



North East Independent School District

8961 Tesoro Drive, San Antonio, Texas 78217

NOTICE OF MEETING OF THE BOARD OF TRUSTEES

Notice is hereby given that a meeting of the Board of Trustees of the North East Independent School District will be held on February 13, 2023. The Board will convene in Open Session at 5:30 PM, then move into Executive Session and resume the public portion of the meeting no earlier than 6:15 PM. The Board will meet on the first floor of the Richard A. Middleton Education Center, 8961 Tesoro Drive, San Antonio, Texas 78217. Such meeting is a regular meeting.

The open session portion of the meeting is livestreamed, and members of the public may view the meeting by going to the North East Independent School District's YouTube channel. Click the link below or type it into your browser.

<https://www.youtube.com/c/NEISDtv>

Items will not necessarily be discussed or considered in the order they are printed. Anyone wishing exhibit information in accordance with Local Board Policy GBA, must contact the Public Information Officer.

MISSION STATEMENT

We challenge and encourage each student to achieve and demonstrate academic excellence, technical skills, and responsible citizenship.

I. ESTABLISHMENT OF QUORUM AND CALL TO ORDER

II. EXECUTIVE SESSION

- A. Personnel, including but not limited to Administrative Appointments pursuant to Government Code Section 551.074
 - 1. Routine Personnel including but not limited to Administrative Appointments
 - a. Assistant Principal of Northern Hills Elementary School
 - b. Assistant Principal of Wood Middle School
 - 2. Proposed Recommendation for Termination of Chapter 21 Term Contract Employee(s)
 - 3. Discussion Regarding Duties of Personnel Related to Survey
 - 4. Follow Up Discussion Regarding Participation of Board Member in Outside Event
- B. Discussion Regarding Intruder Detection Security Audit pursuant to Government Code Section 551.076
- C. Consultation with Board's Attorney pursuant to Government Code Section 551.071
 - 1. Pending and/or Possible Litigation

III. RECONVENE INTO OPEN SESSION

IV. WELCOME FROM THE BOARD PRESIDENT

V. INVOCATION AND PLEDGE OF ALLEGIANCE

- A. Ed White Middle School
Presenter: Fernando Ruiz, Principal

VI. RECOGNITIONS

A. President's Remarks on Acknowledgement of Special Calendar Events	
VII. MATTERS FROM THE FLOOR	
VIII. MATTERS FROM EXECUTIVE SESSION	
A. Personnel Including but not Limited to Administrative Appointments pursuant to Government Code Section 551.074	
1. Possible Action Regarding Routine Personnel including but not limited to Administrative Appointments	4
Presenter: Rudy Jimenez, Chief of Schools and Leadership	
a. Assistant Principal of Northern Hills Elementary School	
b. Assistant Principal of Wood Middle School	
2. Possible Action Regarding Proposed Recommendation for Termination of Chapter 21 Term Contract Employee(s)	5
Presenter: Rudy Jimenez, Chief of Schools and Leadership	
IX. PRESENTATIONS	
A. Intruder Detection Audit by Texas School Safety Center	
X. NEW BUSINESS FOR POSSIBLE BOARD ACTION	
A. Board Policy	
1. Possible Action Regarding Board Policy Update 120	6
Presenter: Sean Maika, Superintendent of Schools	
B. Campus Administration	
1. Possible Action Regarding Wage Payments During School Closure	25
Presenter: Rudy Jimenez, Chief of Schools and Leadership	
C. Instruction	
1. Possible Action Regarding 2023-2024 Proposed Calendar for Academy of Creative Education and Castle Hills Elementary	27
Presenter: Anthony Jarrett, Chief Instructional Officer	
2. Possible Action Regarding 2023-2024 Extended School Year Calendar for Jackson-Keller, Larkspur, and Serna Elementary Schools	28
Presenter: Anthony Jarrett, Chief Instructional Officer	
D. Business Services	
1. Possible Action Regarding Wage Payments During School Closure	29
Presenter: Dan Villarreal, Chief Financial Officer	
2. Possible Action Regarding Payment to the Texas State Florists' Association	31
Presenter: Dan Villarreal, Chief Financial Officer	
E. Consent	
1. Business Services	
a. 50K Purchases	34
2. Operations	
a. 2023 Annual Construction Prevailing Wage Rates Approval for North East ISD Construction Programs	36
3. Minutes from January 2023	
4. End of Consent	
XI. REPORTS	
A. Interim Financial and Management Reports	
B. 2nd Quarter Investment Report	

- C. Awarded Bid Report
- D. Open Records Request Report

XII. DISCUSSION AND POSSIBLE ACTION REGARDING BOARD MEMBERS' REQUEST(S) FOR ITEM(S) TO BE PLACED ON A FUTURE AGENDA AND/OR REQUEST(S) FOR REPORT(S) FROM THE ADMINISTRATION

XIII. ADJOURNMENT

If, during the course of the meeting, discussion of any item on the agenda should be held in an Executive or Closed Session, the Board will convene in such Executive or Closed Session in accordance with the Open Meetings Act, Texas Government Code, Section 551.071, 551.072, and 551.074.

CERTIFICATE AS TO POSTING OR GIVING OF NOTICE

On this 10th day of February, no later than 5:30 PM, this notice was posted on a bulletin board located at a place readily accessible and convenient to the public at the Richard A. Middleton Education Center, 8961 Tesoro Drive, San Antonio, Texas.

The North East Independent School District does not discriminate on the basis of race, color, religion, gender, national origin, age or disability



NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: February 13, 2023

Presenter: Rudy Jimenez
Chyla Whitton, Executive
Director for Human
Resources

Subject: Employment of Personnel
New Hires

Related Page(s): None

ACTION ITEM

BACKGROUND INFORMATION

Policy DC (LOCAL) states: "The Superintendent has sole authority to make recommendations to the Board regarding the selection of contractual personnel in the following categories: central office administrator from the director level and above and campus administrator, including principals and assistant principals." Final authority for employment of contractual personnel in these categories shall be retained by the Board.

ADMINISTRATIVE CONSIDERATION

Campus personnel are recommended for employment by campus principals in accordance with TEC § 11.202(b). All other personnel are recommended by appropriate supervisors. In both cases, the candidate deemed "best qualified" has been selected.

BUDGETARY CONSIDERATION

New hires associated with replacement of personnel have been budgeted prior to the hiring process. New hires associated with recently established positions are covered by a contingency fund established by the Board for this purpose. Should the cost of such positions exceed the funds so budgeted, then a separate budget amendment is brought before the Board prior to additional positions being filled.

ADMINISTRATIVE RECOMMENDATION

It is recommended that the Board of Trustees of the North East Independent School District approve the hiring of new personnel as presented.

BOARD ACTION REQUIRED

Approval/Disapproval



NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: February 13, 2023

Presenter: Rudy Jimenez
Chyla Whitton
Executive Director,
Human Resources

Subject: Proposed Recommendation
For Termination of Chapter 21
Term Contract Employee(s)

Related Page(s): None

ACTION ITEM

BACKGROUND INFORMATION

In accordance with the Texas Education Code § 21.211(a) and Board Policy DFBA (Legal) "A board may terminate a term contract and discharge a term contract employee at any time for: (1) Good cause as determined by the board."

ADMINISTRATIVE CONSIDERATION

Formal approval of the proposed recommendation for termination of Chapter 21 Term contract employee(s) by the Board of Trustees is required.

BUDGETARY CONSIDERATION

Money is budgeted each year in the appropriate accounts for potential Chapter 21 hearings before Hearing Examiners.

ADMINISTRATIVE RECOMMENDATION

It is recommended that the Board of Trustees of the North East Independent School District approve the proposed termination of the identified employee(s) Chapter 21 Term contract(s) discussed in executive session and notify the employee(s) of the proposed action to include the grounds for the action.

BOARD ACTION REQUIRED

Approval/Disapproval



NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: February 13, 2023

Presenter: Sean Maika
Superintendent

Subject: Board Policy Update 120

Related Page(s): Attachments

ACTION ITEM

BACKGROUND INFORMATION

Update 120 includes revisions to legal policies based on updates to the Texas Administrative Code. Recommended changes to local policies address the following topics:

- | | |
|--|--------------------|
| State and Federal Revenue Sources | Emergency Plans |
| Student and Parent Complaints/Grievances | Student Discipline |

Please note that (LEGAL) policies reflect the ever-changing legal context for governance and management of the district and provide the legal framework for key areas of district operations. They should not be adopted, but rather, should inform local decision making.

The (LOCAL) policy recommendations in this update require close attention by both the administration and the board to ensure that the policies reflect the practices of the district and the intentions of the board. Board action is needed to adopt, revise, or repeal (LOCAL) policy.

ADMINISTRATIVE RECOMMENDATION

While most of the policies included in this update are (LEGAL) policies, the update recommends the Board add, revise, or delete four (4) (LOCAL) policies. The following (LOCAL) policies are presented to the Board for consideration.

CB (LOCAL) Revise	State and Federal Revenue Sources	FNG (LOCAL) Revise	Student Rights and Responsibilities: Student and Parent Complaints/Grievances
CKC (LOCAL) Revise	Safety Program/Risk Management: Emergency Plans	FO (LOCAL) Revise	Student Discipline

RECOMMENDATION

It is recommended that the Board approve the above-listed local policies included in Update 120 with the additional revisions to FNG (LOCAL) correctly identifying the title of the applicable administrator as the executive director of “pupil personnel”.

BOARD ACTION REQUIRED

Approval/Disapproval

Explanatory Notes

TASB Localized Policy Manual Update 120

North East ISD

AIC(LLEGAL) ACCOUNTABILITY: INTERVENTIONS AND SANCTIONS

Revised Administrative Code rules, effective June 7, 2022, and reflected on pages 7–8, address the requirements for local improvement plans by certain districts or campuses assigned a D rating. The rules also address modification of a campus turnaround plan due to a change in circumstances. (See page 15.)

Other revisions reflect changes to citations of Administrative Code rules.

AIE(LLEGAL) ACCOUNTABILITY: INVESTIGATIONS

A new Note on page 3 references recently revised Administrative Code rules regarding an informal review or hearing following a TEA investigation.

An existing Administrative Code provision regarding compliance investigations has been added on page 5.

BBD(LLEGAL) BOARD MEMBERS: TRAINING AND ORIENTATION

A new Administrative Code rule, effective May 31, 2022, requiring board members to complete training on school safety has been added on page 8.

BE(LLEGAL) BOARD MEETINGS

Changes prompted by new and revised Administrative Code rules regarding board meetings by videoconference, effective September 15, 2022, are reflected on pages 9–10.

CB(LOCAL) STATE AND FEDERAL REVENUE SOURCES

As recommended by TEA, newly recommended text requires the district to give public notice of federal grant applications by providing information at board meetings and publishing information on the district's website. The new text also affirms that the district will comply with requirements for receiving public input regarding such applications.

Further, the policy authorizes the superintendent to approve the plan for use of the grant or award. If the board retains authority to approve any plans for use of federal grants, please contact your policy consultant for appropriate revisions.

CCGA(LLEGAL) AD VALOREM TAXES: EXEMPTIONS AND PAYMENTS

Citations to a new Administrative Code rule addressing installment payment of taxes on property not directly damaged in a disaster or emergency area are included on page 9.

CFA(LLEGAL) ACCOUNTING: FINANCIAL REPORTS AND STATEMENTS

Revisions reflect the adoption of version 18.0 of the *Financial Accountability System Resource Guide*.

CFC(LLEGAL) ACCOUNTING: AUDITS

Revisions reflect the adoption of version 18.0 of the *Financial Accountability System Resource Guide*.

CKB(LLEGAL) SAFETY PROGRAM/RISK MANAGEMENT: ACCIDENT PREVENTION AND REPORTS

Changes reflect extensive revisions to Administrative Code rules regarding mandatory drills, effective June 26, 2022.

New Administrative Code provisions addressing optional active threat exercises are also incorporated.

Explanatory Notes

TASB Localized Policy Manual Update 120

North East ISD

CKC(LLEGAL) SAFETY PROGRAM/RISK MANAGEMENT: EMERGENCY PLANS

Education Code 37.108(d) requires a district's multihazard emergency operations plan to include responding to a train derailment near a district school if a district facility is within 1,000 yards of a railroad track. New recommended local policy text incorporates this requirement into the list of procedures that must be addressed.

The *Legal Issues in Update 120* memo describes common legal concerns and best practices specific to [this policy's topic](#).

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

Changes reflect revised Administrative Code provisions, effective June 7, 2022, regarding permitted uses of the instructional materials and technology allotment. Other revisions have been made to delete outdated terminology.

A revised Administrative Code rule, effective October 16, 2022, requiring certification of compliance with the Children's Internet Protection Act has been added on page 9.

CQA(LLEGAL) TECHNOLOGY RESOURCES: DISTRICT, CAMPUS, AND CLASSROOM WEBSITES

Based on revised Administrative Code rules, the following requirements have been added at Other Required Internet Postings:

- Certain districts or campuses assigned a D rating must notify the public of the meeting to gather input to develop a local improvement plan. (See item 8.)
- Districts conducting an active threat exercise must provide notice through multiple distribution networks, including the district's website. (See item 35.)

CRD(LLEGAL) INSURANCE AND ANNUITIES MANAGEMENT: HEALTH AND LIFE INSURANCE

Revised Administrative Code rules, effective August 18, 2022, prompted revisions to the definitions of full- and part-time employees.

EHAA(LLEGAL) BASIC INSTRUCTIONAL PROGRAM: REQUIRED INSTRUCTION (ALL LEVELS)

Revisions at the bottom of page 2 reflect changes to the citations of Administrative Code rules addressing instruction related to positive character traits and personal skills.

EHAB(LLEGAL) BASIC INSTRUCTIONAL PROGRAM: REQUIRED INSTRUCTION (ELEMENTARY)

Revisions include a new Administrative Code rule, effective April 28, 2022, regarding phonics curricula.

EHAC(LLEGAL) BASIC INSTRUCTIONAL PROGRAM: REQUIRED INSTRUCTION (SECONDARY)

Revised Administrative Code rules, effective August 1, 2022, and reflected on pages 3–4, changed the required course offerings for grades 9–12 related to social studies and physical education.

Explanatory Notes

TASB Localized Policy Manual Update 120

North East ISD

EHBAB(LLEGAL) SPECIAL EDUCATION: ARD COMMITTEE AND INDIVIDUALIZED EDUCATION PROGRAM

Changes on pages 8–9 include revised Administrative Code rules, effective June 7, 2022, regarding review of a student's behavior improvement plan or behavioral intervention plan.

EHBAE(LLEGAL) SPECIAL EDUCATION: PROCEDURAL REQUIREMENTS

Revised Administrative Code rules, effective June 7, 2022, regarding the timeline for requesting a hearing on a due process complaint are included on pages 5–6.

EHBC(LLEGAL) SPECIAL PROGRAMS: COMPENSATORY/ACCELERATED SERVICES

Changes reflect new Administrative Code provisions, effective June 9, 2022, regarding accelerated instruction and accelerated learning committees for students who fail to perform satisfactorily on certain assessment instruments. The new provisions derive from HB 4545, 87th Texas Legislature, Regular Session 2021.

EIE(LLEGAL) ACADEMIC ACHIEVEMENT: RETENTION AND PROMOTION

Changes are to better match legal sources and remove repealed Administrative Code rules.

EIF(LLEGAL) ACADEMIC ACHIEVEMENT: GRADUATION

New Administrative Code rules, effective August 21, 2022, regarding notice about the Texas First Early High School Completion Program and the Texas First Scholarship Program are included on pages 8–9. Other revisions have been made to update citations.

Please note: For the 2022–23 school year, each high school must provide a written notification to each student and the student's parent or guardian listing the eligibility criteria for the programs. After the 2022–23 school year, the school must provide the notice upon a student's initial enrollment in high school.

EKB(LLEGAL) TESTING PROGRAMS: STATE ASSESSMENT

Changes have been made to incorporate revised Administrative Code rules and to better reflect legal sources.

EKBA(LLEGAL) STATE ASSESSMENT: ENGLISH LEARNERS/EMERGENT BILINGUAL STUDENTS

Revisions have been made to include Administrative Code provisions, effective August 9, 2022, regarding emergent bilingual students and individual graduation committees. A repealed provision regarding the grade placement committee has been deleted.

FB(LLEGAL) EQUAL EDUCATIONAL OPPORTUNITY

Changes are to better reflect legal sources.

FFA(LLEGAL) STUDENT WELFARE: WELLNESS AND HEALTH SERVICES

For clarity, a reference to policy provisions regarding school-based health centers has been added on page 4.

Explanatory Notes

TASB Localized Policy Manual Update 120

North East ISD

FFAE(LEGAL)

WELLNESS AND HEALTH SERVICES: SCHOOL-BASED HEALTH CENTERS

For clarity, a reference to policy provisions regarding expanding or changing health-care services at a school has been added on page 3.

FFG(LEGAL)

STUDENT WELFARE: CHILD ABUSE AND NEGLECT

The Note on page 5 now references Administrative Code rules regarding investigations of abuse or neglect in a school setting.

FFI(LOCAL)

STUDENT WELFARE: FREEDOM FROM BULLYING

District bullying policies must address prevention and mediation of bullying incidents and comply with minimum standards adopted by TEA. TEA recently issued updated [Proposed Minimum Standards for Bullying Prevention Policies and Procedures](#) for public comment from October 28 through November 28, 2022. Policy Service will recommend local policy revisions following publication of the final TEA minimum standards.

FNG(LOCAL)

STUDENT RIGHTS AND RESPONSIBILITIES: STUDENT AND PARENT COMPLAINTS/GRIEVANCES

Revisions to this local policy are recommended at Certain Complaints to:

- Clarify how special education complaints are addressed.
- Encompass all instructional resources policies.
- Reference the required hearing procedure for eligibility disputes under school nutrition programs.

Please note: We have retained unchanged your unique text at Certain Complaints.

The *Legal Issues in Update 120* memo describes common legal concerns and best practices specific to [this policy's topic](#).

FNG(EXHIBIT)

STUDENT RIGHTS AND RESPONSIBILITIES: STUDENT AND PARENT COMPLAINTS/GRIEVANCES

Our records indicate that you have an exhibit at this code that you may need to review and revise in light of the changes in this update. Please advise us:

- If this exhibit is obsolete and should be deleted from your localized policy manual; or
- If you have revisions that you wish to submit for editorial and legal review and incorporation into your localized policy manual.

FO(LOCAL)

STUDENT DISCIPLINE

Recommended revisions to this local policy are to clarify circumstances when restraint may be used generally and to more prominently address restraint of a student who receives special education services.

FOF(LEGAL)

STUDENT DISCIPLINE: STUDENTS WITH DISABILITIES

Revised Administrative Code rules, effective June 7, 2022, regarding restraint and time-out are included beginning on page 10. A statement has been amended to refer to new documentation and notification requirements in 19 Administrative Code 89.1053(e). Other changes include citations to revised Administrative Code rules.



(LOCAL) Policy Comparisons

These documents are generated by an automated process that compares the updated policy to the current policy as found in TASB records.

In this packet, you will find:

- Policies being recommended for revision (annotated)
- New policies (not annotated)
- Policies recommended for deletion (annotated in PDF; not shown in Word)

Annotations are shown as follows:

- Deletions are in a red strike-through font: ~~deleted text~~.
- Additions are in a blue, bold font: **new text**.
- Blocks of text that were moved without changes are shown in green, with double underline and double strike-through formatting to distinguish the text's new placement from its original location: ~~moved text~~ becomes moved text.
- Revision bars appear in the right margin to show sections with changes.

Note: While the annotation software competently identifies simple changes, large or complicated changes—as in an extensive rewrite—may be more difficult to follow. In addition, TASB's recent changes to the policy templates to facilitate accessibility sometimes makes formatting changes appear tracked, even though the text remains the same.

For further assistance in understanding policy changes, please refer to the explanatory notes in your Localized Policy Manual update packet or contact your policy consultant.

Contact:	School Districts and Education Service Centers	Community Colleges
	policy.service@tasb.org	colleges@tasb.org
	800.580.7529 512.467.0222	800.580.1488 512.467.3689

Grants and Awards

The Superintendent or designee shall be authorized to:

1. Apply, on behalf of the Board, for any and all special federal and state grants and awards as deemed appropriate for the District's operations;
2. Approve commitment of District funds for matching, cost sharing, cooperative, or jointly funded projects up to the amounts specifically allowed under the District budget approved by the Board; and
3. Approve grant and award amendments as necessary.

The District shall comply with all requirements for state and federal grants and awards imposed by law, the awarding agency, or an applicable pass-through entity. The Superintendent shall develop and enforce financial management systems, internal control procedures, procurement procedures, and other administrative procedures as needed to provide reasonable assurance that the District is complying with requirements for state and federal grants and awards.

[See CAA, CBB]

Federal Awards

Public Notice and Input

The District shall provide public notice of federal grant applications through an information item at a Board meeting and by publishing information on the District's website. The District shall make available opportunities for public input as required by law or the granting agency.

Plan Approval

Approval of required grant and award plans shall be by the Superintendent.

Conflict of Interest

Each employee, Board member, or agent of the District who is engaged in the selection, award, or administration of a contract supported by a federal grant or award and who has a potential conflict of interest as defined at Code of Federal Regulations, title 2, section 200.318, shall disclose to the District, in writing, any conflict that meets the disclosure threshold in Chapter 176 of the Local Government Code. [See CBB]

In addition, each employee, Board member, or agent of the District shall comply with any other conflict of interest requirements imposed by the granting agency or a pass-through entity.

For purposes of this policy, "immediate family member" shall have the same meaning as "family member" as described in Chapter 176 of the Government Code. [See BBFA]

For purposes of this policy, "partner" shall have the same meaning as defined in Business Organizations Code Chapter 1, Subchapter A.

An employee, Board member, or agent of the District who is required to disclose a conflict in accordance with the provisions above shall not participate in the selection, award, or administration of a contract supported by a federal grant or award.

Gifts and Gratuities

Employees, Board members, and agents of the District shall not solicit any gratuities, favors, or items from a contractor or a party to a subcontract for a federal grant or award and shall not accept:

1. Any single item with a value at or above ~~\$50; or~~ ~~\$50; or~~
2. Items from a single contractor or subcontractor that have an aggregate monetary value exceeding \$100 in a 12-month period.

[See BBFA, BBFB, CBB, DBD. In the event of a violation of these requirements, see CAA and DH.]

**Emergency
Operations Plan**

The Superintendent shall ensure updating of the District's emergency operations plan and ongoing staff training.

As required by law, the emergency operations plan shall include the District's procedures addressing:

1. Reasonable security measures when District property is used as a polling place;
2. Response to an active shooter emergency; ~~and~~
3. Response to a nearby train derailment, as applicable; and
- ~~3-4.~~ Access to campus buildings and materials necessary for a substitute teacher to carry out the duties of a District employee during an emergency or an emergency drill.

DRAFT

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG
(LOCAL)

Definitions

In this policy, the terms “complaint” and “grievance” shall the same meaning.

Certain Complaints

Student or parent complaints shall be filed in accordance with this policy, except as required by the policies listed below.

1. Complaints alleging discrimination or harassment based on race, color, religion, sex, gender, national origin, age, or disability shall be submitted in accordance with FFH.
2. Complaints concerning dating violence shall be submitted in accordance with FFH.
3. Complaints concerning retaliation related to discrimination and harassment shall be submitted in accordance with FFH.
4. Complaints concerning bullying or retaliation related to bullying shall be submitted in accordance with FFI.
5. Complaints concerning failure to award credit or a final grade on the basis of attendance shall be submitted in accordance with FEC.
6. Complaints concerning expulsion shall be submitted in accordance with FOD and the Student Code of Conduct.
7. Complaints [within the scope of Section 504, including 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 applicable procedural safeguards handbook.
8. 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.
9. Complaints [within the scope of the Individuals with Disabilities Education Act, including complaints](#) concerning identification, evaluation, educational placement, or discipline of a student with a disability, ~~within the scope of the Individuals with Disabilities Education Act (IDEA)~~ shall be submitted in accordance with EHBAE, FOF, and the procedural safeguards handbook.
10. Complaints concerning instructional resources shall be submitted in accordance with [the EF series](#).
11. Complaints concerning a commissioned peace officer who is an employee of the District shall be submitted in accordance with CKE.

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG
(LOCAL)

12. Complaints concerning intradistrict transfers or campus assignment shall be submitted in accordance with FDB.
13. Complaints concerning admission, placement, or services provided for a homeless student shall be submitted in accordance with FDC.
14. Complaints related to the issuance of Criminal Trespass Warnings are excluded.
15. Complaints related to reports to Child or Adult Protective Services made pursuant to the requirements of Section 261.101 of the Texas Family Code are excluded.
16. Complaints related to program changes or boundary changes from one school to another school within the District are excluded.
17. Complaints concerning on-campus distribution of nonschool materials to students shall be submitted in accordance with FNAA.
18. Complaints where the relief sought by the grievant has already been granted at a prior administrative level or through an informal conference are excluded.
19. Complaints where the grievant fails to state specific relief sought that applies to the grievant directly, or that cannot be granted by the hearing officer, are excluded.
20. Complaints related to administrative transfers including, but not limited to, school choice decisions are excluded.
21. Complaints related to residential and enrollment eligibilities are excluded.
22. [Complaints concerning disputes regarding a student's eligibility for free or reduced-priced meal programs shall be submitted in accordance with COB.](#)

Complaints regarding refusal of entry to or ejection from District property based on Education Code 37.105 shall be filed in accordance with this policy. However, the timelines shall be adjusted as necessary to permit the complainant to address the Board in person within 90 calendar days of filing the initial complaint, unless the complaint is resolved before the Board considers it. [See GKA(LEGAL)]

**Notice to Students
and Parents**

The District shall inform students and parents of this policy through appropriate District publications.

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG
(LOCAL)

Guiding Principles

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 Process

Although encouraged, an informal conference with the principal or other appropriate administrator is not required prior to filing a complaint under this policy, and does not stop, pause, or toll the timelines set forth in this policy. The timeline included herein apply regardless of the conduct or results of an informal conference.

Formal Process

A student or parent may initiate the formal process described below by timely filing a written complaint form.

Even after initiating the formal complaint process, students and parents are encouraged to seek resolution of their concerns. A student or parent whose concerns are resolved may withdraw a formal complaint at any time.

The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or "mini-trial" at any level.

Announcement of a decision in the student's or parent's presence shall constitute communication of the decision.

In the event that the remedy or remedies sought by a student or parent in the grievance are granted at one level, the student or parent shall not be permitted to appeal that issue further because the requested relief shall have been given to the student or parent. Any attempt to appeal a remedy granted in full to a student or parent shall be immediately dismissed.

Freedom from Retaliation

Neither the Board nor any District employee shall unlawfully retaliate against any student or parent for bringing a concern or complaint under this policy.

General Provisions

Person with Whom
to File

Level One grievances shall be filed directly with the principal of the campus.

Level Two and Three grievances, should they be necessary, shall be filed directly to the office of the Executive Director of **Student Support Pupil Personnel** Services, 8961 Tesoro Drive, Suite 306, San Antonio, Texas 8217.

Level Four grievances shall be filed directly to the office of the Superintendent of Schools, 8961 Tesoro Drive, Suite 602, San Antonio, Texas 78217.

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG
(LOCAL)

Failure to file a grievance with the appropriate District official listed above shall not constitute proper filing, and the applicable timeline for appropriate filing shall continue to run and not be tolled in any way. Should a grievant not file with the appropriate District official as set forth in this policy, and the timeline expires, any subsequent filing of the grievance shall be considered untimely.

Filing and Written
Response

Complaint forms and appeal notices may be filed by hand-delivery, by electronic communication, including email and fax, or by U.S. Mail. Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Filings submitted by electronic communication shall be timely filed if they are received by the close of business on the deadline, as indicated by the date/time shown on the electronic communication. Mail filings shall be postmarked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative.

The written response may be picked up by the complainant or delivered by electronic communication, including email and fax, or U.S. certified mail. If the student or parent elects to pick up the written response, it shall be considered delivered on the date it is available for pick up regardless of whether the student or parent picks it up or not. Filings submitted by electronic communication shall be timely sent by the end of the deadline day, as indicated by the date/time shown on the electronic communication. Certified mail responses shall be considered timely if they are postmarked on or before the end of the deadline day. In cases of certified mail, it is the responsibility of the recipient to obtain the mailing upon notice from the postal service that a certified mail is available. Failure to so shall not toll the timelines in this policy.

Days

“Days” shall mean District business days, unless otherwise noted. In calculating timelines under this policy, the day a document is filed or delivered is “day zero.” The following business day is “day one.”

Representative

“Representative” shall mean any person who or organization that is designated by the student or parent to represent the student or parent in the complaint process. A student may be represented by an adult at any level of the complaint.

The student or parent may designate a representative through written notice to the District at any level of this process. If the student or parent designates a representative with fewer than three day’s notice to the District before a scheduled conference, the District may reschedule the conference 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.

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG
(LOCAL)

Consolidating
Complaints

Complaints arising out of an event or a series of related events shall be addressed in one complaint. A student or parent shall not file separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.

Untimely Filings

All time limits shall be strictly followed unless modified by mutual written consent.

If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the student or parent, at any point during the complaint process.

Costs Incurred

Each party shall pay its own costs incurred in the course of the complaint.

Level One

A student or parent who has a complaint that cannot be resolved in an informal conference shall request a Level One conference with the principal within ten days of the time the student or parent knew, or should have known, of the event or series of events causing the complaint. The principal shall schedule a conference with the student or parent within ten days of the request. In order to initiate this process, the student or parent must provide the principal, in writing in the format provided by the District, the complaint and relief sought. [See FNG(EXHIBIT)] If necessary, the principal may assist the student or parent in completing the required form. All documentary evidence relied upon by the student or parent must be provided to the principal at the conference. The principal shall have ten days following the conference within which to respond in writing, except where there are extenuating circumstances that prevent the principal from doing so.

Level Two

If the outcome of the conference with the principal is not to the student's or parent's satisfaction or the time for a response has expired, the student or parent may request a Level Two conference by submitting a written request to the executive director of **student support/pupil personnel** services. The request must be in writing in the format provided by the District and must be filed within ten days. [See Filing and Written Response above.] [See FNG(EXHIBIT)]

The request must include the student's or parent's signed statement of the complaint, a copy of the Level One complaint, any supporting evidence, documentation or other evidence presented at Level One, and a copy of the principal's response.

A designated executive director or director shall schedule the conference within ten days after receiving the request. The designated executive director or director shall prepare a written response to the student or parent within ten days after the conference.

No new complaints or claims for relief may be raised at Level Two. Only documentary evidence contained in the complete Level One record may be considered at Level Two, except in cases where the principal considered additional documentation at Level One in connection with the preparation of the written response. The student or parent may submit additional documentation, but only to the extent such documentation directly responds to what the principal considered at Level One.

Level Three

If the outcome of the conference with the executive director or director is not to the student's or parent's satisfaction or the time for a response has expired, the student or parent may request a Level Three conference by submitting a written request to the executive director of **pupil personnel** ~~student support~~ services. The request must be in writing in the format provided by the District and must be filed within ten days. [See Filing and Written Response above] [See FNG(EXHIBIT)]

The request shall include the Level Three complaint request form, a copy of the Level One and Two complaint form, the Level One and Two decisions, and any supporting evidence or documents submitted at the prior levels.

The Superintendent or designee shall schedule the conference within ten days after receiving the request. After the conference, the Superintendent or designee shall make and communicate a decision in writing. There is no time limit set for the Superintendent or designee response at Level Three.

No new complaints or claims for relief may be raised at Level Three. Only documentary evidence contained in the Level One and Two record may be considered at Level Three, except in cases where the principal considered additional documentation at Level One in connection with the preparation of the written response and the student or parent submitted additional documentation, but only to the extent such documentation directly responds to what the principal considered at Level One.

Nothing in the above sections pertaining to Levels One, Two, or Three shall prevent the presiding officer hearing the grievance from conducting any investigation into the allegations raised in the grievance that he or she deems necessary.

Level Four

If the outcome of the conference with the Superintendent or designee is not to the student's or parent's satisfaction, the student or parent may submit a written request, in the format provided by the District, to the Superintendent within ten days to place the matter on the agenda of a future Board meeting. [See Filing and Written Response above.] [See FNG(EXHIBIT)]

The Superintendent shall inform the student or parent of the date, time, and place of the meeting. There is no time limit set for the Board.

The presiding officer shall establish a reasonable time limit for complaint presentations. The District shall make an audiotape record of the Level Four proceeding before the Board. The Board shall hear the complaint and shall then make and communicate its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. No new evidence, claims, or complaints may be presented at this level.

Closed Meeting

If the complaint involves concerns or charges regarding an employee, it shall be heard by the Board in closed meeting, unless the employee to whom the complaint pertains requests that it be heard in public.

DRAFT

Student Code of Conduct

The District's rules of discipline are maintained in the Board-adopted Student Code of Conduct and are established to support an environment conducive to teaching and learning.

Rules of conduct and discipline shall not have the effect of discriminating on the basis of gender, race, color, disability, religion, ethnicity, or national origin.

At the beginning of the school year and throughout the school year as necessary, the Student Code of Conduct shall be:

1. Posted and prominently displayed at each campus or made available for review in the principal's office, as required by law; and
2. Made available on the District's website and/or as a hard copy to students, parents, teachers, administrators, and others on request.

Revisions

Revisions to the Student Code of Conduct approved by the Board during the year shall be made available promptly to students and parents, teachers, administrators, and others.

Extracurricular Standards of Behavior

With the approval of the principal and Superintendent, sponsors and coaches of extracurricular activities may develop and enforce standards of behavior that are higher than the District-developed Student Code of Conduct and may condition membership or participation in the activity on adherence to those standards. Extracurricular standards of behavior may take into consideration conduct that occurs at any time, on or off school property.

A student shall be informed of any extracurricular behavior standards at the beginning of each school year or when the student first begins participation in the activity. A student and his or her parent shall sign and return to the sponsor or coach a statement that they have read the extracurricular behavior standards and consent to them as a condition of participation in the activity.

Standards of behavior for an extracurricular activity are independent of the Student Code of Conduct. Violations of these standards of behavior that are also violations of the Student Code of Conduct may result in independent disciplinary actions.

A student may be removed from participation in extracurricular activities or may be excluded from school honors for violation of extracurricular standards of behavior for an activity or for violation of the Student Code of Conduct.

“Parent” Defined

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

General Discipline Guidelines

A District employee shall adhere to the following general guidelines when imposing discipline:

1. A student shall be disciplined when necessary to improve the student’s behavior, to maintain order, or to protect other students, school employees, or property.
2. A student shall be treated fairly and equitably. Discipline shall be based on an assessment of the circumstances of each case. Factors to consider shall include:
 - a. The seriousness of the offense;
 - b. The student’s age;
 - c. The frequency of misconduct;
 - d. The student’s attitude;
 - e. The potential effect of the misconduct on the school environment;
 - f. Requirements of Chapter 37 of the Education Code; and
 - g. The Student Code of Conduct adopted by the Board.
3. Before a student under 18 is assigned to detention outside regular school hours, notice shall be given to the student’s parent to inform him or her of the reason for the detention and permit arrangements for necessary transportation.

Corporal Punishment

The Board prohibits the use of corporal punishment in the District. Students shall not be spanked, paddled, or subjected to other physical force as a means of discipline for violations of the Student Code of Conduct.

Physical Restraint

Note: [A District employee may restrain a student with a disability who receives special education services only in accordance with law. \[See FOF\(LEGAL\)\]](#)

Within the scope of an employee’s duties, a District employee may physically restrain a student if the employee reasonably believes restraint is necessary in order to:

1. Protect a person, including the person using physical restraint, from physical injury.
2. Obtain possession of a weapon or other dangerous object.

3. Protect property from serious damage.

~~3.4.~~ Remove a student refusing a lawful command of a school employee from a specific location, including a classroom or other school property, in order to restore order or to impose disciplinary measures.

~~4. Control an irrational student.~~

~~5.1. Protect property from serious damage.~~

~~A District employee may restrain a student with a disability who receives special education services only in accordance with law. [See FOF(LEGAL)]~~

Video and Audio Monitoring

Video and audio recording equipment shall be used for safety purposes to monitor student behavior on District property.

The District shall post signs notifying students and parents about the District's use of video and audio recording equipment. Students shall not be notified when the equipment is turned on.

Use of Recordings

The principal shall review recordings as needed, and evidence of student misconduct shall be documented. A student found to be in violation of the District's Student Code of Conduct shall be subject to appropriate discipline.

Access to Recordings

Recordings shall remain in the custody of the campus principal and shall be maintained as required by law. A parent or student who wishes to view a recording in response to disciplinary action taken against the student may request such access under the procedures set out by law. [See FL(LEGAL)]



NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: February 13, 2023

Presenter:

Rudy Jimenez
Chyla Whitton,
Executive Director,
Human Resources

Subject: Board Resolution
Wage Payments During School Closure

Related Page(s):

Attachment

ACTION ITEM

BACKGROUND INFORMATION

The North East Independent School District was closed to students and staff on the following dates due to inclement weather: January 31, 2023 and February 1, 2023. The Texas Education Agency (TEA) has informed our District that it will only provide a waiver for one of the two days, therefore our District will be required to make up one instructional day for students.

ADMINISTRATIVE CONSIDERATION

Policy DEA (LOCAL) states "If the Board chooses to pay employees during an emergency closure for which the workdays are not scheduled to be made up at a later date, then that authorization shall be by resolution or other Board action and shall reflect the purpose served by the expenditure." Therefore, District administration is requesting approval of the Board of Trustees to provide wage payments to non-contractual, non-salaried employees who were idle and/or instructed not to report for work on January 31, 2023 and February 1, 2023.

Additionally, District administration is requesting the Board of Trustees to provide wage payments to contractual, salaried employees who were idle and/or instructed not to report to work on January 31, 2023. Due to the required make-up day for students, all employees, except 260-day employees, will work one additional day beyond their original work schedule.

BUDGETARY CONSIDERATION

There is no budgetary impact due to the current number of vacancies across our District.

ADMINISTRATIVE RECOMMENDATION

It is recommended that the Board of Trustees approve the Resolution of the Board Regarding Wage Payments During Weather-Related School Closure relating to the January 31 and February, 2023 closure.

BOARD ACTION REQUIRED

Approval/Disapproval



NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: February 13, 2023

Presenter: Anthony Jarrett
Esmeralda Munoz,
Executive Director,
Learning Support Services

Subject: 2023-2024 Proposed Calendars for
Academy of Creative Education and
Castle Hills Elementary

Related Page(s): NEISD Website

ACTION ITEM

BACKGROUND INFORMATION

As defined by the 84th Legislative session, all calendars comply with HB 2610 guidelines of including no less than 75,600 minutes of instruction for the school year. The calendars do not include the use of T.E.A. waiver days.

The proposed calendars fall within the legal guidelines established by the State of Texas, Texas Education Code, and NEISD legal policy. Daily student instructional minutes, academic priorities, bad weather days and religious holidays were considered in the creation of the calendar options.

ADMINISTRATIVE CONSIDERATION

The proposed 2023 – 2024 year-round calendar for Castle Hills Elementary School was created and approved by the faculty, Campus Improvement Committee (CIC), and PTA members.

The proposed 2023 – 2024 calendar for Academy of Creative Education (ACE) was developed and approved by the staff. The alternative school calendar allows for flexible scheduling to meet the needs of the student population ACE serves.

ADMINISTRATIVE RECOMMENDATION

It is recommended that the Board of Trustees approve the 2023 – 2024 proposed calendars for Castle Hills Elementary and the Academy of Creative Education as submitted by their respective staff.

BOARD ACTION REQUIRED

Approval/Disapproval



NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: February 13, 2023

Presenter: Anthony Jarrett
Esmeralda Munoz,
Executive Director,
Learning Support Services,
Jennifer Gutierrez,
Executive Director,
Curriculum & Instruction

Subject: 2023-2024 Extended School Year Calendar
For Jackson-Keller, Larkspur, and Serna
Elementary Schools

Related Page(s): NEISD Website

ACTION ITEM

BACKGROUND INFORMATION

As a part of House Bill 3 School Districts that adopted a 180 school-day calendar and meet the 75,600 minutes of instruction qualify for half-day funding for up to 30 additional instructional days for students in Pre-K-fifth grade. This calendar will provide the opportunity to meet students’ needs during intersessional weeks and eliminate the “learning slide” that can occur during prolonged vacation time.

The proposed Extended School Year calendar falls within the legal guidelines established by the State of Texas, Texas Education Code, and NEISD legal policy. Daily student instructional minutes, academic priorities, bad weather days and religious holidays were considered in the creation of the calendar options.

ADMINISTRATIVE CONSIDERATION

Throughout the first and second year, the Extended School Year elementary campuses have used intersessions to make data-informed decisions based on student academic needs and implement appropriate instructional support in a timely manner. Student groups have been established through purposeful assessment data gathered throughout the year and instructional support is tailored to meet student needs through intersession periods.

ADMINISTRATIVE RECOMMENDATION

It is recommended that the Board of Trustees approve the 2023 – 2024 proposed extended school year calendar for Jackson – Keller, Larkspur, and Serna Elementary schools.

BOARD ACTION REQUIRED

Approval/Disapproval



NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: February 13, 2023

Presenter: Dan Villarreal
Susan Lackorn, Executive Director
Finance and Accounting

Subject: Resolution regarding
payment for extra work
during holiday

Related Page(s): Attachment

ACTION ITEM

BACKGROUND INFORMATION

Due to the winter storm that occurred in December 2022, certain hourly employees were required to come in and perform extra work on Christmas Eve and Christmas Day to address emergency issues.

ADMINISTRATIVE CONSIDERATION

We are requesting to pay employees one and a half times their regular rate of pay for the hours of extra work performed during Christmas Eve and Christmas Day.

BUDGETARY CONSIDERATION

Payment will come from available funds in the general fund.

ADMINISTRATIVE RECOMMENDATION

It is recommended that the Board of Trustees approve the Resolution of the Board regarding the payment of hourly employees who were required to perform extra work on Christmas Eve and Christmas Day during the 2022 holiday break.

BOARD ACTION REQUIRED

Approval/Disapproval

RESOLUTION

**NORTH EAST INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES**

WHEREAS, the Board of Trustees of the North East Independent School District understands that during the winter storm that occurred in December 2022, certain hourly employees were required to come into work on Christmas Eve and Christmas Day, which were scheduled District holidays, to address emergency issues that occurred at various District facilities and with the District's telecommunication system;

WHEREAS, the Board acknowledges that these employees performed extra work beyond what is expected through their normal work schedules in addressing these emergency issues during those times of District closure due to the holidays, such that the District benefited by ensuring that the winter weather's impact on facilities and systems was addressed as quickly as possible so as to avoid further negative result;

WHEREAS, the Board wishes to direct the administration to pay these employees at one and a half times their regular hourly rates of pay for the hours of extra work performed during the Christmas Eve and Christmas Day holidays; and

WHEREAS, the Board finds that this action to pay employees for the extra work performed in the manner described above serves an educational purpose and is in the best interest of students and employees in the North East Independent School District under Section 45.105(c) of the Texas Education Code, as this helped the District ultimately reduce and address the negative impact on District facilities and systems due to the winter storm, such that the District was able to resume normal operations after the break with no disruption.

NOW THEREFORE BE IT RESOLVED that the Board of Trustees of North East Independent School District authorizes the administration to pay the hourly employees who were required to work on Christmas Eve and Christmas Day during the 2022 holiday break in the manner set forth above.

PASSED, APPROVED, AND ADOPTED BY THE BOARD OF TRUSTEES OF THE NORTH EAST INDEPENDENT SCHOOL DISTRICT, this 13th day of February, 2023.

CERTIFICATE FOR RESOLUTION

I hereby certify that the foregoing resolution was presented to the Board of Trustees of the North East Independent School District during a properly noticed and scheduled meeting held on February 13, 2023. A quorum of the Board of Trustees being then present, it was duly moved and seconded that the resolution be adopted, and such resolution was then adopted according to the following vote:

Ayes: 7

Nays: 0

Abstentions: 0

To certify which, witness my hand and the official seal of the District this 13th day of February 2023.

President, Board of Trustees

NORTH EAST INDEPENDENT SCHOOL DISTRICT

By: Shannon Grona

Shannon Grona, President, Board of Trustees



NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: February 13, 2023

Presenter: Dan Villarreal
Susan Lackorn, Executive Director
Finance and Accounting

Subject: Resolution regarding Texas State Florists' Association Related Page(s): Attachment

ACTION ITEM

BACKGROUND INFORMATION

One of our vendors, Texas State Florists' Association, had their email address hacked resulting in a payment from us for an invoice being sent to another account. This vendor is used to provide floral certification examinations for our students. Our bank was unable to recover the misdirected payment. Instead of issuing a second full payment, the District has requested that the Texas State Florists' Association accept a reduced payment amount in order to continue our working relationship and not impact our students.

ADMINISTRATIVE CONSIDERATION

The initial payment that was fraudulently misdirected was for \$13,000. We are requesting to pay \$7,500 to the Texas State Florists' Association in full satisfaction of the pending invoice.

BUDGETARY CONSIDERATION

Payment will come from available funds in the general fund.

ADMINISTRATIVE RECOMMENDATION

It is recommended that the Board of Trustees approve the Resolution of the Board regarding the Texas State Florists' Association.

BOARD ACTION REQUIRED

Approval/Disapproval

RESOLUTION

NORTH EAST INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

WHEREAS, the Board of Trustees of the North East Independent School District understands that it the North East ISD receives services from the Texas State Florists' Association for the ultimate benefit of students, which include floral certification examinations;

WHEREAS, the Board acknowledges the following events listed herein to have occurred: on May 12, 2022, the District's Accounts Payable Department issued a credit card payment to the Texas State Florists' Association in the amount of \$13,000.00 for invoice number 618536, with a notification of payment sent to the email address on file, txsfa@sbcglobal.net;

WHEREAS, then on May 13, 2022, the Accounts Payable Department received an email from the same address requesting that payment be made for the invoice through an ACH/wire transfer, to which the Department responded by seeking written confirmation that the credit card payment would not be processed and providing the necessary District forms required for an ACH transfer;

WHEREAS, the Department received the completed forms through the same email address, but then explained in writing that the payment method would not be changed through just an email, but would require speaking with a representative of the vendor by telephone, after which the Department employee contacted the telephone number on file for the Texas State Florists' Association and left a voicemail;

WHEREAS, after exchanging messages again, the Department called the number on file again and spoke to a Texas State Florists' Association employee named Carol, who confirmed the ACH transfer information, after which the transfer for the invoice payment was made while the prior credit card payment was cancelled on May 19, 2022;

WHEREAS, Wells Fargo Bank, which is the District's depository bank, contacted the District to notify it that the account to which the ACH transfer was made for the Texas State Florists' Association invoice payment was fraudulent, after which the District's Senior Accounting Manager contacted the Association again, who confirmed the District's payment was never received and that the Association's email had been hacked, leading to at least one other entity around the state experiencing a similar situation;

WHEREAS, Wells Fargo closed its investigation but could not recover the funds, which thereby resulted in the Texas State Florists' Association never receiving payment for the invoice, while it also denied that any of its employees could confirm ACH bank transfer information,

WHEREAS, the Association has demanded payment for the invoice, although the District previously explained it had paid it into a fraudulent account, thereby putting the District in a position where it would need to issue a second full payment,

WHEREAS, the District has requested that the Association accept a reduced amount in full satisfaction of the remaining invoice, in part because the District wishes to continue the working relationship with the Association, and finds that making the payment contemplated herein to resolve the matter described above serves an educational purpose and is in the best interest of students in the North East Independent School District under Section 45.105(c) of the Texas Education Code, as this will preserve the relationship with the Association by allowing for the continued receipt of services from the Association for the benefit of student.

NOW THEREFORE BE IT RESOLVED that the Board of Trustees of North East Independent School District authorizes the administration to make a payment to the Texas State Florists' Association in the amount of seven thousand five hundred dollars and no/100 (\$7,500.00) and to execute any necessary documentation to fully resolve this matter.

PASSED, APPROVED, AND ADOPTED BY THE BOARD OF TRUSTEES OF THE NORTH EAST INDEPENDENT SCHOOL DISTRICT, this 13th day of February, 2023.

CERTIFICATE FOR RESOLUTION

I hereby certify that the foregoing resolution was presented to the Board of Trustees of the North East Independent School District during a properly noticed and scheduled meeting held on February 13, 2023. A quorum of the Board of Trustees being then present, it was duly moved and seconded that the resolution be adopted, and such resolution was then adopted according to the following vote:

Ayes: 6

Nays: 1

Abstentions: 0

To certify which, witness my hand and the official seal of the District this 13th day of February 2023.

President, Board of Trustees

NORTH EAST INDEPENDENT SCHOOL DISTRICT

By: Shannon Grona

Shannon Grona, President, Board of Trustees



NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: February 13, 2023

Presenter: Dan Villarreal
Valerie Rueda,
Executive Director,
Procurement &
eCommerce

Subject: \$50,000 Purchases

Related Page(s): Attachment

CONSENT ITEM

BACKGROUND INFORMATION

Texas Education Code §44.031 requires all school district contracts, except contracts for the purchase of produce or vehicle fuel, valued at \$50,000 or more in the aggregate for each 12-month period shall be made by one of the methods listed in the Code providing the best value for the district. Board Policy CH (LOCAL) states, "The Board delegates to the Superintendent or designee the authority to make budgeted purchases for goods or services. However, any single, budgeted purchase of goods or services costing \$50,000 or more, regardless of whether the goods or services are competitively purchased, shall require Board approval before a transaction may take place."

ADMINISTRATIVE CONSIDERATION

The purpose of this consent item is to ask for Board authorization to expend funds for previously approved budgeted expenditures for 2022-2023, which meet or exceed \$50,000 from the attached listed vendors. The attachment reflects categories of purchases, vendor names, descriptions of goods or services and estimated 2022-2023 expenditures. These purchases comply with applicable bid laws. The attachment includes estimated aggregate expenditures exceeding \$50,000 during the school year. By approving this consent item, each approved budgeted item will not have to be presented again, saving considerable time and resources.

BUDGETARY CONSIDERATION

The estimated expenditure amounts are budgeted in various District accounts which were approved at the Board of Trustees meeting on June 23, 2022. Funds being expended include general funds, bond funds, grant funds, special revenue funds, internal service funds and enterprise funds.

ADMINISTRATIVE RECOMMENDATION

The Superintendent recommends the Department of Procurement & eCommerce be authorized to expend funds listed in the attachment for fiscal year 2022-2023.

BOARD ACTION REQUIRED

Approval/Disapproval

ATTACHMENT
BUDGETED PURCHASES OF GOODS OR SERVICES COSTING \$50,000 OR MORE
NEISD BOARD MEETING FEBRUARY 13, 2023

Category	Vendor(s) Name	Description of Goods/Services	Estimated Expenditures 2022-2023	Bid Compliance	Notes
Curriculum and Instruction	ESC, Region 20	TEKSbank Test Generator	\$61,935	Interlocal Agreement	Purchase over \$50K requires Board approval.
Curriculum and Instruction/Textbooks	Perfection Learning	Benson Handwriting K-3rd Grade English and Spanish 2 year subscription	\$321,403	02-23	September Board approved \$181,500, has been spent. Additional \$321,403 needed for this 4 year subscription.
Curriculum and Instruction/Textbooks	Sadlier	From Phonics to Reading 4 year subscription	\$234,200	105-19	June Board approved \$66,000, additional \$168,200 needed for this 4 year subscription.
Curriculum and Instruction/Textbooks	Savvas	myView Literacy Student interactive 4 year subscription package	\$1,200,000	130-18	June Board approved \$890,000, additional \$310,000 needed for this 4 year subscription.
Curriculum and Instruction/Textbooks	Zaner-Bloser Educational	Superkids Foundational Skills Kit	\$1,417,000	05-19	August Board approved \$341,260, has been spent. Need \$1,417,000 for this program.
Special Education	Assessment Intervention Management	SLP Services/Contract Assessments	\$400,000	Multiple Bids	September Board approved \$302,000. Additional \$98,000 needed for services this year.
Technology Services	eduPARTS LLC	Parts to repair Chromebooks	\$100,000	TIPS Co-op	Purchase over \$50K requires Board approval. Parts needed to implement new in-house device repairs.



NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: February 13, 2023

Presenter: Anthony J. Mitchell
Ish Flores, Interim
Executive Director,
CM&E

Subject: 2023 Annual Construction Prevailing Wage Rates
Approval for North East ISD Construction Programs

Related Page(s): Attachments

CONSENT ITEM

BACKGROUND INFORMATION

The Construction Prevailing Wage Rates used for the execution of the District’s bond-funded, Maintenance & Operations-funded, and ESSER-III funded construction programs were previously revised/approved on February 14, 2022. Board Policy CV (Legal) stipulates that the Board’s determination of the general prevailing rates of per diem wages shall be final (Government Code 2258.022) and serves as the minimum wage to be paid to construction workers by contractors performing work for the District. The Construction Prevailing Wage Rates included as Attachment 1, will be effective until Feb. 12, 2024 and reflect current labor market conditions in the San Antonio area. A comparison of the 2022 and new 2023 North East ISD Construction Prevailing Wage Rates is included as Attachment 2.

ADMINISTRATIVE CONSIDERATION

Adoption of revised Construction Prevailing Wage Rates for the District’s construction programs requires approval by the Board of Trustees.

BUDGETARY CONSIDERATION

Funding for North East ISD construction projects is provided by multiple sources including the District’s Maintenance & Operations, 2015 Bond, and ESSER-III funded Programs.

RECOMMENDATION

It is recommended for the Board of Trustees to adopt the 2023 Annual Construction Prevailing Wage Rates, as shown in Attachment 1, for the North East ISD Construction Programs.

BOARD ACTION REQUIRED

Approval/Disapproval

**ATTACHMENT 1 - 2023 MINIMUM HOURLY WAGE RATE DETERMINATION
FOR NORTH EAST INDEPENDENT SCHOOL DISTRICT BUILDING CONSTRUCTION**

Item #	Standard Occupation Classification Code	Trade Classification	2023 Wage Rate
1	37-3011	Landscaping and Grounds Keeping Workers	\$15.82
2	47-2021	Brick and Block Masons	\$24.87
3	47-2022	Stonemasons	\$20.19
4	47-2031	Carpenters	\$22.11
5	47-2041	Carpet Installers	\$18.88
6	47-2042	Floor Layers - except Carpet, Wood, and Hard Tiles	\$20.88
7	47-2043	Floor Sanders and Finishers	\$16.45
8	47-2044	Tile and Marble Setters	\$20.32
9	47-2051	Cement Masons and Concrete Finishers	\$20.93
10	47-2053	Terrazzo Workers and Finishers	\$20.24
11	47-2061	Construction Laborers	\$17.94
12	47-2071	Paving, Surfacing, and Tamping Equipment Operators	\$22.26
13	47-2073	Operating Engineers and Other Construction Equipment Operators	\$22.59
14	47-2081	Drywall and Ceiling Tile Installers	\$21.81
15	47-2082	Tapers	\$32.92
16	47-2111	Electricians	\$26.43
17	47-2121	Glaziers	\$21.15
18	47-2131	Insulation Workers - Floor, Ceiling, and Wall	\$21.08
19	47-2132	Insulation Workers, Mechanical	\$24.18
20	47-2141	Painters, Construction and Maintenance	\$18.85
21	47-2151	Pipe Layers	\$19.11
22	47-2152	Plumbers, Pipefitters, and Steamfitters	\$24.86
23	47-2161	Plasterers and Stucco Masons	\$18.95
24	47-2171	Reinforcing Iron and Rebar Workers	\$20.64
25	47-2181	Roofers	\$20.40
26	47-2211	Sheet Metal Workers	\$24.22
27	47-2221	Structural Iron and Steel Workers	\$22.85
28	47-3011	Helpers - Brick & Block Masons, Stonemasons, and Tile/Marble Setters	\$18.72
29	47-3012	Helpers - Carpenters	\$17.70
30	47-3013	Helpers - Electricians	\$18.21
31	47-3014	Helpers - Painters, Paperhangers, Plasterers, and Stucco Masons	\$15.42
32	47-3015	Helpers - Pipe Layers, Plumbers, Pipefitters, and Steamfitters	\$16.87
33	47-3016	Helpers - Roofers	\$16.24
34	47-3019	Helpers - Construction Trades, All Others	\$16.75
35	47-4011	Construction and Building Inspectors	\$33.73
36	47-4021	Elevator Installers and Repairers	\$32.58
37	47-4099	Construction and Related Workers, All Others	\$21.34
38	47-5022	Excavating, Loading Machine, Dragline Operators, and Surface Mining	\$21.59
39	47-5023	Earth Drillers (Except Oil and Gas), Explosives Workers, Ordinance Handling Experts, and Blasters	\$24.33
40	49-2022	Telecommunications Equipment Installers and Repairers (except Line Installers)	\$28.93
41	49-2098	Security and Fire Alarm Systems Installers	\$23.47
42	49-9021	Heating, Air Conditioning, and Refrigeration Mechanics and Installers	\$25.35
43	49-9052	Telecommunications Line Installers and Repairers	\$27.47
44	51-2041	Structural Metal Fabricators and Fitters	\$20.86
45	51-4121	Welders, Cutters, Solderers, and Braziers	\$23.78
46	53-3032	Truck Drivers, Heavy and Tractor-Trailer	\$23.77
47	53-3033	Light Truck or Delivery Services Drivers	\$20.69
48	53-7021	Crane and Tower Operators	\$29.61
49	53-7051	Industrial Truck and Tractor Operators	\$19.02

**ATTACHMENT 2 - 2023 MINIMUM HOURLY WAGE RATE DETERMINATION
FOR NORTH EAST INDEPENDENT SCHOOL DISTRICT BUILDING CONSTRUCTION**

Item #	Standard Occupation Classification Code	Trade Classification	2022 Wage Rate	2023 Wage Rate	Annual Change (\$)
1	37-3011	Landscaping and Grounds Keeping Workers	\$14.93	\$15.82	\$0.89
2	47-2021	Brick and Block Masons	\$27.80	\$24.87	(\$2.93)
3	47-2022	Stonemasons	\$19.03	\$20.19	\$1.16
4	47-2031	Carpenters	\$21.24	\$22.11	\$0.87
5	47-2041	Carpet Installers	\$17.50	\$18.88	\$1.38
6	47-2042	Floor Layers - except Carpet, Wood, and Hard Tiles	\$22.12	\$20.88	(\$1.24)
7	47-2043	Floor Sanders and Finishers	\$16.62	\$16.45	(\$0.17)
8	47-2044	Tile and Marble Setters	\$15.64	\$20.32	\$4.68
9	47-2051	Cement Masons and Concrete Finishers	\$19.51	\$20.93	\$1.42
10	47-2053	Terrazzo Workers and Finishers	\$19.64	\$20.24	\$0.60
11	47-2061	Construction Laborers	\$16.69	\$17.94	\$1.25
12	47-2071	Paving, Surfacing, and Tamping Equipment Operators	\$20.71	\$22.26	\$1.55
13	47-2073	Operating Engineers and Other Construction Equipment Operators	\$20.77	\$22.59	\$1.82
14	47-2081	Drywall and Ceiling Tile Installers	\$18.54	\$21.81	\$3.27
15	47-2082	Tapers	\$31.06	\$32.92	\$1.86
16	47-2111	Electricians	\$26.38	\$26.43	\$0.05
17	47-2121	Glaziers	\$18.56	\$21.15	\$2.59
18	47-2131	Insulation Workers - Floor, Ceiling, and Wall	\$22.53	\$21.08	(\$1.45)
19	47-2132	Insulation Workers, Mechanical	\$23.69	\$24.18	\$0.49
20	47-2141	Painters, Construction and Maintenance	\$19.38	\$18.85	(\$0.53)
21	47-2151	Pipe Layers	\$20.11	\$19.11	(\$1.00)
22	47-2152	Plumbers, Pipefitters, and Steamfitters	\$22.35	\$24.86	\$2.51
23	47-2161	Plasterers and Stucco Masons	\$18.23	\$18.95	\$0.72
24	47-2171	Reinforcing Iron and Rebar Workers	\$21.91	\$20.64	(\$1.27)
25	47-2181	Roofers	\$20.78	\$20.40	(\$0.38)
26	47-2211	Sheet Metal Workers	\$20.72	\$24.22	\$3.50
27	47-2221	Structural Iron and Steel Workers	\$24.55	\$22.85	(\$1.70)
28	47-3011	Helpers - Brick & Block Masons, Stonemasons, and Tile/Marble Setters	\$17.39	\$18.72	\$1.33
29	47-3012	Helpers - Carpenters	\$16.55	\$17.70	\$1.15
30	47-3013	Helpers - Electricians	\$17.18	\$18.21	\$1.03
31	47-3014	Helpers - Painters, Paperhangers, Plasterers, and Stucco Masons	\$15.33	\$15.42	\$0.09
32	47-3015	Helpers - Pipe Layers, Plumbers, Pipefitters, and Steamfitters	\$15.80	\$16.87	\$1.07
33	47-3016	Helpers - Roofers	\$15.58	\$16.24	\$0.66
34	47-3019	Helpers - Construction Trades, All Others	\$17.45	\$16.75	(\$0.70)
35	47-4011	Construction and Building Inspectors	\$29.15	\$33.73	\$4.58
36	47-4021	Elevator Installers and Repairers	\$37.41	\$32.58	(\$4.83)
37	47-4099	Construction and Related Workers, All Others	\$19.52	\$21.34	\$1.82
38	47-5022	Excavating, Loading Machine, Dragline Operators, and Surface Mining	\$21.56	\$21.59	\$0.03
39	47-5023	Earth Drillers (Except Oil and Gas), Explosives Workers, Ordinance Handling Experts, and Blasters	\$24.41	\$24.33	(\$0.08)
40	49-2022	Telecommunications Equipment Installers and Repairers (except Line Installers)	\$26.21	\$28.93	\$2.72
41	49-2098	Security and Fire Alarm Systems Installers	\$25.91	\$23.47	(\$2.44)
42	49-9021	Heating, Air Conditioning, and Refrigeration Mechanics and Installers	\$26.40	\$25.35	(\$1.05)
43	49-9052	Telecommunications Line Installers and Repairers	\$27.78	\$27.47	(\$0.31)
44	51-2041	Structural Metal Fabricators and Fitters	\$19.42	\$20.86	\$1.44
45	51-4121	Welders, Cutters, Solderers, and Braziers	\$22.81	\$23.78	\$0.97
46	53-3032	Truck Drivers, Heavy and Tractor-Trailer	\$21.36	\$23.77	\$2.41
47	53-3033	Light Truck or Delivery Services Drivers	\$22.02	\$20.69	(\$1.33)
48	53-7021	Crane and Tower Operators	\$28.58	\$29.61	\$1.03
49	53-7051	Industrial Truck and Tractor Operators	\$17.61	\$19.02	\$1.41