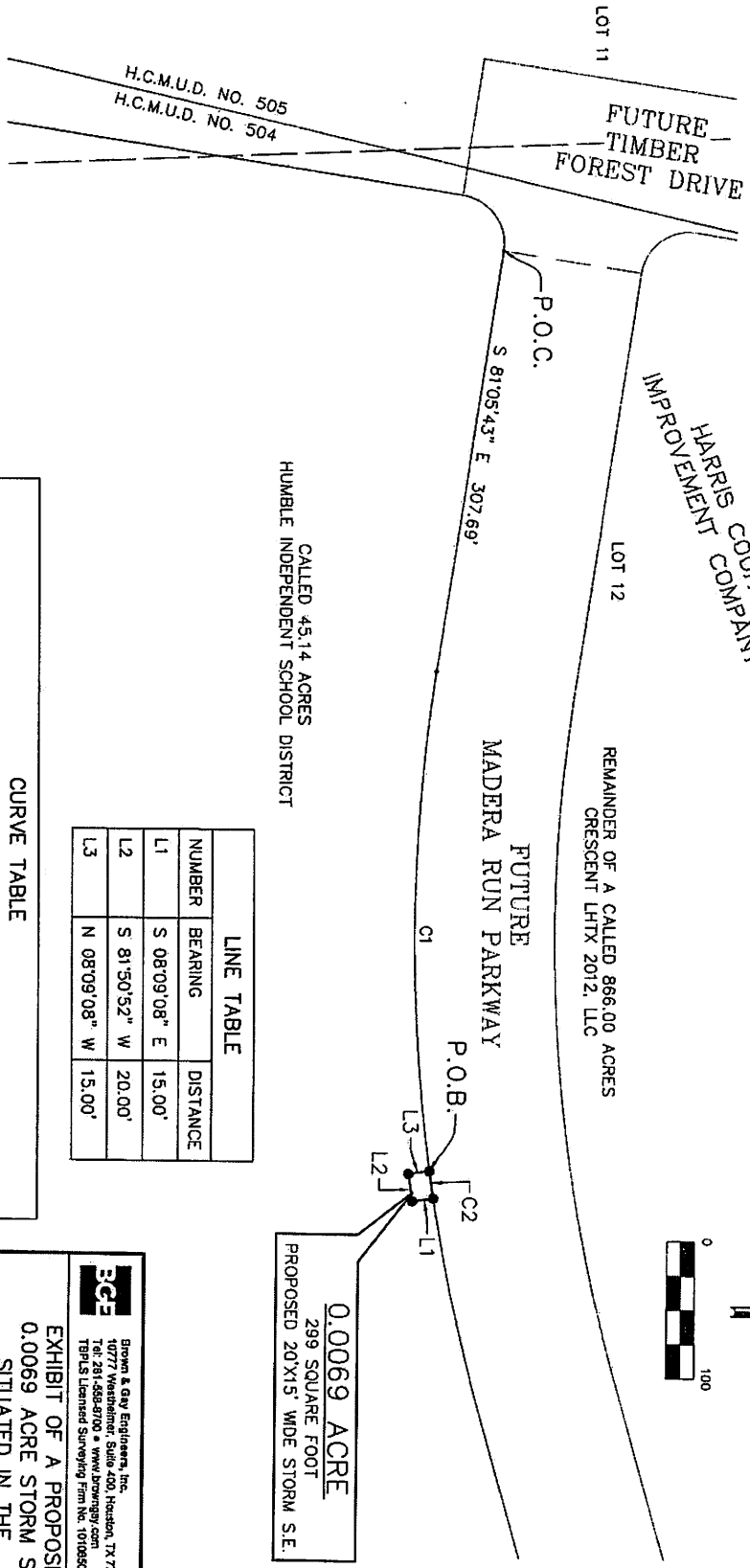
**EXHIBIT B**

X:\Districts\HCHUD504\Madera\_Run\_Parkway\_Dedication\_Sec5\_4083\06\_Survey\04\_Finals\OFFSITE\_ESMITS\_EX1.dwg, 6/22/2016 8:25 AM, rharper

**LEGEND**  
 H.C.M.U.D. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT  
 NO. NUMBER  
 P.O.B. POINT OF BEGINNING  
 P.O.C. POINT OF COMMENCING  
 S.E. SEWER EASEMENT

VICTOR BLANCO SURVEY, A-2

**NOTE:**  
 THIS EXHIBIT IS FOR GRAPHICAL PURPOSES ONLY IN RELATION TO THE PROPOSED BOUNDARIES SHOWN HEREON AND IS NOT A BOUNDARY SURVEY NOR SHALL IT BE CONSTRUED IN ANY WAY AS A BOUNDARY SURVEY.



CALLLED 45.14 ACRES  
 HUMBLE INDEPENDENT SCHOOL DISTRICT

REMAINDER OF A CALLED 866.00 ACRES  
 CRESCENT LHTX 2012, LLC

0.0069 ACRE  
 299 SQUARE FOOT  
 PROPOSED 20'X15' WIDE STORM S.E.

**LINE TABLE**

NUMBER	BEARING	DISTANCE
L1	S 08°09'08" E	15.00'
L2	S 81°50'52" W	20.00'
L3	N 08°09'08" W	15.00'

**CURVE TABLE**

NUMBER	ARC LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C1	362.12'	1,250.00'	16°35'55"	S 89°23'41" E	360.86'
C2	20.00'	1,250.00'	0°55'00"	N 81°50'52" E	20.00'

**EGE**  
 Brown & Gay Engineers, Inc.  
 10777 Westheimer, Suite 400, Houston, TX 77042  
 Tel: 281-488-8700 • www.browngay.com  
 TSP/LS Licensed Surveying Firm No. 10106800

**EXHIBIT OF A PROPOSED 0.0069 ACRE STORM S.E. SITUATED IN THE VICTOR BLANCO SURVEY HARRIS COUNTY, TEXAS**

ABSTRACT NO. 2  
 HARRIS COUNTY, TEXAS

Scale: 1"=100'  
 Job No.: 4083-00  
 Date: 06/2016  
 Drawing: 1 OF 1

EXHIBIT C

MADERA RUN PARKWAY  
0.0069 OF ONE ACRE  
PROPOSED 20'x15' STORM SEWER ESMT.

JUNE 20, 2016  
JOB NO. 4083-00

DESCRIPTION OF A 0.0069 ACRE TRACT OF LAND SITUATED  
IN THE VICTOR BLANCO SURVEY, ABSTRACT NO. 2  
HARRIS COUNTY, TEXAS

BEING a 0.0069 acre (301 square foot) tract of land situated in the Victor Blanco Survey, Abstract No. 2 of Harris County, Texas and being a portion of a called 45.14 acre tract of land as described in an instrument to Humble Independent School District recorded under Harris County Clerk's File Number (H.C.C.F. No.) 20150245054, and being a portion of Lot 13 of HARRIS COUNTY LAND AND IMPROVEMENT COMPANY SUBDIVISION, a subdivision per plat recorded under Volume 359, Page 570 of the Harris County Deed Records, said 0.0069 acre tract of land described by metes and bounds as follows:

**COMMENCING** at a 1/2-inch iron pipe with cap stamped "Brown & Gay" found for the Northeast corner of said 45.14 acre tract and being the beginning of a non-tangent curve to the right from which its center bears N 16° 33' 46" E, 1,250.00 feet;

**THENCE**, along and with the North line of said 45.14 acre tract, the following bearings and distances:

In a Westerly direction, along said curve to the right, a distance of 76.58 feet, having a radius of 1,250.00 feet, a central angle of 03° 30' 36" and a chord which bears N 71° 40' 56" W, 76.56 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" found for a point of tangency;

N 69° 55' 38" W, a distance of 432.51 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" found for the beginning of a tangent curve to the left;

In a Westerly direction, along said curve to the left, a distance of 561.29 feet, having a radius of 1,150.00 feet, a central angle of 27° 57' 54" and a chord which bears N 83° 54' 35" W, 555.74 feet to the Northeast corner and **POINT OF BEGINNING** of the herein described tract;

**THENCE**, over and across said 45.14 acre tract, the following bearings and distances:

S 08° 23' 25" E, a distance of 15.00 feet to the Southeast corner of the herein described tract;

S 81° 36' 35" W, a distance of 20.00 feet to the Southwest corner of the herein described tract;

N 08° 23' 25" W, a distance of 15.00 feet to the Northwest corner of the herein described tract, lying on the North line of said 45.14 acre tract, and being the beginning of a non-tangent curve to the right from which its center bears S 08° 53' 19" E, 1,150.00 feet;

**THENCE**, In an Easterly direction, along said curve to the right, a distance of 20.00 feet, having a radius of 1,150.00 feet, a central angle of 00° 59' 47" and a chord which bears N 81° 36' 35" E, 20.00 feet to the **POINT OF BEGINNING** and containing 0.0069 of one acre (301 square feet) of land.

EXHIBIT C

MADERA RUN PARKWAY  
0.0069 OF ONE ACRE  
PROPOSED 20'x15' STORM SEWER ESMT.

JUNE 20, 2016  
JOB NO. 4083-00

Bearing orientation is based on the Texas Coordinate System, South Central Zone 4204, NAD-83 and is referenced to monuments found along the North line of said 45.14 acre tract as cited herein.

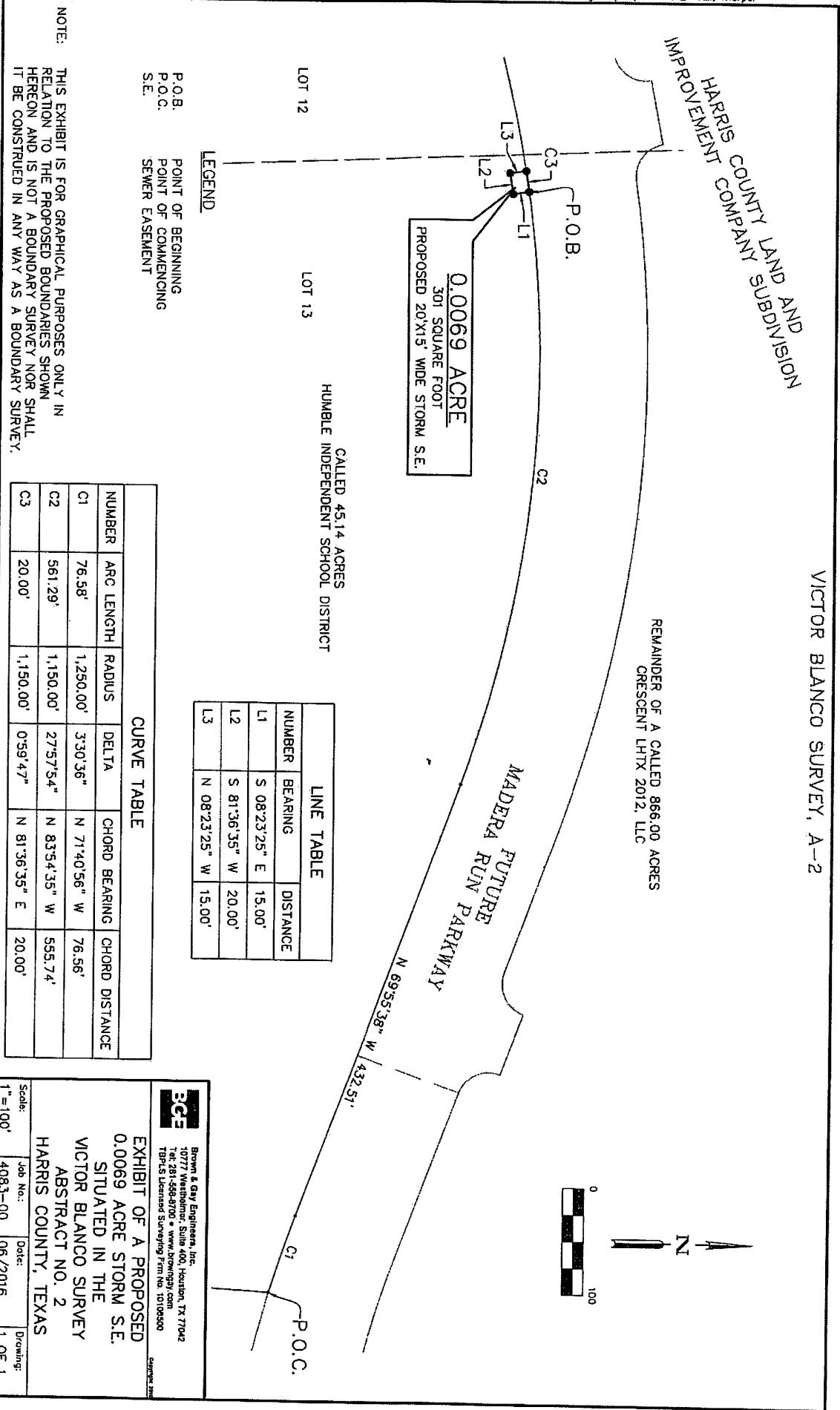
The above description is not to be used for fee conveyance.



Robert A. Harper RPLS No. 6582  
Brown & Gay Engineers, Inc.  
10777 Westheimer Road, Suite 400  
Houston, Texas 77042  
Telephone: (281) 558-8700  
TBPLS Licensed Surveying Firm No. 10106500

EXHIBIT C

X:\Districts\HCMUD504\Madera\_Run\_Parkway\_Dedication\_Sec5\_4083\06\_Survey\04\_Finals\OFFSITE\_ESMETS\_EX1.dwg, 6/22/2016 8:24 AM, rharper



0.0069 ACRE  
301 SQUARE FOOT  
PROPOSED 20'X15' WIDE STORM S.E.

LOT 12

LOT 13

CALLLED 45.14 ACRES  
HUMBLE INDEPENDENT SCHOOL DISTRICT

REMAINDER OF A CALLED 866.00 ACRES  
CRESCENT LHTX 2012, LLC

VICTOR BLANCO SURVEY, A-2

HARRIS COUNTY LAND AND  
IMPROVEMENT COMPANY SUBDIVISION

FUTURE  
MADERA RUN PARKWAY

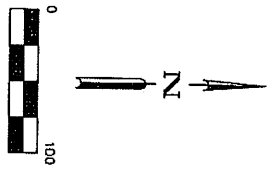
LINE TABLE			
NUMBER	BEARING	DISTANCE	
L1	S 08°23'25" E	15.00'	
L2	S 81°36'35" W	20.00'	
L3	N 08°23'25" W	15.00'	

CURVE TABLE

NUMBER	ARC LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C1	76.58'	1,250.00'	3°30'36"	N 71°40'56" W	76.56'
C2	561.29'	1,150.00'	27°57'54"	N 83°54'35" W	555.74'
C3	20.00'	1,150.00'	0°59'47"	N 81°36'35" E	20.00'

NOTE: THIS EXHIBIT IS FOR GRAPHICAL PURPOSES ONLY IN RELATION TO THE PROPOSED BOUNDARIES SHOWN HEREON AND IS NOT A BOUNDARY SURVEY NOR SHALL IT BE CONSTRUED IN ANY WAY AS A BOUNDARY SURVEY.

P.O.B.  
P.O.C.  
S.E.  
POINT OF BEGINNING  
POINT OF COMMENCING  
SEWER EASEMENT



Brown & Gay Engineers, Inc.  
10777 Westheimer, Suite 400, Houston, TX 77042  
Tel: 281-558-8700 • www.browngay.com  
TBP&LS Licensed Surveying Firm No. 10106000

EXHIBIT OF A PROPOSED  
0.0069 ACRE STORM S.E.  
SITUATED IN THE  
VICTOR BLANCO SURVEY  
ABSTRACT NO. 2  
HARRIS COUNTY, TEXAS

Scale: 1" = 100'  
Job No.: 4083-00  
Date: 06/2016  
Drawing: 1 OF 1

**WATER LINE EASEMENT  
(0.2091 Acre)**

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

**THE STATE OF TEXAS  
COUNTY OF HARRIS**

**§  
§  
§**

**KNOW ALL BY THESE PRESENTS:**

THAT **HUMBLE INDEPENDENT SCHOOL DISTRICT** ("Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has GRANTED, SOLD, AND CONVEYED and, by these presents, does GRANT, SELL, AND CONVEY unto **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 504**, a political subdivision of the State of Texas, its successors and assigns ("Grantee"), a permanent and perpetual non-exclusive easement and right-of-way (the "Easement") for the laying, construction, installation, maintenance, repair, relocation, replacement, removal, modification and operation of water lines and all related connections and appurtenances (collectively, the "Facilities") across, along, under, over, upon and through that certain tract of land located in Harris County, Texas, containing 0.2091 acre, as more particularly described and shown in **Exhibit A** attached hereto and incorporated herein for all purposes (the "Easement Tract").

Grantee may lay, construct, install, maintain, repair, relocate, replace, remove, modify and operate the Facilities across, along, under, over, upon and through the Easement Tract, and may enter upon the Easement Tract to engage in all activities as may be necessary, requisite, convenient, or appropriate in connection therewith. Grantee's rights shall include, without limitation, the right to clear and remove trees, growth, shrubbery, and other improvements from within the Easement Tract and the right to bring and operate such equipment on the Easement Tract as may be necessary, requisite, convenient, or appropriate to effectuate the purposes for which the Easement is granted. Subject to the rights granted to Grantee herein, Grantee will, at all times after doing any work in connection with the Easement, restore the surface of the Easement Tract (and Grantor's permitted sidewalks and driveways thereon) as nearly as reasonably practicable to substantially its condition prior to the undertaking of such work; provided, however, that Grantee shall not be obligated to replace or restore any trees, growth, shrubbery, or other improvements or obstructions (except for those

permitted sidewalks and driveways of Grantor, as discussed below) removed from within the Easement Tract in connection with the construction, installation, repair, maintenance, relocation, replacement, removal, upgrade, change in the size of, operation, placement, inspection, protection, or alteration of the Facilities. Grantee shall remove, at Grantee's expense, trash and debris, as well as any dirt, earth, or other material excavated from the Easement Tract in connection with Grantee's construction, operation, or maintenance of the Facilities that is not used in connection with Grantee's activities hereunder.

Grantee shall be solely responsible, at Grantee's sole cost and expense, for the maintenance of the Facilities.

Subject to the limitations set forth herein, Grantor expressly reserves the right to the use and enjoyment of the surface of the Easement Tract for any and all purposes, provided, however, that such use and enjoyment of the surface of the Easement Tract shall not unreasonably interfere with, obstruct, or restrict the full and complete use and enjoyment of the Easement for the purposes set forth herein. Notwithstanding anything herein to the contrary, Grantor shall not, without the prior written consent of Grantee, which consent shall not be unreasonably denied or delayed, (i) construct or place or allow to be constructed or placed, any fences, houses, buildings, structures, pavement, or other above-ground improvements (other than sidewalks and driveways, as provided below) or other obstructions, whether temporary or permanent, or plant or locate any trees, vegetation, or shrubs on the Easement Tract; (ii) install or permit the installation of pipelines or other underground facilities within the Easement Tract; (iii) dedicate other easements within the Easement Tract (other than utility easements, as provided below); or (iv) change the grade over the Facilities constructed under the Easement Tract. If Grantor constructs, places, installs, or permits any construction, placement, or installation that unreasonably interferes with, obstructs, or restricts Grantee's full and complete use and enjoyment of the Easement for the purposes set forth herein, Grantee shall have the right to prevent or remove such obstructions, at Grantor's sole cost and expense without any obligation to restore the same or any liability to Grantor.

Notwithstanding anything in this instrument to the contrary, Grantor reserves the right to construct or locate sidewalks and driveways (paved and unpaved) upon the surface of the Easement Tract, and may construct utility facilities across the Easement Tract (as distinguished from along the length of the Easement Tract) and may grant easements for such utility facilities, without the prior written consent of Grantee but with prior written notice given by Grantor to Grantee (which notice shall include a copy of the plans for such sidewalks, driveways, and utilities and the location of same within the Easement Tract). Grantor agrees to coordinate any such construction and installation with Grantee to insure the integrity of Grantee's Facilities located within the

Easement Tract. Any such sidewalks, driveways, and utilities shall not damage or otherwise unreasonably interfere with the Facilities, and Grantor shall be responsible for any such damage to the Facilities resulting from Grantor's sidewalk, driveways, or utility work or the use and existence of such sidewalks and driveways and Grantor's utilities. Grantor shall be responsible, at its cost, for maintaining all such sidewalks and driveways and its utilities in good repair and condition.

Grantor reserves all oil, gas, and other minerals in, on, or under the Easement Tract, but waives all right to use the surface of the Easement Tract for, and all rights of ingress and egress for, the purpose of exploring, developing, mining, or drilling for the same; provided, however, that nothing herein shall prohibit or in any manner restrict the right of Grantor to extract oil, gas, and other minerals from and under the Easement Tract by directional drilling or other means that does not interfere with or disturb the surface of the Easement Tract or Grantee's use of the Easement Tract for the purposes set forth herein.

This conveyance is further made subject to any and all restrictions, covenants, easements, rights-of-way, encumbrances, and mineral or royalty reservations or interests affecting the Easement Tract and appearing of record in the Official Public Records of Real Property of Harris County, Texas, to the extent in effect and validly enforceable against the Easement Tract (the "Permitted Encumbrances"); provided, however, to the extent that Grantor has the ability to enforce any of the Permitted Encumbrances, Grantor will not do so in a manner that would unreasonably prejudice or interfere with Grantee's exercise of its rights in the Easement and use of the Easement Tract for the purposes set forth herein.

TO HAVE AND TO HOLD, subject to the matters set forth herein and the Permitted Encumbrances, the Easement, together with, all and singular, the rights and appurtenances thereto in any wise belonging, including all necessary rights to ingress, egress, and regress, unto Grantee, its successors and assigns, forever. Grantor does hereby bind itself and its successors and assigns to WARRANT AND FOREVER DEFEND, all and singular, the Easement and right-of-way and other rights described herein unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through, or under Grantor, but not otherwise.

The covenants and agreements contained herein shall run with the land and shall inure to the benefit of and shall be binding upon Grantor and Grantee and their respective successors and assigns.



The prevailing party in any suit, action, or other proceeding instituted in connection with any controversy arising out of this instrument or the Easement shall be entitled to recover its reasonable attorneys' fees from the other party.

The individuals signing this instrument on behalf of Grantor and Grantee represent that he/she has the requisite authority to bind Grantor and Grantee, respectively.

Neither party's failure to insist on strict performance of any part of this instrument shall be construed as a waiver of the performance in any other instance.

This instrument shall be interpreted and construed in accordance with the laws of the State of Texas, without regard to conflict of laws, principles, and venue for any suit, action, or proceeding instituted in connection with any controversy arising out of this instrument or the Easement shall be the state courts situated in Harris County, Texas.

This instrument may be executed in multiple counterparts, each of which shall be deemed an original, and all of which, taken together, shall constitute one instrument.

Grantee's address is c/o Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2600, Houston, Texas 77027.

*[Signature pages follow this page.]*

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**GRANTOR:**

**HUMBLE INDEPENDENT  
SCHOOL DISTRICT**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF TEXAS §

§

COUNTY OF \_\_\_\_\_ §

This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by \_\_\_\_\_, acting in his/her capacity as \_\_\_\_\_ of and on behalf HUMBLE INDEPENDENT SCHOOL DISTRICT.

\_\_\_\_\_  
Notary Public, State of Texas

(PLACE NOTARY SEAL ABOVE)



**Attachment:**

Exhibit A – Description and Sketch of Easement Tract

**After recording, please return to:**

Jeanette Harris

Allen Boone Humphries Robinson LLP

3200 Southwest Freeway, Suite 2600

Houston, Texas 77027

EXHIBIT A

MADERA RUN PARKWAY  
0.2091 OF ONE ACRE  
PROPOSED 5' WATERLINE ESMT.

JUNE 20, 2016  
JOB NO. 4083-00

DESCRIPTION OF A 0.2091 ACRE TRACT OF LAND SITUATED  
IN THE VICTOR BLANCO SURVEY, ABSTRACT NO. 2  
HARRIS COUNTY, TEXAS

BEING a 0.2091 acre (9,110 square foot) tract of land situated in the Victor Blanco Survey, Abstract No. 2 of Harris County, Texas and being a portion of a called 45.14 acre tract of land as described in an instrument to Humble Independent School District recorded under Harris County Clerk's File Number (H.C.C.F. No.) 20150245054, and being a portion of Lots 12 and 13 of HARRIS COUNTY LAND AND IMPROVEMENT COMPANY SUBDIVISION, a subdivision per plat recorded under Volume 359, Page 570 of the Harris County Deed Records, said 0.2091 acre tract of land described by metes and bounds as follows:

**BEGINNING** at a 1/2-inch iron pipe with cap stamped "Brown & Gay" found for the most Northerly Northwest corner of said 45.14 acre tract, same being the Northwest corner of the herein described tract;

**THENCE**, along and with the North line of said 45.14 acre tract, the following bearings and distances:

S 81° 05' 43" E, a distance of 307.69 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" found for the beginning of a tangent curve to the left;

In an Easterly direction, along said curve to the left, a distance of 537.08 feet, having a radius of 1,250.00 feet, a central angle of 24° 37' 05" and a chord which bears N 86° 35' 44" E, 532.96 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" found for a point of tangency;

N 74° 17' 11" E, a distance of 247.26 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" found for the beginning of a tangent curve to the right;

In an Easterly direction, along said curve to the right, a distance of 718.28 feet, having a radius of 1,150.00 feet, a central angle of 35° 47' 11" and a chord which bears S 87° 49' 13" E, 706.66 feet to the Northeast corner of the herein described tract;

**THENCE**, S 20° 04' 22" W, a distance of 5.00 feet over and across said 45.14 acre tract to the Southeast corner of the herein described tract, same being the beginning of a non-tangent curve to the left from which its center bears S 20° 04' 22" W, 1,145.00 feet;

**THENCE**, continuing over and across said 45.14 acre tract, and being 5-feet South of and parallel to the North line of said 45.14 acre tract, the following bearings and distances:

In a Westerly direction, along said curve to the left, a distance of 715.16 feet, having a radius of 1,145.00 feet, a central angle of 35° 47' 11" and a chord which bears N 87° 49' 13" W, 703.59 feet to a point for corner;

S 74° 17' 11" W, a distance of 247.26 feet to a point for corner;

In a Westerly direction, along said curve to the right, a distance of 539.23 feet, having a radius of 1,255.00 feet, a central angle of 24° 37' 05" and a chord which bears S 86° 35' 44" W, 535.09 feet to a point for corner;

EXHIBIT A

MADERA RUN PARKWAY  
0.2091 OF ONE ACRE  
PROPOSED 5' WATERLINE ESMT.

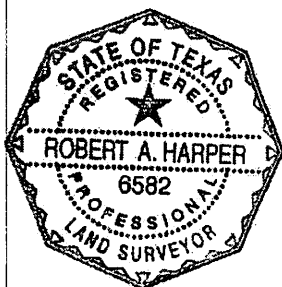
JUNE 20, 2016  
JOB NO. 4083-00

N 81°05'43" W, a distance of 325.72 feet to the Southwest corner of the herein described tract, lying on the Northwest line of said 45.14 acre tract, same being the beginning of a non-tangent curve to the right from which its center bears N 22° 05' 53" W, 35.00 feet;

THENCE, In an Easterly direction, along and with said Northwest line and said curve to the right, a distance of 18.94 feet, having a radius of 35.00 feet, a central angle of 31°00'10" and a chord which bears N 83° 24' 12" E, 18.71 feet to the **POINT OF BEGINNING** and containing 0.2091 of one acre (9,110 square feet) of land.

Bearing orientation is based on the Texas Coordinate System, South Central Zone 4204, NAD-83 and is referenced to monuments found along the North line of said 45.14 acre tract as cited herein.

The above description is not to be used for fee conveyance.



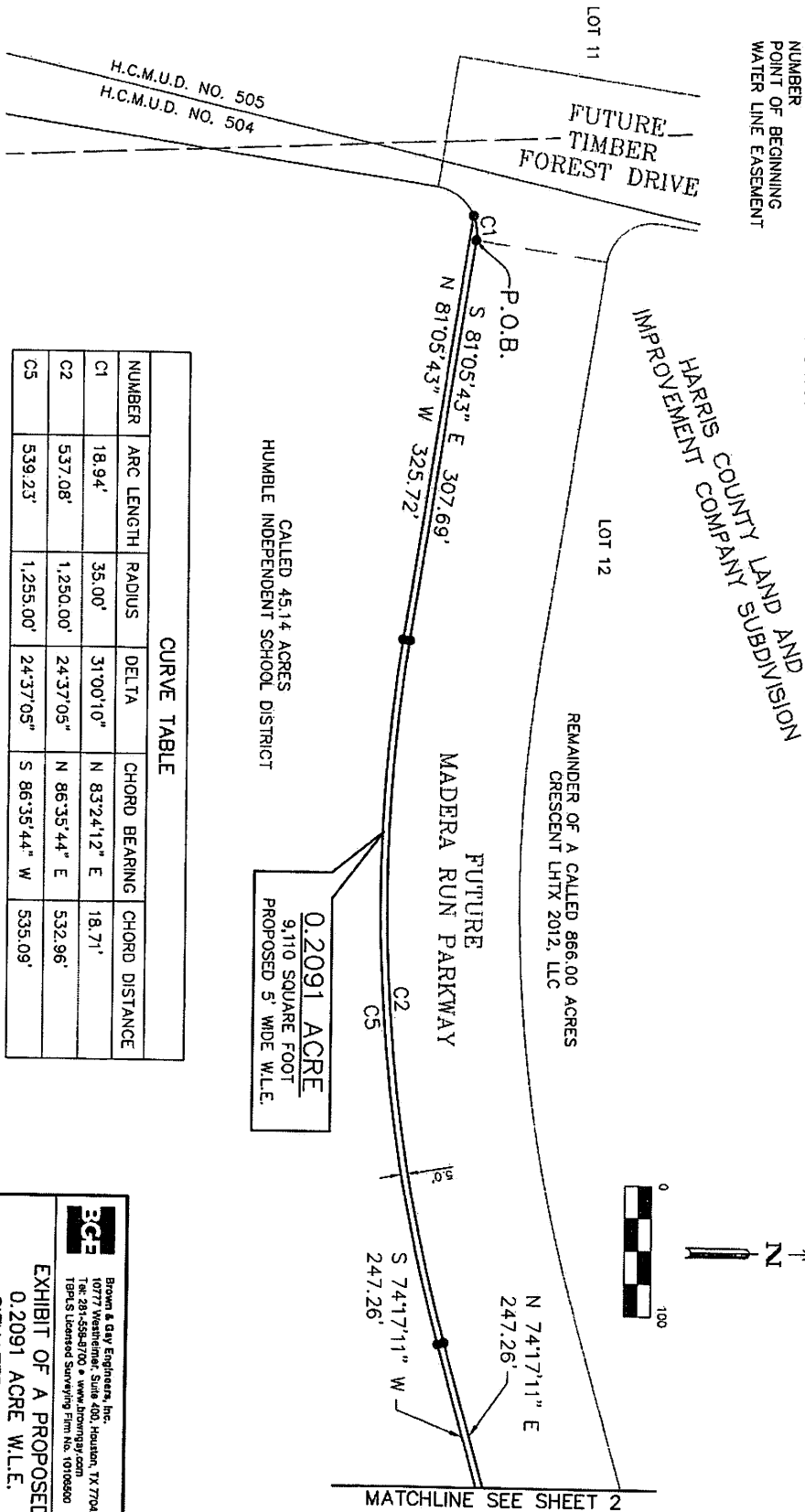
A handwritten signature in black ink, appearing to read "Robert A. Harper".

Robert A. Harper RPLS No. 6582  
Brown & Gay Engineers, Inc.  
10777 Westheimer Road, Suite 400  
Houston, Texas 77042  
Telephone: (281) 558-8700  
TBPLS Licensed Surveying Firm No. 10106500

**EXHIBIT A**

**LEGEND**  
 H.C.M.U.D. NUMBER HARRIS COUNTY MUNICIPAL UTILITY DISTRICT  
 P.O.B. POINT OF BEGINNING  
 W.L.E. WATER LINE EASEMENT

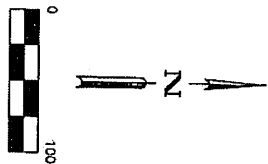
VICTOR BLANCO SURVEY, A-2



**CURVE TABLE**

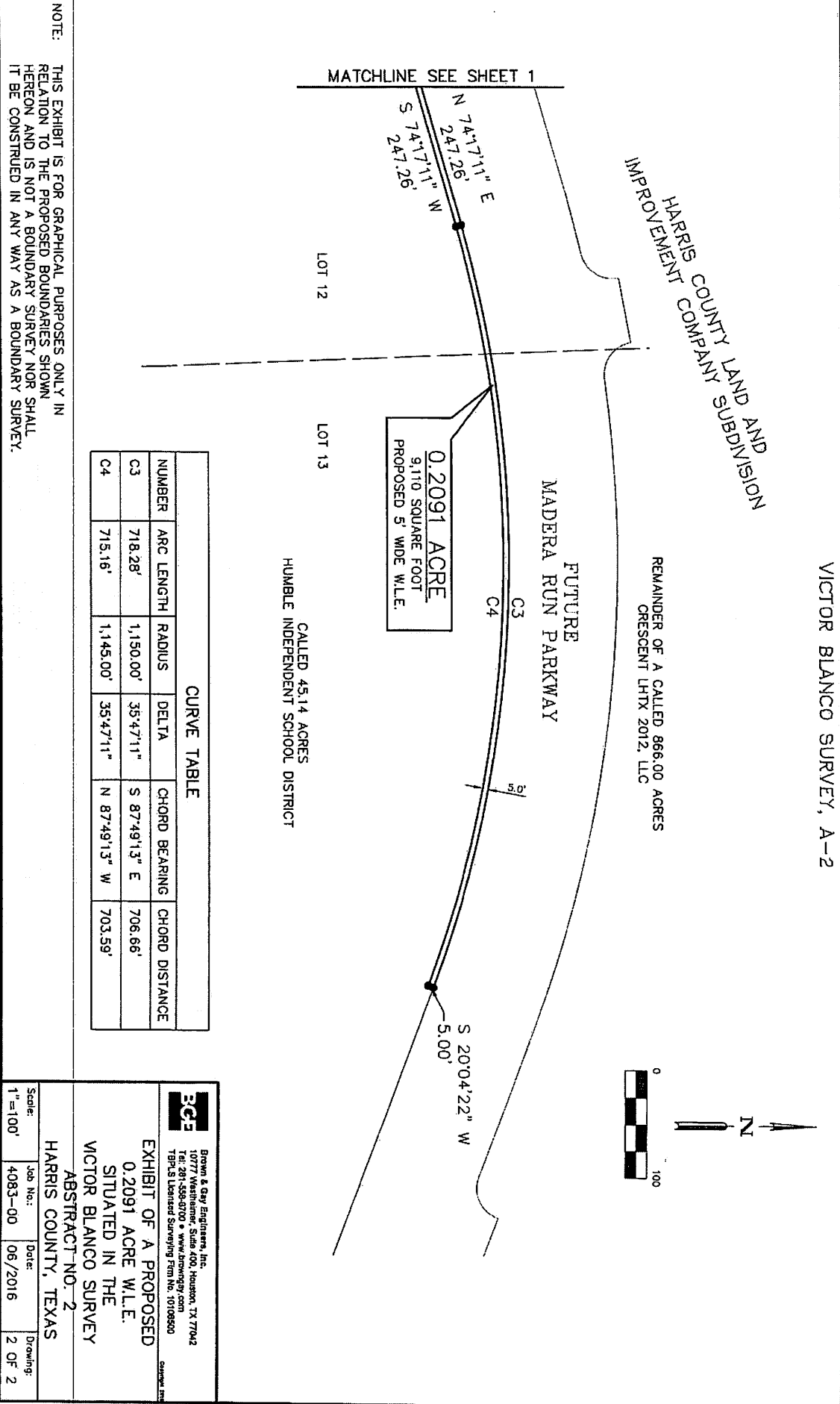
NUMBER	ARC LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C1	18.94'	35.00'	31°00'10"	N 83°24'12" E	18.71'
C2	537.08'	1,250.00'	24°37'05"	N 86°35'44" E	532.96'
C5	539.23'	1,255.00'	24°37'05"	S 86°35'44" W	535.09'

**NOTE:** THIS EXHIBIT IS FOR GRAPHICAL PURPOSES ONLY IN RELATION TO THE PROPOSED BOUNDARIES SHOWN HEREON AND IS NOT A BOUNDARY SURVEY NOR SHALL IT BE CONSTRUED IN ANY WAY AS A BOUNDARY SURVEY.




<p>Brown &amp; Gray Engineers, Inc.                  10777 Westheimer, Suite 400, Houston, TX 77042                  Tel: 281-558-8700 • www.browning.com                  TSPS: Licensed Surveying Firm No. 10106560</p>			
<p><b>EXHIBIT OF A PROPOSED                  0.2091 ACRE W.L.E.                  SITUATED IN THE                  VICTOR BLANCO SURVEY                  ABSTRACT NO. 2                  HARRIS COUNTY, TEXAS</b></p>			
Scale: 1"=100'	Job No.: 4083-00	Date: 06/2016	Drawing: 1 OF 2

**EXHIBIT A**



CURVE TABLE					
NUMBER	ARC LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C3	718.28'	1,150.00'	35°47'11"	S 87°49'13" E	706.66'
C4	715.16'	1,145.00'	35°47'11"	N 87°49'13" W	703.59'

NOTE: THIS EXHIBIT IS FOR GRAPHICAL PURPOSES ONLY IN RELATION TO THE PROPOSED BOUNDARIES SHOWN HEREON AND IS NOT A BOUNDARY SURVEY NOR SHALL IT BE CONSTRUED IN ANY WAY AS A BOUNDARY SURVEY.



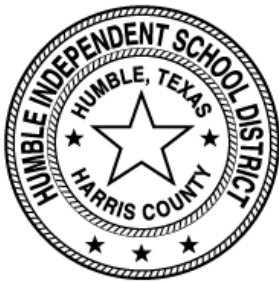
**Brown & Gray Engineers, Inc.**  
 10777 Westheimer, Suite 400, Houston, TX 77042  
 Telephone: 281-419-7000, www.browngrey.com  
 TPI-25 Licensed Surveying Firm No. 10109800

**EXHIBIT OF A PROPOSED 0.2091 ACRE W.L.E. SITUATED IN THE VICTOR BLANCO SURVEY**

**ABSTRACT-NO. 2**  
**HARRIS COUNTY, TEXAS**

Scale: 1"=100'	Job No.: 4083-00	Date: 06/2016	Drawing: 2 OF 2
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# Board of Trustees Agenda Item

**Meeting Date: August 9, 2016**

**Meeting Type**

- Regular Meeting
- Special Meeting/  
Workshop

**Agenda Placement**

- |  |   |
|--|---|
| <input type="checkbox"/> Governance                  | <input type="checkbox"/> Human Resources Department |
| <input type="checkbox"/> Superintendent's Division   | <input type="checkbox"/> Support Services Division  |
| <input type="checkbox"/> Learning Division           | <input checked="" type="checkbox"/> District-Wide   |
| <input type="checkbox"/> Financial Services Division |   |

**Agenda Item Type**

- Action Item

**District Pillars (Check All That Apply):**

- Student Achievement – Prepare Students to be College and Career Ready
- Service – Provide Quality Service to Internal and External Customers
- People – Provide a Quality Work Environment So Every Employee can Perform at the Highest Levels
- Finance – Create Efficiencies at All Levels of the Organization

**Title: Goods, Professional Services, and Non-Construction Services Exceeding \$50,000 in the Aggregate or \$25,000 Individually**

**Recommended Action:** The Superintendent recommends that the Board of Trustees approve the listing of vendors and related estimated total annual costs for contract awards and renewals from which the District will purchase goods, professional services and/or non-construction services that are estimated to exceed \$50,000 in the aggregate or \$25,000 individually for the 2016-17 fiscal year.

**Board Policy/State Regulation/Law Reference (If Applicable):** Board Policy CH(LOCAL)

**Overview:** In accordance with Board Policy CH (LOCAL), the Board shall approve all District contracts for purchases of goods and/or services that aggregate to a value of \$50,000 or higher in a fiscal year and any single item purchased at a value of \$25,000 or greater before a transaction may take place.

By approving the vendors included within this agenda item, the Board of Trustees will authorize the Superintendent and Administration to negotiate and execute those contracts and agreements necessary to provide the goods and/or services to the District without the need to return to the Board for any further authorization or approval.

**Fiscal Impact Statement:** Funding will be provided within the established budgets for the 2016-17 fiscal year.

**Attachments:** Listing of Goods, Professional Services and Non-Construction Services Exceeding \$50,000 in the Aggregate or \$25,000 Individually

**Department Submitting Form:** Purchasing Department

**Division Approval:** Elizabeth Fagen, Tommy Price, Roger Brown

**Date Submitted:** August 1, 2016

**Listing of Goods, Professional Services and Non-Construction Services Exceeding \$50,000 in the Aggregate and/or \$25,000 Individually\***

Vendor Name	Type of Purchase	Commitment Period	Purchasing Method	Budgetary Code(s)	Requesting Campus/Department	Estimated Total Annual Cost
<b>Contract Awards: 2016-17</b>						
BEDFORD, FREEMAN & WORTH	INSTRUCTIONAL MATERIALS	2016-2017 FISCAL YEAR	RFP 2015-001	410-11-6321-00-884-11-0000-884-4106A	ACADEMICS	\$ 100,000
NO TEARS (HANDWRITING W/OUT TEARS)	INSTRUCTIONAL MATERIALS	2016-2017 FISCAL YEAR	SOLE SOURCE	410-11-6399-00-884-11-0000-884-4106A	ACADEMICS	\$ 150,000
RELIABLE CHEVROLET	7 POLICE VEHICLES	2016-2017 FISCAL YEAR	TARRANT COUNTY PURCHASING COOPERATIVE CONTRACT # 2016-006	199-52-6631-00-901-99-0000-901	POLICE DEPARTMENT	\$ 244,476
RELIABLE CHEVROLET	1 POLICE VEHICLE	2016-2017 FISCAL YEAR	TARRANT COUNTY PURCHASING COOPERATIVE CONTRACT # 2016-006	199-52-6631-00-901-99-0000-901	POLICE DEPARTMENT	\$ 35,391
<b>Contract Renewals: 2016-17</b>						
<b>Revised Annual Estimates for 2016-17:</b>						
Vendor Name	Requesting Campus/Department	Type of Purchase	Budgetary Code(s)	Most Recent Board Approved Estimate	Estimated Increase	Revised Total Annual Cost
HOUGHTON MIFFLIN HARCOURT (HEINEMAN) (PREVIOUSLY REQUESTED BY ADVANCED ACADEMICS AND ACADEMICS/SECONDARY ELAR)	ACADEMICS	INSTRUCTIONAL MATERIALS	410-11-6399-00-884-11-0000-884-4106A AND 410-11-6321-00-884-11-0000-884-4106A	\$ 105,000	\$ 125,000	\$ 230,000
NWN CORPORATION (18063)	ISC/TECHNOLOGY SERVICES	DATA REFRESH MIDDLE AND HIGH SCHOOLS	199-53-6639-00-xxx-99-A028-727	\$ 1,600,000	\$ 500,000	\$ 2,100,000
PEARSON (PREVIOUSLY REQUESTED BY EDUCATION SUPPORT SERVICES)	ACADEMICS	INSTRUCTIONAL MATERIALS	410-11-6399-00-884-11-0000-884-4106A AND 410-11-6321-00-884-11-0000-884-	\$ 100,000	\$ 300,000	\$ 400,000
SOUTHERN ICE CREAM HCDE CHOICE PARTNERS COOPERATIVE	CHILD NUTRITION	HERSHEY'S ICE CREAM REPLACING BLUE BELL	240-35-6341-00-XXX-99-0000-990	\$ 30,000	\$ 190,000	\$ 220,000
WASTE MANAGEMENT HCDE CHOICE PARTNERS COOPERATIVE	SUPPORT SERVICES - MAINTENANCE, CONSTRUCTION AND CHILD NUTRITION	WASTE MANAGEMENT SERVICES FOR 2016-17	199-51-6299-WM-905-99-000-905 240-51-6259-WM-990-99-0000-990	\$ 120,000	\$ 405,000	\$ 525,000

\* Actual budgetary codes and any applicable budgetary amendments have been provided to the Budget Department