



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 January 8, 2024. 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. Executive Director of Special Education
 - 2. Proposed Recommendation for Termination of Chapter 21 Term Contract Employee(s)
 - 3. Discussion Regarding Safety Personnel Pursuant to Government Code Section 551.076
- B. Discussion Regarding Intruder Detection Security Audit pursuant to Government Code Section 551.076
- C. Update Regarding Student Pursuant to Government Code Section 551.0821

III. RECONVENE INTO OPEN SESSION

IV. WELCOME FROM THE BOARD PRESIDENT

V. INVOCATION AND PLEDGE OF ALLEGIANCE

- A. Tejeda Middle School
Presenter: Martha Reyes, Principal

VI. RECOGNITIONS

- A. President's Remarks on Acknowledgment of Special Calendar Events

VII. MATTERS FROM THE FLOOR

VIII. MATTERS FROM EXECUTIVE SESSION

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XIV. 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
XV. 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 5th day of January, 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: January 8, 2024

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: January 8, 2024

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: January 8, 2024

Presenter: Debbie Weissmuller
NECPTA President

Subject: State of the PTA Report

Related Page(s): None

PRESENTATION

BACKGROUND INFORMATION

The report will consist of the following information:

- Council Purpose & Mission
- 5 Council Delegate Meetings Each Year (Information Shared and Meeting Focus: Back the Future, Volunteer Appreciation, State of the District, Blossom Scholarship Presentations, and Local Unit Membership Awards)
- Training Provided (Numerous Officer & Chair Trainings, ConNEXTions Leadership)
- Mentoring & Support Provided to local PTAs
- Council Membership Numbers & Awards
- Major Council Events (Founders' Day, Texas PTA Straight Talk, International Student Exchange Breakfast, Reflections Art Contest Award Ceremony, Blossom Scholarship Presentations)
- Clothes Closet
- Please "Like" the NEISD Council of PTAs Facebook, Twitter, and Instagram Pages & visit necouncilpta.com



NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: January 8, 2024

Presenter: Deb Caldwell, Executive
Director of
External Relations

Subject: Presentation and Possible
Action regarding Order of
Election for May 4, 2024
Special Election, SMD 2

Related Page(s): Attachments

ACTION ITEM

BACKGROUND INFORMATION

An order of election is the official action required by a governing body to hold an election. The District will hold a Special Election on Saturday, May 4, 2024, for the purpose of filling a vacancy on the Board of Trustees in Single Member District 2. This Trustee position is to fill the unexpired two-year portion of its normal four-year term, as required by applicable law. Accordingly, Single Member District 2 will be up for election again in 2026 for its regular four-year term.

ADMINISTRATIVE CONSIDERATION

The District will hold this election as a joint election with Bexar County and other political subdivisions as required under Texas Education Code Section 11.0581. Early Voting will take place April 22, 2024 – April 30, 2024. Election Day is May 4, 2024. The Bexar County Election Administrator will determine polling locations for both election day and the early voting period.

Election law requires that an approved Election Order be formally amended if there is a change in early voting locations, which are determined by the Bexar County Election Administrator.

BUDGETARY CONSIDERATION

The election budget will be funded from account number 199-41-702-99-702-6439-0000.

BOARD ACTION REQUIRED

Approval/Disapproval

**Order of Election
North East Independent School District
May 4, 2024**

BE IT ORDERED by the Board of Trustees for North East Independent School District of Bexar County, Texas:

1. That a Special Election be held in said School District on May 4, 2024 for the purpose of electing a Trustee to the Board of Trustees to fill an existing vacancy from Single Member District 2. This Trustee position is to fill the unexpired two-year portion of its normal four-year term. The successful candidate will hold this position for two years after which it will be up for election again in 2026 for its regular four-year term.
2. That applications for a place on the ballot for the Special Election shall be filed in writing on or before 5 p.m. on March 4, 2024, and not earlier than January 8, 2024 at 8961 Tesoro Drive, 6th floor. The duly appointed agents for the Secretary of the Board of Trustees for receiving candidate applications for said election are Deborah Caldwell and Yvonne Lussier. By approving this Order, the Board hereby ratifies any acts taken by Ms. Caldwell and/or Ms. Lussier in fulfillment of this duty as agents for the Secretary of the Board of Trustees prior to the express approval of this Order.
3. That the manner of holding said election shall be governed by the applicable sections of the Texas Election Code and the Texas Education Code. All necessary ballots and other election supplies for said election will be furnished in both English and Spanish.
4. That the election shall be held jointly with Bexar County and other political subdivisions as required under Texas Education Code Section 11.0581. The Bexar County Election Administrator will determine election day polling locations for said election. The Board hereby appoints election officers, consisting of a Presiding Judge and Alternate Presiding Judge, to be those election officers selected by the Bexar County Election Administrator for the proper conduct of the election.
5. That the Board of Trustees will conduct the local canvass of election results not later than the 11th day after election day and not earlier than:
 - a. the third day after election day;
 - b. the date on which the ballot board has verified and counted all provisional ballots, if a provisional ballot has been cast in the election; and
 - c. the date on which the ballot board has verified and counted all timely received mailed domestic ballots cast from addresses within the United States, and all timely received mailed ballots cast from addresses outside the United States.
6. That the Board of Trustees shall forthwith issue a notice of said election and post copies of this notice, in both English and in Spanish, as required by law on a bulletin board used for posting notices of the governing body at 8961 Tesoro Drive, the North East Independent School District website, as well as publication in an appropriate

newspaper. Notice of the election will be delivered to the Bexar County Election Administrator for inclusion on the county's website. Such posting and publication shall be done within the time(s) provided by the Texas Education Code and the Texas Election Code.

7. That Deborah Caldwell, the NEISD Executive Director of External Relations, and Yvonne Lussier, Executive Administrative Assistant to the Superintendent, are hereby appointed the agents of the Secretary of the Board of Trustees pursuant to Section 31.123 of the Election Code. They shall, individually or together, fulfill the duties required under Sections 31.122-31.123 of the Election Code. Their offices at the Richard A. Middleton Education Center, 8961 Tesoro Drive, shall be open during regular office hours, on days on which the District's main office is regularly open for business (Monday through Friday excluding holidays) of the District. Deborah Caldwell shall be the agent who will place the names of each candidate for each available trustee position on the ballot in order as drawn by lot.
8. That early voting by personal appearance shall be conducted at the Bexar County Elections Department, 1103 S. Frio, San Antonio, Texas, 78207 (main early voting location) and at early voting locations established by the Bexar County Election Administrator for the purpose of early voting by personal appearance. The additional locations of the early voting locations are listed in Exhibit A, but changes to the early voting locations may occur as determined by the Bexar County Election Administrator, and if so, this Order shall be amended to reflect such changes. Early voting locations shall be open beginning on the twelfth day before election day, April 22, 2024, and continuing through the fourth day before election day, April 30, 2024. Monday, April 22, 2024, through Thursday, April 25, 2024, early voting locations will be open between the hours of 8 a.m. and 6 p.m. Early voting locations will be closed on Friday, April 26, 2024. Saturday, April 27, 2024, early voting locations will be open between the hours of 8 a.m. and 8 p.m. Sunday, April 28, 2024, early voting locations will be open between the hours of 12 p.m. and 6 p.m. On Monday, April 29, 2024, and Tuesday, April 30, 2024, early voting locations will be open between the hours of 8 a.m. and 8 p.m. Jacquelyn Callanen, Bexar County Election Administrator, is named the Early Voting Clerk and authorized and charged to perform the functions provided by law in the casting of early voting ballots. The Early Voting Clerk is hereby authorized to designate, at a later date, Deputy Early Voting Clerks as may be required to conduct early voting for the election. Jacquelyn Callanen and her designees are hereby appointed election officers to constitute a special canvassing board charged with the duty of casting, counting, canvassing, and recording the early ballots in said election and reporting the status of such canvass in returns of all early voting ballots in said election.
9. That the office of the Bexar County Election Administrator, Jacquelyn Callanen, at 1103 S. Frio, Suite 200, San Antonio, Texas, 78207, is the early voting clerk's mailing address to which ballot applications and ballots by mail shall be sent. The early voting clerk's phone number is (210) 335-VOTE (8683), the email address is BexarCountyElections@bexar.org, and the website is www.bexar.org/elections. Applications for Ballots by Mail (ABBM)s must be received no later than the close of business on Tuesday, April 23, 2024. Federal Post Card Applications (FPCAs) must be received no later than the close of business on Tuesday, April 23, 2024.

PASSED AND APPROVED this 8th day of January, 2024.

North East Independent School District

(DISTRICT SEAL)



Shannon Arona

President, Board of Trustees

ATTEST:

Sandy Hughes

Secretary, Board of Trustees

EXHIBIT A

**JOINT GENERAL, SPECIAL, CHARTER ELECTION
(ELECCIÓN CONJUNTA GENERAL, ESPECIAL Y CARTA)**

**May 4, 2024
(4 de mayo de 2024)**

The hours of early voting will be: *(Las horas y fechas de votacion adelantada seran:)*

Monday, Apr. 22 thru Thursday, Apr. 25, 2024.....8:00 a.m. to 6:00 p.m.
(Lunes 22 de abril hasta el jueves 25 de abril de 2024.....8:00 a.m. to 6:00 p.m.)
 Friday, Apr. 26,2024 CLOSED
(Viernes 26 de abril de 2024CERRADO
 Saturday, Apr. 27, 2024.....8:00 a.m. to 8:00 p.m.
(Sabado 27 de abril de 2024.....8:00 a.m. to 8:00 p.m.)
 Sunday, Apr. 28, 2024.....12:00 noon – 6:00 p.m.
(Domingo 28 de abril de 2024.....12:00 noon – 6:00 p.m.)
 Monday, Apr. 29 thru Tuesday, Apr.30, 2024.....8:00 a.m. to 8:00 p.m.
(Lunes 29 de abril hasta el martes 30 de abril de 2024.....8:00 a.m. to 8:00 p.m.)

April 22, 2024 thru April 30, 2024

SUN	MON	TUES	WED	THURS	FRI	SAT
21	22 *****	23 *****	24 *****	25 *****	26 CLOSED	27 ***** **
28 *****	29 *****	30 *****	1	2	3	4 ELECTION DAY

Legend: *** Indicates dates open for early voting
(Leyenda: ***** Indica fechas abiertas para votación adelantada)**

Main Early Voting Location: (Localidad Principal de Votacion Adelantada:)

**BEXAR COUNTY ELECTIONS DEPARTMENT 1103 S. Frio
(DEAF LINK available for the hearing impaired)**

In addition to the main early polling place, early voting will be conducted at the following locations: (Ademas de la localidad principal, votacion adelantada se llevara a cabo en las siguiente localidades:)

BEXAR COUNTY JUSTICE CENTER (Basement).....300 Dolorosa
BROOK HOLLOW BRANCH LIBRARY.....530 Heimer Rd.
CASTLE HILLS CITY HALL... (Community Room)209 Lemonwood Dr.
CHRISTIAN FAMILY BAPTIST CHURCH.....1589 Grosenbacher Rd.
CLAUDE BLACK CENTER2805 East Commerce
CODY BRANCH LIBRARY11441 Vance Jackson
CONVERSE CITY HALL (OLD)..... 407 S. Seguin Rd.
COPERNICUS COMMUNITY CENTER..... 5003 Lord Rd.
CORTEZ BRANCH LIBRARY.....2803 Hunter Blvd.
EAST CENTRAL ISD ADMIN BLDG.....6634 New Sulphur Springs Rd.

EXHIBIT A

ENCINO BRANCH LIBRARY.....	2515 E. Evans Rd.
FAIR OAKS RANCH CITY HALL.....	..7286 Dietz Elkhorn Rd.
GREAT NORTHWEST BRANCH LIBRARY.....	9050 Wellwood
IGO BRANCH LIBRARY.....	13330 Kyle Seale Parkway
KIRBY CITY HALL	112 Bauman
LEON VALLEY CONFERENCE CENTER.....	.6421 Evers Rd.
LION'S FIELD.....	2809 Broadway
MAVERICK BRANCH LIBRARY.....	.8700 Mystic Park
MCAULIFFE MIDDLE SCHOOL.....	9390 S.W. Loop 410
McCRELESS BRANCH LIBRARY.....	1023 Ada St.
MEMORIAL BRANCH LIBRARY.....	3222 Culebra
MISSION BRANCH LIBRARY.....	3134 Roosevelt Ave.
NORTHSIDE ACTIVITY CENTER.....	7001 Culebra
NORTHWEST VISTA COLLEGE...(Mountain Laurel Rm. 132).....	3535 N. Ellison Dr.
OUR LADY OF THE LAKE UNIVERSITY...(Sueltenfuss Library).....	411 S.W. 24 TH St.
PALO ALTO COLLEGE...(Ozuna Library Rm. 102).....	1400 W. Villaret Blvd.
PARMAN BRANCH LIBRARY @ Stone Oak.....	20735 Wilderness Oak
PRECINCT 1 SATELLITE OFFICE.....	3505 Pleasanton Rd.
PRECINCT 3 SATELLITE OFFICE.....	320 Interpark Blvd.
SCHAEFER BRANCH LIBRARY.....	6322 US Hwy 87 E.
SEMMES BRANCH LIBRARY @ Comanche Lookout Park.....	15060 Judson Rd.
SHAVANO PARK CITY HALL... (Lobby).....	900 Saddletree Ct.
SOMERSET CITY HALL.....	7360 E. 6 th , Somerset
SOUTHSIDE ISD ADMIN. BLDG.....	1460 Martinez-Losoya Rd
TOBIN LIBRARY @ OAKWELL.....	4134 Harry Wurzbach
UNIVERSAL CITY LIBRARY.....	100 Northview Dr.
UTSA (Bexar Room).....	1 UTSA Circle
WINDCREST TAKAS PARK CIVIC CENTER.....	9310 Jim Seal Dr.
WONDERLAND MALL OF THE AMERICAS...(A44).....	4522 Fredericksburg Rd.

subject to change (sujeto a cambio)

For more information contact the office of the Bexar County Elections Administrator, Jacquelyn F. Callanen, at (210) 335-VOTE (8683) or visit our website at Elections.Bexar.org
(Para mas informacion comuniquese con la oficina del Condado de Bexar Administrador de Elecciones, Jacquelyn F. Callanen, al telefono (210) 335-VOTE (8683) o visite nuestra pagina web Elections.Bexar.org)

Applications to vote by mail may be requested and once completed mailed to:
(Las solicitudes para votar por correo se pueden solicitar y, una vez completadas, enviarse por correo a:)

Jacquelyn F. Callanen, Early Voting Clerk
1103 S. Frio, San Antonio, Texas 78207, or by calling 210-335-VOTE (8683).

Applications for a ballot by mail must be received no later than 5:00 p.m. on April 23, 2024.
(Las solicitudes para una boleta por correo deben recibirse a más tardar a las 5:00 p.m. el 23 de abril de 2024.)



NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: January 8, 2024

Presenter: Deb Caldwell, Executive Director of External Relations

Subject: Order of Election for May 4, 2024 General Election, SMD 1, 4, 5, 6

Related Page(s): Attachments

ACTION ITEM

BACKGROUND INFORMATION

An order of election is the official action required by a governing body to hold an election. The District will hold a General Election on Saturday, May 4, 2024, for the purpose of electing four Trustees to the Board of Trustees from Single Member District 1, Single Member District 4, Single Member District 5, and Single Member District 6, respectively. The term of office for such trustees shall be four years.

ADMINISTRATIVE CONSIDERATION

The District will hold this election as a joint election with Bexar County and other political subdivisions as required under Texas Education Code Section 11.0581. Early Voting will take place April 22, 2024 – April 30, 2024. Election Day is May 4, 2024. The Bexar County Election Administrator will determine polling locations for both election day and the early voting period.

Election law requires that an approved Election Order be formally amended if there is a change in early voting locations, which are determined by the Bexar County Election Administrator.

BUDGETARY CONSIDERATION

The election budget will be funded from account number 199-41-702-99-702-6439-0000.

BOARD ACTION REQUIRED

Approval/Disapproval

**Order of Election
North East Independent School District
May 4, 2024**

BE IT ORDERED by the Board of Trustees for North East Independent School District of Bexar County, Texas:

1. That a General Election be held in said School District on May 4, 2024 for the purpose of electing four Trustees to the Board of Trustees from Single Member District 1, Single Member District 4, Single Member District 5, and Single Member District 6, respectively. The term of office for such trustees shall be four years.
2. That applications for a place on the ballot for the General Election shall be filed in writing on or before 5 p.m. on February 16, 2024, and not earlier than January 17, 2024, at 8961 Tesoro Drive, 6th floor. The duly appointed agents for the Secretary of the Board of Trustees for receiving candidate applications for said election are Deborah Caldwell and Yvonne Lussier. By approving this Order, the Board hereby ratifies any acts taken by Ms. Caldwell and/or Ms. Lussier in fulfillment of this duty as agents for the Secretary of the Board of Trustees prior to the express approval of this Order.
3. That the manner of holding said election shall be governed by the applicable sections of the Texas Election Code and the Texas Education Code. All necessary ballots and other election supplies for said election will be furnished in both English and Spanish.
4. That the election shall be held jointly with Bexar County and other political subdivisions as required under Texas Education Code Section 11.0581. The Bexar County Election Administrator will determine election day polling locations for said election. The Board hereby appoints election officers, consisting of a Presiding Judge and Alternate Presiding Judge, to be those election officers selected by the Bexar County Election Administrator for the proper conduct of the election.
5. That the Board of Trustees will conduct the local canvass of election results not later than the 11th day after election day and not earlier than:
 - a. the third day after election day;
 - b. the date on which the ballot board has verified and counted all provisional ballots, if a provisional ballot has been cast in the election; and
 - c. the date on which the ballot board has verified and counted all timely received mailed domestic ballots cast from addresses within the United States, and all timely received mailed ballots cast from addresses outside the United States.
6. That the Board of Trustees shall forthwith issue a notice of said election and post copies of this notice, in both English and in Spanish, as required by law on a bulletin board used for posting notices of the governing body at 8961 Tesoro Drive, the North East Independent School District website, as well as publication in an appropriate

newspaper. Notice of the election will be delivered to the Bexar County Election Administrator for inclusion on the county's website. Such posting and publication shall be done within the time(s) provided by the Texas Education Code and the Texas Election Code.

7. That Deborah Caldwell, the NEISD Executive Director of External Relations, and Yvonne Lussier, Executive Administrative Assistant to the Superintendent, are hereby appointed the agents of the Secretary of the Board of Trustees pursuant to Section 31.123 of the Election Code. They shall, individually or together, fulfill the duties required under Sections 31.122-31.123 of the Election Code. Their offices at the Richard A. Middleton Education Center, 8961 Tesoro Drive shall be open during regular office hours, on days on which the District's main office is regularly open for business (Monday through Friday excluding holidays) of the District. Deborah Caldwell shall be the agent who will place the names of each candidate for each available trustee position on the ballot in order as drawn by lot.
8. That early voting by personal appearance shall be conducted at the Bexar County Elections Department, 1103 S. Frio, San Antonio, Texas, 78207 (main early voting location) and at early voting locations established by the Bexar County Election Administrator for the purpose of early voting by personal appearance. The additional locations of the early voting locations are listed in Exhibit A, but changes to the early voting locations may occur as determined by the Bexar County Election Administrator, and if so, this Order shall be amended to reflect such changes. Early voting locations shall be open beginning on the twelfth day before election day, April 22, 2024, and continuing through the fourth day before election day, April 30, 2024. Monday, April 22, 2024, through Thursday, April 25, 2024, early voting locations will be open between the hours of 8 a.m. and 6 p.m. Early voting locations will be closed on Friday, April 26, 2024. Saturday, April 27, 2024, early voting locations will be open between the hours of 8 a.m. and 8 p.m. Sunday, April 28, 2024, early voting locations will be open between the hours of 12 p.m. and 6 p.m. On Monday, April 29, 2024, and Tuesday, April 30, 2024, early voting locations will be open between the hours of 8 a.m. and 8 p.m. Jacquelyn Callanen, Bexar County Election Administrator, is named the Early Voting Clerk and authorized and charged to perform the functions provided by law in the casting of early voting ballots. The Early Voting Clerk is hereby authorized to designate, at a later date, Deputy Early Voting Clerks as may be required to conduct early voting for the election. Jacquelyn Callanen and her designees are hereby appointed election officers to constitute a special canvassing board charged with the duty of casting, counting, canvassing, and recording the early ballots in said election and reporting the status of such canvass in returns of all early voting ballots in said election.
9. That the office of the Bexar County Election Administrator, Jacquelyn Callanen, at 1103 S. Frio, Suite 200, San Antonio, Texas, 78207, is the early voting clerk's mailing address to which ballot applications and ballots by mail shall be sent. The early voting clerk's phone number is (210) 335-VOTE (8683), the email address is BexarCountyElections@bexar.org, and the website is www.bexar.org/elections. Applications for Ballots by Mail (ABBM)s must be received no later than the close of business on Tuesday, April 23, 2024. Federal Post Card Applications (FPCAs) must be received no later than the close of business on Tuesday, April 23, 2024.

PASSED AND APPROVED this 8th day of January, 2024.

North East Independent School District

(DISTRICT SEAL)



Shannon Brona

President, Board of Trustees

ATTEST:

Sandy Hughes

Secretary, Board of Trustees

EXHIBIT A

**JOINT GENERAL, SPECIAL, CHARTER ELECTION
(ELECCIÓN CONJUNTA GENERAL, ESPECIAL Y CARTA)**

**May 4, 2024
(4 de mayo de 2024)**

The hours of early voting will be: *(Las horas y fechas de votacion adelantada seran:)*

Monday, Apr. 22 thru Thursday, Apr. 25, 2024.....8:00 a.m. to 6:00 p.m.
(Lunes 22 de abril hasta el jueves 25 de abril de 2024.....8:00 a.m. to 6:00 p.m.)
 Friday, Apr. 26,2024 CLOSED
(Viernes 26 de abril de 2024CERRADO
 Saturday, Apr. 27, 2024.....8:00 a.m. to 8:00 p.m.
(Sabado 27 de abril de 2024.....8:00 a.m. to 8:00 p.m.)
 Sunday, Apr. 28, 2024.....12:00 noon – 6:00 p.m.
(Domingo 28 de abril de 2024.....12:00 noon – 6:00 p.m.)
 Monday, Apr. 29 thru Tuesday, Apr.30, 2024.....8:00 a.m. to 8:00 p.m.
(Lunes 29 de abril hasta el martes 30 de abril de 2024.....8:00 a.m. to 8:00 p.m.)

April 22, 2024 thru April 30, 2024

SUN	MON	TUES	WED	THURS	FRI	SAT
21	22 *****	23 *****	24 *****	25 *****	26 CLOSED	27 ***** **
28 *****	29 *****	30 *****	1	2	3	4 ELECTION DAY

Legend: *** Indicates dates open for early voting
(Leyenda: ***** Indica fechas abiertas para votación adelantada)**

Main Early Voting Location: (Localidad Principal de Votacion Adelantada:)

**BEXAR COUNTY ELECTIONS DEPARTMENT 1103 S. Frio
(DEAFLINK available for the hearing impaired)**

In addition to the main early polling place, early voting will be conducted at the following locations: (Ademas de la localidad principal, votacion adelantada se llevara a cabo en las siguiente localidades:)

BEXAR COUNTY JUSTICE CENTER (Basement).....300 Dolorosa
BROOK HOLLOW BRANCH LIBRARY.....530 Heimer Rd.
CASTLE HILLS CITY HALL... (Community Room)209 Lemonwood Dr.
CHRISTIAN FAMILY BAPTIST CHURCH.....1589 Grosenbacher Rd.
CLAUDE BLACK CENTER2805 East Commerce
CODY BRANCH LIBRARY11441 Vance Jackson
CONVERSE CITY HALL (OLD)..... 407 S. Seguin Rd.
COPERNICUS COMMUNITY CENTER..... 5003 Lord Rd.
CORTEZ BRANCH LIBRARY.....2803 Hunter Blvd.
EAST CENTRAL ISD ADMIN BLDG.....6634 New Sulphur Springs Rd.

EXHIBIT A

ENCINO BRANCH LIBRARY.....	2515 E. Evans Rd.
FAIR OAKS RANCH CITY HALL.....	..7286 Dietz Elkhorn Rd.
GREAT NORTHWEST BRANCH LIBRARY.....	9050 Wellwood
IGO BRANCH LIBRARY.....	13330 Kyle Seale Parkway
KIRBY CITY HALL	112 Bauman
LEON VALLEY CONFERENCE CENTER.....	.6421 Evers Rd.
LION'S FIELD.....	2809 Broadway
MAVERICK BRANCH LIBRARY.....	.8700 Mystic Park
MCAULIFFE MIDDLE SCHOOL.....	9390 S.W. Loop 410
McCRELESS BRANCH LIBRARY.....	1023 Ada St.
MEMORIAL BRANCH LIBRARY.....	3222 Culebra
MISSION BRANCH LIBRARY.....	3134 Roosevelt Ave.
NORTHSIDE ACTIVITY CENTER.....	7001 Culebra
NORTHWEST VISTA COLLEGE...(Mountain Laurel Rm. 132).....	3535 N. Ellison Dr.
OUR LADY OF THE LAKE UNIVERSITY...(Sueltenfuss Library).....	411 S.W. 24 TH St.
PALO ALTO COLLEGE...(Ozuna Library Rm. 102).....	1400 W. Villaret Blvd.
PARMAN BRANCH LIBRARY @ Stone Oak.....	20735 Wilderness Oak
PRECINCT 1 SATELLITE OFFICE.....	3505 Pleasanton Rd.
PRECINCT 3 SATELLITE OFFICE.....	320 Interpark Blvd.
SCHAEFER BRANCH LIBRARY.....	6322 US Hwy 87 E.
SEMMES BRANCH LIBRARY @ Comanche Lookout Park.....	15060 Judson Rd.
SHAVANO PARK CITY HALL... (Lobby).....	900 Saddletree Ct.
SOMERSET CITY HALL.....	7360 E. 6 th , Somerset
SOUTHSIDE ISD ADMIN. BLDG.....	1460 Martinez-Losoya Rd
TOBIN LIBRARY @ OAKWELL.....	4134 Harry Wurzbach
UNIVERSAL CITY LIBRARY.....	100 Northview Dr.
UTSA (Bexar Room).....	1 UTSA Circle
WINDCREST TAKAS PARK CIVIC CENTER.....	9310 Jim Seal Dr.
WONDERLAND MALL OF THE AMERICAS...(A44).....	4522 Fredericksburg Rd.

subject to change (sujeto a cambio)

For more information contact the office of the Bexar County Elections Administrator, Jacquelyn F. Callanen, at (210) 335-VOTE (8683) or visit our website at Elections.Bexar.org
(Para mas informacion comuniquese con la oficina del Condado de Bexar Administrador de Elecciones, Jacquelyn F. Callanen, al telefono (210) 335-VOTE (8683) o visite nuestra pagina web Elections.Bexar.org)

Applications to vote by mail may be requested and once completed mailed to:
(Las solicitudes para votar por correo se pueden solicitar y, una vez completadas, enviarse por correo a:)

Jacquelyn F. Callanen, Early Voting Clerk
1103 S. Frio, San Antonio, Texas 78207, or by calling 210-335-VOTE (8683).

Applications for a ballot by mail must be received no later than 5:00 p.m. on April 23, 2024.
(Las solicitudes para una boleta por correo deben recibirse a más tardar a las 5:00 p.m. el 23 de abril de 2024.)



NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: January 8, 2024

Presenter: Sean Maika
Superintendent

Subject: Board Policy Update 122

Related Page(s): Attachments

ACTION ITEM

BACKGROUND INFORMATION

Update 122 encompasses changes in law from the 88th Regular Legislative Session that have an immediate effect on the governance and management of the district. Recommended changes to local policies address the following topics:

Cybersecurity	Employment of Bus Drivers	Dyslexia and Related Disorders
Accelerated Instruction	Career Investigation Days	Opioid Antagonists
Threat Assessments	Student Records	Safety and Security

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 twelve (12) (LOCAL) policies. The following (LOCAL) policies are presented to the Board for consideration.

CQB (LOCAL)	Cybersecurity	EHB (LOCAL)	Special Programs	FEA (LOCAL)	Compulsory Attendance
CSA (LOCAL)	Safety & Security	EHBC (LOCAL)	Compensatory Services & Intensive Programs	FFAC (LOCAL)	Medical Treatment
DC (LOCAL)	Employment Practices	EHBCA (LOCAL)	Accelerated Instruction	FFB (LOCAL)	Crisis Intervention
DP (LOCAL)	Personnel Positions	EIC (LOCAL)	Class Ranking	FL (LOCAL)	Student Records

RECOMMENDATION

It is recommended that the Board approve the above-listed local policies included in Update 122.

BOARD ACTION REQUIRED

Approval/Disapproval

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ATTN(NOTE)

GENERAL INFORMATION ABOUT THIS UPDATE

Please note:

Changes at Update 122 are based almost exclusively on legislation from the 88th Regular Legislative Session.

Unless otherwise noted, references to legislative bills throughout these explanatory notes refer to Senate Bills (SB) or House Bills (HB) from the 88th Regular Legislative Session. All referenced bills have already gone into effect unless otherwise noted.

Each regular legislative session, legislation is passed that makes nonsubstantive additions, revisions, or corrections to existing statutes. HB 4595 was passed for this purpose in the 88th Regular Legislative Session. Minor nonsubstantive changes throughout Update 122 result from HB 4595 and are not otherwise mentioned in the explanatory notes.

For more information about the bills mentioned throughout and other changes from the 88th Legislative Session, download the free [2023 Legislative Summary for TASB Members](#) PDF from the TASB store.

The *Local Policy Overview* for Update 122, available with your Update 122 materials under [Local Manual Updates](#) on Policy Online® (TASB login required), provides a general, high-level overview of the changes to the local policies included in the update. **Legal policies provide the legal framework for key areas of district operations and are not adopted by the board.**

Changes to the policy manual based on bills from the special called sessions will be included in Update 123.

AF(LEGAL)

INNOVATION DISTRICTS

New and amended Administrative Code rules, effective June 20, 2023, revise the process and timeline for renewing an innovation plan. (See pages 5-6.)

AIB(LEGAL)

ACCOUNTABILITY: PERFORMANCE REPORTING

Provisions regarding remote instruction expired on September 1, 2023, and have been removed from this legal policy.

BBB(LEGAL)

BOARD MEMBERS: ELECTIONS

This legal policy has been updated to increase the population threshold for certain districts to conduct elections jointly with a hospital district. (HB 4559)

BBBA(LEGAL)

ELECTIONS: CONDUCTING ELECTIONS

HB 1217 repeals Election Code provisions creating different requirements for days and hours of early voting at temporary branch polling places in counties with a population under 100,000. The same requirements now apply regardless of county size.

BBBB(LEGAL)

ELECTIONS: POST-ELECTION PROCEDURES

HB 2559 adds retired justices of the peace, the comptroller of public accounts, and former comptrollers to the list of persons authorized to administer an oath in Texas. Because this legal policy includes only the four broadest categories of authorized persons, it has been amended to include retired justices of the peace. (See Oath of Office on page 4.)

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BBBC(LLEGAL) ELECTIONS: CAMPAIGN FINANCE

HB 2626 requires all districts, regardless of size, to post campaign finance reports filed with the district on the district website not later than the 10th business day after receipt. Certain address information may be removed before posting, and the reports must remain accessible on the website for five years.

BBC(LLEGAL) BOARD MEMBERS: VACANCIES AND REMOVAL FROM OFFICE

SB 232 implements automatic removal from office for certain criminal offenses. If a board member is removed, the board must fill the vacancy at the first regular meeting following the removal. (See page 4.)

HB 17 makes nonsubstantive changes to existing law regarding removal of a board member by written petition and trial. (See page 3.)

BBD(LLEGAL) BOARD MEMBERS: TRAINING AND ORIENTATION

The attorney general (AG) may require board members to complete Public Information Act (PIA) training if the AG determines the district has failed to comply with a requirement of the PIA (see page 1). (HB 3033)

BBI(LLEGAL) BOARD MEMBERS: TECHNOLOGY RESOURCES AND ELECTRONIC COMMUNICATIONS

The Note at the beginning of this policy has been updated to include a reference to CQC(LLEGAL), where provisions from SB 1893 regarding prohibited applications on district-owned devices have been added.

BE(LLEGAL) BOARD MEETINGS

HB 3440 requires all districts to post both the notice *and* agenda for a board meeting on the district website under the Open Meetings Act. (See Internet Posting — Notice on page 4.) The bill repeals the previous provision that tied the requirement to post the agenda to the size of a municipality in the district.

C(LLEGAL) BUSINESS AND SUPPORT SERVICES

The Section C table of contents has been revised to rename CKA as Safety Program/Risk Management: Safety and Security Audits and Monitoring. Provisions regarding asbestos management have been moved to a new code CSC, Facility Standards: Asbestos Management.

CCA(LLEGAL) LOCAL REVENUE SOURCES: BOND ISSUES

For bonds authorized at an election after September 1, 2023, HB 3 allows the use of bond proceeds to pay for compliance with school safety and security requirements for school facilities. If TEA finds that the district is not in compliance, the district must use bond proceeds to achieve compliance before using the proceeds for other purposes. (See page 3.)

CDA(LLEGAL) OTHER REVENUES: INVESTMENTS

SB 1246 amends the Public Funds Investment Act to authorize districts to invest in repurchase agreements through a joint account.

CDB(LLEGAL) OTHER REVENUES: SALE, LEASE, OR EXCHANGE OF SCHOOL-OWNED PROPERTY

HB 2518 requires a public property lease between a district and another person to include terms requiring the person to include payment and performance bond requirements in any construction contract the person enters related to the leased property. In addition, the person must provide notice of commencement to the district at least 90 days before any construction begins. (See pages 3-4.)

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CHE(LEGAL)

PURCHASING AND ACQUISITION: VENDOR DISCLOSURES AND CONTRACTS

HB 1817 specifies the circumstances under which a district contract is voidable for the vendor's failure to provide the required disclosure of interested parties. (See page 2.)

A provision has been added from HB 900 prohibiting the purchase of library material from vendors included on a list created by TEA. Other provisions of HB 900 are set out in EFB(LEGAL). (See page 10.)

CJA(LEGAL)

CONTRACTED SERVICES: CRIMINAL HISTORY

HB 4123 makes significant changes to the laws regarding criminal history record information (CHRI) reviews by the district and "qualified school contractors," as defined in the bill, and repeals provisions relating to CHRI reviews for certain public works contractors. The bill creates a single statutory approach to CHRI reviews for contractors and their employees.

CK(LEGAL)

SAFETY PROGRAM/RISK MANAGEMENT

Several legislative changes affect this legal policy on safety programs and risk management:

- HB 3 requires sheriffs in counties with a population of less than 350,000 to conduct semiannual meetings to discuss issues related to school safety.
- HB 1905 allows districts to make school safety training courses, including active shooter training courses, available at no cost to employees of private schools or child-care facilities in the district.
- SB 29 prohibits districts from implementing mandates related to COVID-19.

To better present legislative changes related to school safety and make the associated policies easier to use, provisions in this policy related to safety and security audits have been relocated to CKA(LEGAL).

CKA(LEGAL)

SAFETY PROGRAM/RISK MANAGEMENT: SAFETY AND SECURITY AUDITS AND MONITORING

To better present legislative changes related to school safety and make the associated policies easier to use, this legal policy has been renamed Safety and Security Audits and Monitoring, and provisions regarding asbestos management have been relocated to CSC(LEGAL) in the policy series related to facility standards. Provisions regarding safety and security audits have been moved from CK(LEGAL) and amended by HB 3.

Other revisions from HB 3 include new provisions related to the following:

- Monitoring by TEA of district implementation and operation of safety and security requirements through a new office of school safety and security
- Vulnerability assessments by TEA
- Intruder detection audits by regional school safety review teams
- Assignment of a conservator by the commissioner if a district fails to comply with specified safety and security requirements

CKC(LEGAL)

SAFETY PROGRAM/RISK MANAGEMENT: EMERGENCY PLANS

Numerous legislative changes affect this legal policy on emergency plans.

Under HB 3, a district must:

- Adopt a policy for providing notice regarding violent activity at a district campus or facility or at a district-sponsored activity. (See page 1.) [TEA issued a [To the Administrator Addressed letter](#) to provide

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guidance to educational leaders on September 7, 2023, with [Guidance on Model Standards for Parental Notification](#) that can be used to develop administrative procedures.]

- Provide the Department of Public Safety (DPS) and local law enforcement with emergency response maps and an opportunity to conduct a walk-through using the maps. (See page 1.)
- Follow TEA guidelines in adopting and implementing the district's multihazard emergency operations plan (EOP) to ensure the safety of students and personnel with disabilities or impairments in a disaster or emergency. TEA must develop the guidelines. (See page 3.)
- Submit its multihazard EOP no later than the 30th day after the Texas School Safety Center (TxSSC) requests it. HB 3 modifies the timelines related to submitting the plan and correcting any deficiencies. (See page 5.)
- Provide information from DPS and TxSSC regarding safe storage of firearms to parents. (See pages 6-7.) [TxSSC released [information](#) on September 1, 2023.]

Provisions have been added to this policy from the Texas Disaster Act regarding confidentiality of certain types of information the district may have related to safety and disaster response. (See pages 7-8.)

CKE(LLEGAL) SAFETY PROGRAM/RISK MANAGEMENT: SECURITY PERSONNEL

Several revisions to this legal policy on security personnel result from HB 3.

- The board must determine the appropriate number of armed security officers for each campus. The board must ensure that at least one armed security officer, as defined by the bill, is present during regular school hours at each campus or claim a good cause exception due to availability of funding or qualified personnel. A board that claims a good cause exception must develop an alternative standard. (See page 1.)
- The board's options as to who may be hired for security purposes are expanded. (See pages 1-2.)
- Security personnel are no longer required to be commissioned peace officers to carry weapons, but a person permitted to carry a firearm on campus may not perform certain law enforcement duties, except in an emergency, unless they are commissioned peace officers. (See page 5.)

HB 3 and SB 999 modify requirements related to active shooter response training. (See page 3.)

HB 1133 allows peace officers providing volunteer security services at school events to wear their uniforms under certain circumstances. (See pages 3-4.)

For more information, see TASB Legal Services' School Law eSource article "[Armed Security Officer Requirement in House Bill 3 \(2023\)](#)."

CKEA(LLEGAL) SECURITY PERSONNEL: COMMISSIONED PEACE OFFICERS

This legal policy has been updated to include existing provisions regarding the circumstances under which a body-worn camera recording may be released. (See page 5.)

CKEB(LLEGAL) SECURITY PERSONNEL: SCHOOL MARSHALS

HB 3623 allows a district to enter into a memorandum of understanding with another district, open-enrollment charter school, or private school to share a school marshal on the other school's campus for certain events. (See page 4.)

CKEC(LLEGAL) SECURITY PERSONNEL: SCHOOL RESOURCE OFFICERS

HB 3 implements requirements for a memorandum of understanding for the provision of school resource officers.

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CLA(LLEGAL) BUILDINGS, GROUNDS, AND EQUIPMENT MANAGEMENT: SECURITY

SB 2069 revises the requirements for schools to post human trafficking signs. The signs must now be posted in a conspicuous place reasonably likely to be viewed by employees and visitors.

CLE(LLEGAL) BUILDINGS, GROUNDS, AND EQUIPMENT MANAGEMENT: FLAG DISPLAYS

HB 2012 allows a classroom teacher to display the national motto in a classroom if the poster or framed copy meets existing requirements.

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

HB 1605 makes numerous changes to this legal policy on instructional materials care and accounting, including revisions to permitted expenditures, requisition procedures, requirements related to open education resources (OER), and certification. In addition, districts may be entitled to additional state aid for certain instructional materials.

Administrative code provisions have been deleted to the extent they are superseded by new laws.

CNA(LLEGAL) TRANSPORTATION MANAGEMENT: STUDENT TRANSPORTATION

Duplicative information regarding the transportation of students to accelerated instruction programs has been replaced with a reference on page 7 to EHBCA for more information.

CNC(LLEGAL) TRANSPORTATION MANAGEMENT: TRANSPORTATION SAFETY

HB 2190 changes all references in state law from "accident" to "collision."

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

The list of required internet postings has been updated to include:

- Campaign finance filings at item 18 (HB 2626)
- Item 46 regarding annual reports on measurable outcomes for dropout recovery education programs (SB 1647)

A district may now either post online or provide physical copies of the report on library materials (see item 4 at Optional Internet Postings). (HB 900)

CQB(LLEGAL) TECHNOLOGY RESOURCES: CYBERSECURITY

SB 768 shortens the deadline to notify the attorney general of a system security breach from 60 to 30 days and requires the notice to be submitted electronically. (See page 4.)

SB 271 creates additional notification requirements for "security incidents" as defined in the bill. (See page 6.)

CQB(LOCAL) TECHNOLOGY RESOURCES: CYBERSECURITY

Based on the new notification requirements imposed by SB 271, the security breach notification provisions have been revised to include security incidents.

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CQC(LEGAL)

TECHNOLOGY RESOURCES: EQUIPMENT

HB 18 amends requirements related to transferring data processing equipment or electronic devices to students. Beginning with the 2023-24 school year, in addition to existing requirements, districts must adopt rules establishing programs that promote parents as partners in cybersecurity and online safety and install filters to block pornographic or obscene materials or applications. TEA must adopt standards for permissible devices and applications used by a district. If necessary, Policy Service will recommend policy revisions following publication of the TEA standards.

SB 1893 requires the district to adopt a policy prohibiting the installation or use of a "covered application," as defined in the bill, on any device owned or leased by the district. (See page 3.) The Department of Information Resources (DIR) and the Department of Public Safety (DPS) must develop a model policy for districts to use in developing the required policy, and the district must adopt the required policy no later than 60 days after the model is released. Policy Service will recommend local policy revisions, as appropriate, following publication of the DIR/DPS model policy.

CS(LEGAL)

FACILITY STANDARDS

For clarity and ease of use, this legal policy on Facility Standards has been divided into four codes:

- CS: Facility Standards
- CSA: Safety and Security
- CSB: Gas and Pipelines
- CSC: Asbestos Management

CS includes the existing school facility standards that apply to all district capital improvement projects. Accessibility standards as well as provisions related to portable buildings and outdoor lighting also remain in this policy code.

CSA(LEGAL)

FACILITY STANDARDS: SAFETY AND SECURITY

This new policy code regarding safety and security includes existing provisions moved from CS(LEGAL) as well as the commissioner's new school safety rules for facilities, effective May 31, 2023.

HB 3 implements additional safety and security requirements for facilities.

SB 838 requires a district to provide each classroom with silent panic alert technology that allows immediate contact with emergency services and law enforcement. This applies beginning with the 2025-26 school year. (See page 9.)

CSA(LOCAL)

FACILITY STANDARDS: SAFETY AND SECURITY

This new local policy on facility safety and security includes recommended provisions addressing audits of building access control to comply with the commissioner's new school safety rules for facilities, effective May 31, 2023.

CSB(LEGAL)

FACILITY STANDARDS: SAFETY AND SECURITY

To present legal requirements more clearly, this new legal policy regarding gas and pipelines includes existing provisions moved from CS(LEGAL).

CSC(LEGAL)

FACILITY STANDARDS: ASBESTOS MANAGEMENT

To present legal requirements more clearly, existing provisions related to asbestos management have been moved from CKA(LEGAL) to this new policy code.

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CV(LEGAL)

FACILITIES CONSTRUCTION

This legal policy regarding facilities construction includes several revisions:

- HB 679 prohibits requiring a specified experience modifier in construction contracts or solicitations. (See pages 5-6.)
- HB 3485 allows vendors and subcontractors to elect not to proceed with additional work without a properly executed change order. (See page 8.)
- HB 2518 adds the failure to include required lease terms to the circumstances under which a district may be liable for failure to obtain a payment bond. (See page 13.)
- HB 2965 prohibits the waiver of Government Code Chapter 2272 regarding construction liability claims. (See page 20.)

DBAA(LEGAL)

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS: PRE-EMPLOYMENT REVIEWS

Changes to the laws regarding the use, confidentiality, and destruction of criminal history record information (CHRI) are from HB 4123. (See pages 4-5.) Other revisions are to better reflect statutory sources.

DBE(LEGAL)

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS: NEPOTISM

HB 1789 provides an exception to the nepotism prohibition for hiring bus drivers if the board approves the employment. (See page 4.)

DC(LOCAL)

EMPLOYMENT PRACTICES

HB 1789 creates a nepotism exception for hiring bus drivers, regardless of county population, if the *board* approves employment. We recommend adding a note referring to DBE(LEGAL) (concerning nepotism) to this policy that delegates hiring authority for noncontractual employees to the superintendent as a reminder of the special requirements related to this nepotism exception for bus drivers.

The [Legal Issues in Update 122](#) memo describes common legal concerns and best practices specific to this policy's topic.

Please note: For clarity, we have slightly adjusted your locally developed text from 2005 regarding personnel duties and employment of contractual personnel. Please contact your policy consultant if you have any questions.

DEAA(LEGAL)

COMPENSATION PLAN: INCENTIVES AND STIPENDS

For at least two school years, a district must assign a mentor teacher to a teacher who has been issued a temporary certificate for military service members and first responders to teach career and technology education (see page 5). (HB 621)

DEC(LEGAL)

COMPENSATION AND BENEFITS: LEAVES AND ABSENCES

Two bills impact leave requirements for district police officers and emergency personnel.

- HB 1486 adds full-time telecommunicators authorized under the Occupations Code to those entitled to paid mental health leave after experiencing a traumatic event in the scope of employment. (See page 6.)
- HB 471 requires a district to extend a leave of absence to a police officer or emergency medical services personnel for an illness or injury related to the person's line of duty. (See pages 6-7.)

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DF(LLEGAL) TERMINATION OF EMPLOYMENT

HB 4520 adds conviction of or placement on deferred adjudication community supervision for sale, distribution, or display of harmful material to a minor as a basis for mandatory termination. (See page 2.)

DG(LLEGAL) EMPLOYEE RIGHTS AND PRIVILEGES

Revisions to this legal policy incorporate recent state and federal legislative changes.

- HB 1605 prohibits a district from penalizing a teacher for failure to follow the pacing of instructional materials for a subject in the required curriculum. A classroom teacher is also immune from disciplinary proceedings for violating certain state and federal laws if the teacher used only approved and adopted instructional material and delivered the instruction with fidelity. (See pages 4-5.)
- The federal Providing Urgent Maternal Protections (PUMP) for Nursing Mothers Act, effective December 29, 2022, repealed and replaced prior law requiring breaks for employees to express breast milk. The provisions are not limited to nonexempt employees. (See pages 6-7.)

DGC(LLEGAL) EMPLOYEE RIGHTS AND PRIVILEGES: IMMUNITY

HB 2059 adds local behavioral health authorities to the list of providers of mental health first aid training who receive immunity when assisting an individual experiencing a mental health crisis. (See page 4.)

DH(LLEGAL) EMPLOYEE STANDARDS OF CONDUCT

HB 4520 adds Penal Code 43.24 (sale, distribution, or display of harmful material to minor) to the qualifying felonies that render a person ineligible for a TRS service retirement annuity if convicted. (See item 4 on page 2.)

DI(LLEGAL) EMPLOYEE WELFARE

HB 915 requires a district to post information for reporting workplace violence to the Department of Public Safety.

Other changes are to improve online accessibility of the policy.

DIA(LLEGAL) EMPLOYEE WELFARE: FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

Revisions to this legal policy incorporate recent state and federal legislative changes.

- HB 567 provides that the prohibition against racial discrimination includes discrimination based on an employee's hair texture or protective hairstyle commonly or historically associated with race. A district commits an unlawful employment practice if it adopts a dress or grooming policy that discriminates against such hair texture or protective hairstyle. (See page 4.)
- The federal Pregnant Workers Fairness Act, effective June 27, 2023, requires employers to provide reasonable accommodations to the known limitations related to the pregnancy, childbirth, or related medical conditions of a qualified employee. (See pages 9-11.)

Additional changes have been made to include citations to Administrative Code provisions and update other citations.

DL(LLEGAL) WORK LOAD

HB 1605 allows supplemental agreements between a district and a classroom teacher related to lesson planning or selecting instructional material during planning and preparation time. This applies beginning with the 2024-25 school year.

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DLB(LLEGAL)

WORK LOAD: REQUIRED PLANS AND REPORTS

HB 1605 allows a unit or weekly lesson plan included in instructional material adopted by the board to satisfy a requirement to prepare such a plan. (See item 6 at Restrictions on Written Reports.)

DMA(LLEGAL)

PROFESSIONAL DEVELOPMENT: REQUIRED STAFF DEVELOPMENT

Several legislative changes impact this legal policy on staff development.

- A district may satisfy a requirement to implement a program related to substance abuse and prevention and intervention by providing instruction related to fentanyl abuse prevention and drug poisoning awareness (see page 4). (HB 3908)
- A district must require all district employees who regularly interact with students to complete an evidence-based mental health training program (see pages 5-6). (HB 3)
- An athletic trainer who serves as a member of a district's concussion oversight team must take a course that meets the requirements set by the Texas Department of Licensing and Regulation (TDLR) (see page 9). (HB 2495)

Other revisions have been made to clarify the training requirements for other employees related to concussions.

DP(LLEGAL)

PERSONNEL POSITIONS

Revisions to this legal policy include new Administrative Code provisions, effective May 21, 2023, regarding school counselors, including requirements that they track time spent on various work duties and that the district assess its compliance with its counselor policy. (See pages 5-6.)

The policy also includes provisions from SB 763 authorizing a district to employ or accept as a volunteer a chaplain to provide support, services, and programs for students as assigned by the board. (See pages 8-9.)

DP(LOCAL)

PERSONNEL POSITIONS

SB 763 authorizes districts to employ chaplains or accept chaplains as volunteers to provide support, services, and programs for students as assigned by the board. These provisions apply beginning with the 2023-24 school year. While your district currently may allow chaplains along with other visitors or volunteers on campus, SB 763 requires each board to take a record vote not later than six months after the effective date, September 1, 2023, on whether to adopt a policy authorizing a campus to employ or accept as a volunteer a chaplain. To facilitate this record vote, TASB Policy Service sent a draft resolution with the [2023 Post-Legislative Policy Changes Policy Alert](#), available in the Policy Online® Governance and Management Library (TASB login required), for consideration by the board between September 1, 2023, and March 1, 2024. If the board approves the option to adopt a policy to authorize district campuses to employ or accept as a volunteer a chaplain, send your TASB policy consultant a copy of the resolution for TASB to update the district's DP(LOCAL) policy to reflect the board's decision. If the board would prefer only to accept chaplains as volunteers like other district or campus volunteers, contact your policy consultant for assistance with language at GKG(LOCAL).

EEB(LLEGAL)

INSTRUCTIONAL ARRANGEMENTS: CLASS SIZE

HB 2729 requires a district or an entity with which a district contracts to provide a prekindergarten program to attempt to maintain an average ratio of at least one *qualified*, rather than certified, teacher or aide for each 11 students. (See High-Quality Prekindergarten Program on page 1.)

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EF(LEGAL) INSTRUCTIONAL RESOURCES

This legal policy includes the following revisions from HB 1605:

- Changes to timelines and other requirements related to parental review of tests and instructional materials
- New requirements pertaining to district instructional material review on request of a parent or group of parents

The district must adopt a process for a parent to request a district instructional material review. TEA must adopt standards for a district to use in this review. Policy Service will recommend local policy revisions following publication of the TEA standards.

Provisions related to parental rights regarding consent to surveys and information collection have been relocated to new policy FA(LEGAL), dedicated to parental rights.

EFA(LEGAL) INSTRUCTIONAL RESOURCES: INSTRUCTIONAL MATERIALS

Numerous revisions throughout this legal policy on instructional materials are the result of HB 1605.

- Expanded definition of "instructional materials"
- Revised provisions regarding the SBOE's review, selection, and approval or rejection of instructional materials
- New provisions related to TEA's instructional materials website and other support for districts
- New and revised provisions pertaining to open education resource (OER) instructional material

EFB(LEGAL) INSTRUCTIONAL RESOURCES: LIBRARY MATERIALS

HB 900 required revisions throughout this legal policy on library materials.

- A district must adhere to the standards for library collection development adopted by the Texas State Library and Archives Commission (TSLAC) with approval of the SBOE. TSLAC must develop standards by January 1, 2024; Policy Service will recommend local policy revisions following publication of the standards.
- Written parental consent is required before a student may check out library material rated by a vendor as "sexually relevant."
- A district must conduct a biennial review of library contents and post a report not later than January 1 of every odd-numbered year.
- Library material vendors may not sell library materials unless they have issued ratings regarding sexually explicit and sexually relevant material previously sold to the district. No sexually explicit material may be sold and any in use must be recalled. Vendors must submit a list to TEA of rated materials sold and in use, and TEA must post the list online.

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

HB 1605 requires districts, when adopting instructional materials, to ensure sufficient time for teachers to teach and students to learn the essential knowledge and skills for the subject and grade level. (See Scope and Sequence and Instructional Materials on page 3.)

HB 3908 expands the scope of instruction regarding the dangers of opioids about which the school health advisory council (SHAC) must make recommendations. (See item 7 on page 7.)

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

HB 1605 prohibits any instruction that incorporates three-cueing in the required phonics curriculum.

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

Several bills impact this legal policy on required secondary instruction.

- SB 2124 requires districts to develop an advanced mathematics program and automatically enroll certain sixth grade students unless the student's parent opts out. (See page 3.)
- HB 3908 requires a district to provide annual instruction regarding fentanyl abuse prevention and drug poisoning awareness to students in grades 6 through 12. (See page 7-8.)
- HB 4375 requires a district to provide instruction in using an automated external defibrillator (AED) to students in grades 7 through 12 and allows a district to accept donations to provide such instruction. (See pages 8-9.)

A reference to policy EHBAD has been added on page 9 for more information on new notice requirements regarding the driving with disability program from SB 2304.

EHB(LLEGAL) CURRICULUM DESIGN: SPECIAL PROGRAMS

HB 3928 impacts this legal policy on special programs as follows:

- Further outlines the district's obligations when a student is suspected of having dyslexia or a related disorder (See pages 1-2.)
- Requires the board to adopt a local policy requiring the district to comply with all SBOE and commissioner rules, standards, and guidance related to implementing the program to test students for dyslexia and related disorders (See pages 2-3.)
- Requires the multidisciplinary evaluation team to include a dyslexia specialist when determining a student's eligibility for special education services (See page 3.)
- Implements requirements for progress reports for students receiving dyslexia services (See page 5.)
- Specifies required qualifications for providers of dyslexia instruction (See pages 5-6.)

EHB(LOCAL) CURRICULUM DESIGN: SPECIAL PROGRAMS

New provisions are recommended to comply with HB 3928, which requires the board to adopt and implement a policy requiring the district to comply with all rules and standards adopted by the SBOE and guidance published by the commissioner to implement the program to test students for dyslexia and related disorders.

EHBAA(LLEGAL) SPECIAL EDUCATION: IDENTIFICATION, EVALUATION, AND ELIGIBILITY

This policy on identification, evaluation, and eligibility has been updated to include a reference on page 5 to policy EHB for more information on special education of students with dyslexia and related disorders.

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

Changes reflect revised Administrative Code provisions regarding the admission, review, and dismissal (ARD) committee, effective July 18, 2023. The revisions include requirements related to students new to a

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district (see pages 4-6), including students who register in the summer, and requirements related to interpretation to ensure parent participation and understanding (see Collaborative Process on page 11).

EHBAD(LEGAL) SPECIAL EDUCATION: TRANSITION SERVICES

SB 2304 requires a district to provide information regarding the Texas Driving with Disability Program to specified students. (See pages 3-4.)

EHBC(LEGAL) SPECIAL PROGRAMS: COMPENSATORY SERVICES AND INTENSIVE PROGRAMS

The requirements for dropout recovery education programs are revised and supplemented by SB 1647. New provisions, beginning on page 6, address who can operate a program, when a district administrator or counselor may refer a student to a program, and reporting requirements.

EHBC(LOCAL) SPECIAL PROGRAMS: COMPENSATORY SERVICES AND INTENSIVE PROGRAMS

This local policy containing provisions on accelerated instruction has been moved to EHBCA(LOCAL) (see below) to align with the legal policy created at that code in Update 121.

EHBCA(LEGAL) COMPENSATORY SERVICES AND INTENSIVE PROGRAMS: ACCELERATED INSTRUCTION

HB 1416 impacts this legal policy on accelerated instruction in numerous ways, including the following:

- Implements exceptions to accelerated instruction for certain students (See pages 1-2.)
- Modifies requirements for supplemental instruction, including requirements regarding the hours of instruction and the instructional group size (See page 3.)
- Provides parents an option to modify or remove a requirement for supplemental instruction for students who failed to perform satisfactorily on certain assessment instruments (See page 4.)
- Exempts a district from the requirement to provide transportation for students to accelerated instruction programs if the district does not operate or contract for a transportation system
- Expands the requirements to provide notice to parents and requires TEA to develop a [model notice](#) [TEA released [information](#) on July 13, 2023.]
- Requires a district to develop an accelerated education plan for a student who does not perform satisfactorily on an assessment instrument for two or more school years in the same subject (See pages 6-7.)
- Requires the district to make a good faith attempt to provide a parent conference for a student with an accelerated education plan
- Adds circumstances under which the commissioner may waive a district's accelerated instruction requirements (See pages 8-9.)
- Repeals several provisions, including provisions related to accelerated learning committees
- Amends the ARD committee meeting requirements

EHBCA(LOCAL) COMPENSATORY SERVICES AND INTENSIVE PROGRAMS: ACCELERATED INSTRUCTION

This local policy has been recoded from EHBC(LOCAL) to align with EHBCA(LEGAL) created in Update 121. HB 1416 made several changes to the requirements for accelerated instruction. Recommended

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changes to this local policy reflect that a parent's ability to request a particular teacher after a student fails to perform satisfactorily on a state assessment is no longer limited to students in grades 3, 5, and 8. Other changes delete references to the accelerated learning committee, which has been eliminated. A district now must develop an accelerated learning plan for certain students, and parents still may file a complaint about the plan in accordance with FNG.

EHBG(LLEGAL) SPECIAL PROGRAMS: PREKINDERGARTEN

HB 2729 makes several changes related to prekindergarten programs:

- Expands teacher qualifications (See page 5.)
- Requires a district or an entity with which a district contracts to provide a prekindergarten program to attempt to maintain an average ratio of at least one *qualified*, rather than certified, teacher or aide for each 11 students (See page 6.)
- Prescribes new supervisor requirements for entities with which a district contracts to provide a prekindergarten program (See page 6.)

EHBK(LLEGAL) SPECIAL PROGRAMS: OTHER INSTRUCTIONAL INITIATIVES

HB 3991 designates the first Friday in April as Texas Fruit and Vegetable Day and requires appropriate instruction. (See page 4.)

HB 3908 requires the governor to designate Fentanyl Poisoning Awareness Week, which may include age-appropriate instruction. (See page 7.)

EHDD(LLEGAL) ALTERNATIVE METHODS FOR EARNING CREDIT: COLLEGE COURSE WORK/DUAL CREDIT

HB 8 implements the Financial Aid for Swift Transfer (FAST) program to allow certain students to enroll at no cost in a dual credit course. A district must provide notice to parents about the program and determine student eligibility. (See pages 7-8.)

EHDE(LLEGAL) ALTERNATIVE METHODS FOR EARNING CREDIT: DISTANCE LEARNING

Provisions related to attendance calculation for off campus electronic instruction expired on September 1, 2023, and have been removed from this legal policy.

EHDF(LLEGAL) ALTERNATIVE METHODS FOR EARNING CREDIT: LOCAL REMOTE LEARNING PROGRAM

Provisions related to local remote learning programs expired on September 1, 2023. This legal policy has been deleted in its entirety.

EI(LLEGAL) ACADEMIC ACHIEVEMENT

Changes reflect new Administrative Code provisions regarding the academic achievement record of a student who earns a diploma for completing the Texas First Early High School Completion Program, effective June 15, 2023. (See page 4.)

EIA(LLEGAL) ACADEMIC ACHIEVEMENT: GRADING/PROGRESS REPORTS TO PARENTS

This policy on grading/progress reports to parents has been updated to include a reference on page 2 to policy EHB for more information on progress reports for students receiving dyslexia instruction.

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EIC(LOCAL) ACADEMIC ACHIEVEMENT: CLASS RANKING

HB 3803 permits parents to elect to have their student repeat a high school course in which the student was enrolled during the previous school year unless the district determines the student has met all requirements for graduation. Absent local policy, TEA guidance provides that the original passing grade must be retained.

Contact your policy consultant for assistance with policy language that reflects the district's option regarding the use of grades from retaken courses in the calculation of class rank and on the transcript.

EIE(LEGAL) ACADEMIC ACHIEVEMENT: RETENTION AND PROMOTION

HB 3803 permits a parent to elect for a student to repeat the grade in which the student was enrolled in the previous school year up to grade 8. In addition, a parent may elect for a student to repeat a course taken for high school credit in the previous school year unless the district determines the student has met all requirements for graduation. (See page 1.)

EIF(LEGAL) ACADEMIC ACHIEVEMENT: GRADUATION

Provisions related to diplomas for certain students who entered ninth grade before the 2011-12 school year expired on September 1, 2023, and have been removed from this legal policy.

SB 2294 requires a district to allow a student to graduate and receive a diploma under the Texas First Early High School Completion Program if the student satisfies other requirements. (See page 7.)

EKB(LEGAL) TESTING PROGRAMS: STATE ASSESSMENT

This legal policy has been updated to include legislative changes regarding state assessments.

- In establishing the district's calendar and the dates for the administration of state assessment instruments, the board may consider religious holy days or periods of observance likely to be observed by students during the period for administering those instruments (see page 5). (HB 1883)
- A district may administer a state assessment instrument in paper format to up to three percent of students upon request of a student's parent, guardian, or teacher (see pages 6-7). (HB 1225)

F(LEGAL) STUDENTS

The Section F table of contents has been revised to add the new code FA, Parent Rights and Responsibilities. We have also added for future expansion a new code addressing identification of students at FI.

FA(LEGAL) PARENT RIGHTS AND RESPONSIBILITIES

Many of the legal provisions regarding parent rights have been moved to this new policy code so that information is available in a single location. In addition, this policy catalogs the other policy codes that address specific parents' rights throughout the policy manual.

FD(LEGAL) ADMISSIONS

SB 1008 extends the deadline for an active-duty military parent to provide proof of residence in the district from 10 to 90 days after arrival. (See pages 3-4.)

HB 3 requires a parent enrolling a child or the district the child most recently attended to provide the new district a copy of the child's disciplinary record and any threat assessment involving the child's behavior. (See page 8.)

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FDA(LEGAL)

ADMISSIONS: INTERDISTRICT TRANSFERS

HB 3 requires a transfer student's district of residence to provide the receiving district with the student's disciplinary record and any threat assessment involving the student's behavior. (See page 1.)

HB 1959 and HB 2892 require the board to grant the request of a peace officer who is a parent of a student or a servicemember who is a parent of a student to transfer the student to another campus or to another district under an agreement between the districts under Education Code 25.035. (See pages 2-3.)

FDB(LEGAL)

ADMISSIONS: INTRADISTRICT TRANSFERS AND CLASSROOM ASSIGNMENTS

A reference to information regarding intradistrict transfers requested by a parent who is a servicemember or peace officer has been added to page 3 of this legal policy. The referenced information is located in FDA(LEGAL).

FEA(LEGAL)

ATTENDANCE: COMPULSORY ATTENDANCE

HB 1212 prohibits a district from requiring documentation from a clergy member or other religious leader and requires the district to accept a note from a parent when excusing a student's absence to observe a religious holy day. (See page 4.)

SB 68 allows a district to excuse a student from attending school for career investigation days to visit a professional's workplace during the student's junior and senior years to determine the student's interest in a career in the professional's field. (See page 6.)

HB 4559 increases the population threshold for constitutional county courts in certain counties to be designated as truancy courts. (See page 8.)

FEA(LOCAL)

ATTENDANCE: COMPULSORY ATTENDANCE

SB 68 allows a district to excuse a student from attending school for career investigation days to visit a professional's workplace during the student's junior and senior years to determine the student's interest in a career in the professional's field. Districts that choose to excuse students for absences to visit a professional's workplace to explore a career in that professional's field must adopt a policy to determine when an absence will be excused for this purpose and a procedure to verify the visit. A new provision offered for the board's consideration at Career Investigation permits such absences for the maximum amount allowed in law — up to two days during a student's junior year and up to two days during the student's senior year. Contact your policy consultant for revisions if the district will allow fewer excused absences or will not allow any excused absences for this purpose.

The [Legal Issues in Update 122](#) memo describes common legal concerns and best practices specific to this policy's topic.

FEB(LEGAL)

ATTENDANCE: ATTENDANCE ACCOUNTING

References regarding funding for courses taken with the Texas Virtual School Network have been updated.

FEC(LEGAL)

ATTENDANCE: ATTENDANCE FOR CREDIT

Provisions allowing a district to adopt a policy to exempt students from the 90 percent rule for courses offered under a local remote learning program exception expired on September 1, 2023, and have been removed from this legal policy.

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FED(LLEGAL)

ATTENDANCE: ATTENDANCE ENFORCEMENT

HB 3917 allows a parent against whom a complaint for contributing to nonattendance has been filed to enter a written agreement to complete counseling, training, or another program designated by the district. (See page 10.)

FFAC(LLEGAL)

WELLNESS AND HEALTH SERVICES: MEDICAL TREATMENT

SB 629 requires a district to adopt a policy regarding maintenance, administration, and disposal of opioid antagonists at each campus that serves students in grades 6 through 12; a district may adopt a policy at campuses serving students in grades below 6. Provisions have been added beginning on page 4 regarding reporting, training, immunity, and other topics.

General provisions related to the administration of opioid antagonists have been deleted in light of the new requirements.

SB 294 revises provisions related to a district's option to adopt a policy regarding maintenance, administration, and disposal of medication for respiratory distress. A district that adopts a policy must require each campus to have at least one authorized and trained person present during regular school hours. Provisions have been added beginning on page 11 regarding required referrals after medication is administered, training, reporting, parental notice of the policy, and other topics.

Also under SB 294, a district that implements a policy for the maintenance, administration, and disposal of epinephrine auto-injectors must give notice *of the policy* to parents before the policy is implemented or before the start of each school year. (See page 10.)

Finally, SB 294 prohibits disciplinary action against an employee or volunteer who refuses to administer or receive training to administer epinephrine auto-injectors or medication for respiratory distress in accordance with board policy. (See pages 13-14.)

FFAC(LOCAL)

WELLNESS AND HEALTH SERVICES: MEDICAL TREATMENT

We offer for your consideration recommended revisions to the provisions on opioid antagonists based on SB 629, which requires a district to have at least one person who is authorized and trained to administer the medication present during regular school hours on each campus that serves grades 6 through 12. The district's current policy language does not limit availability of opioid antagonist medication to specific grade levels or campuses; therefore, the revisions state that the provision will be applicable to every campus.

The policy also includes recommended revisions regarding medication for respiratory distress based on SB 294. If your district no longer wants to have this medication available on campus during regular school hours or wants to add provisions to ensure it is available at school-sponsored activities after regular school hours and/or at off-campus events or while in transit to or from school events, please contact your policy consultant for appropriate revisions.

The [Legal Issues in Update 122](#) memo describes common legal concerns and best practices specific to this policy's topic.

FFAF(LLEGAL)

WELLNESS AND HEALTH SERVICES: CARE PLANS

SB 1506 requires a student's seizure management and treatment plan to be on a form adopted by TEA. TEA must adopt the form by December 1, 2023, and post the form on the TEA website. (See page 5.)

FFB(LLEGAL)

STUDENT WELFARE: CRISIS INTERVENTION

The required policies and procedures for the district's threat assessment and safe and supportive school team are changed as follows (see pages 1-2):

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- Under HB 3, the policy must require each campus to establish a procedure for students to report concerning behavior by another student.
- SB 1720 requires the policy to allow employees who report a potential threat to elect to keep their identities confidential.

Before the threat assessment and safe and supportive school team may conduct a threat assessment, HB 473 requires the team to notify a student's parent regarding the assessment. The team must also notify the parent of its findings and conclusions after the assessment.

HB 3 also requires that materials and information from a threat assessment be maintained in the student's school record until the student's 24th birthday.

FFB(LOCAL) STUDENT WELFARE: CRISIS INTERVENTION

Recommended revisions to this local policy on crisis intervention include the following:

- In accordance with HB 3, provisions have been added at Student Reports to require each campus to establish a clear procedure for students to report concerning behavior by another student.
- Revisions at Employee Confidentiality are based on SB 1720 and allow employees who report a potential threat to elect to keep their identities confidential.

FFBA(LEGAL) CRISIS INTERVENTION: TRAUMA-INFORMED CARE

This policy on trauma-informed care has been updated to include a reference to policy DMA for more information on mental health training for district employees.

FFEA(LEGAL) COUNSELING AND MENTAL HEALTH: COUNSELING

HB 1605 clarifies that materials required to be made available for parent review are those that are not available digitally through an instructional materials parent portal. (See page 1.)

HB 4363 requires that notice be given to students, teachers, counselors, and parents of Future Texas Teachers Scholarship programs. (See page 3.)

FFG(LEGAL) STUDENT WELFARE: CHILD ABUSE AND NEGLECT

HB 63 prohibits the Department of Family and Protective Services from taking anonymous reports of abuse or neglect. Revisions have been made to the required contents of a report, including the name and contact information of the person making the report. (See page 3.) Other provisions have been rearranged for clarity.

FL(LEGAL) STUDENT RECORDS

Information regarding enrollment records has been deleted from this policy to avoid unnecessary duplication of the same information in policy FD. A reference to that policy has been added on page 4.

The following provisions have been relocated to new policy FA(LEGAL) dedicated to parental rights:

- Parental rights regarding consent to surveys and information collection.
- Parental consent requirements related to videotaping or recording students.

FL(LOCAL) STUDENT RECORDS

HB 1416 repeals provisions related to accelerated learning committees. The references to the accelerated learning committee have been replaced with references to the accelerated education plan that now must be created for certain students who fail to perform satisfactorily on state assessments.

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The [Legal Issues in Update 122](#) memo describes common legal concerns and best practices specific to this policy's topic.

FM(LEGAL)

STUDENT ACTIVITIES

HB 1002 allows a licensed chiropractor or physical therapist to serve on the concussion oversight team if the person meets the training requirements. (See pages 4-5.) This bill also allows a physical therapist to remove a student from practice or competition if the physical therapist believes the student has sustained a concussion. (See page 5.)

HB 2484 requires a district to provide a peace officer, SRO, administrator, or security personnel at an athletic event on district property to ensure the safety of an official of the activity under certain circumstances. (See page 8.) This bill also requires a district to prohibit a spectator from attending athletic activities for at least a year if the spectator causes bodily injury to an official because of the official's actions. (See page 18.)

HB 59 implements new requirements for organized water activities including parental affirmation of whether a child can swim and provision of flotation devices for children who cannot swim. (See pages 9-10.)

HB 699 requires UIL, in assigning league classification, to use the same student enrollment calculation formula for a school that allows homeschooled students to participate in UIL activities as for one that does not. (See pages 15-16.)

HB 3708 provides an allotment of \$1,500 for each UIL activity in which a district allows a homeschooled student to participate. (See page 16.)

An existing provision that a nurse or health-care professional who is not in compliance with training requirements may not serve on a concussion oversight team has been relocated from GKG. (See page 5.)

FNCA(LEGAL)

STUDENT CONDUCT: DRESS CODE

HB 567 prohibits a student dress or grooming policy, including an extracurricular dress code, that discriminates against a hair texture or protective hairstyle commonly or historically associated with race. In light of this new Education Code provision, citations to older caselaw have been deleted.

FNCC(LEGAL)

STUDENT CONDUCT: PROHIBITED ORGANIZATIONS AND HAZING

SB 1900 expands the offense of coercing, inducing, or soliciting membership in a criminal street gang to include a foreign terrorist organization. (See page 1.)

SB 37 allows a report of hazing to be made to a peace officer or law enforcement agency. Provisions regarding immunity for reporting hazing have been added to this legal policy. (See page 2.)

FNCD(LEGAL)

STUDENT CONDUCT: TOBACCO USE AND POSSESSION

This legal policy on tobacco use and possession has been updated to include a reference to policy FOC regarding the new disciplinary consequences for conduct involving e-cigarettes.

FNCF(LEGAL)

STUDENT CONDUCT: ALCOHOL AND DRUG USE

This legal policy has been updated on page 1 to increase the population threshold for certain districts to petition for an alcohol-free zone. (HB 4559)

FNCG(LEGAL)

STUDENT CONDUCT: WEAPONS

HB 114 clarifies that the procedural requirements of Education Code 37.009(a) regarding conference and mitigating factors apply to expulsion. (See Possession of Weapons on page 1.)

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FNG(LEGAL) STUDENT RIGHTS AND RESPONSIBILITIES: STUDENT AND PARENT COMPLAINTS/GRIEVANCES

Provisions outlining parental rights have been relocated to new policy FA(LEGAL) dedicated to parent rights.

FO(LEGAL) STUDENT DISCIPLINE

A district peace officer or security personnel may not restrain or use a chemical irritant or Taser on a student in fifth grade or below unless the student poses a serious risk of harm (see page 6). (SB 133)

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

Several bills impact this legal policy regarding placement in a DAEP.

- HB 114:
- Clarifies that the procedural requirements of Education Code 37.009(a) regarding conference and mitigating factors apply to placement in a DAEP (see page 1).
- Requires DAEP placement for certain conduct involving e-cigarettes (see item 5 on page 2).
- Allows placement in in-school suspension of students who engaged in certain conduct when DAEP is at capacity (see page 9).
- HB 2187 expands the Title V felony offense of abandoning or endangering a child to include elderly or disabled individuals. (See item 25 on page 4.)
- HB 3928 requires the district, upon placement of a student in DAEP, to provide information to the parent about the process to request an evaluation of the student for special education services. (See page 8.)

FOCA(LEGAL) PLACEMENT IN A DISCIPLINARY ALTERNATIVE EDUCATION SETTING: DISCIPLINARY ALTERNATIVE EDUCATION PROGRAM OPERATIONS

HB 114 allows a program of educational and support services to be provided to a student and the student's parents when a DAEP offense involves e-cigarettes. (See page 5.)

HB 3928 requires the personalized transition plan for a student exiting a DAEP to include the provision of information to the parent about the process to request an evaluation of the student for special education services. (See pages 6-7.)

FOD(LEGAL) STUDENT DISCIPLINE: EXPULSION

HB 114 clarifies that the procedural requirements of Education Code 37.009(a) regarding conference and mitigating factors apply to expulsion. For ease of reference, content related to pre-placement proceedings has been duplicated in this policy. (See page 6.)

This legal policy also has been updated to increase the population threshold for certain counties considered to be a county with a population of 125,000 or less for purposes of JJAEP requirements (see page 10). (HB 4559)

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FODA(LLEGAL)

EXPULSION: JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM

This legal policy has been updated to increase population thresholds for certain counties considered to be a county with a population of 125,000 or less for purposes of JJAEP requirements. (See pages 1-2.) (HB 4559)

GBA(LLEGAL)

PUBLIC INFORMATION PROGRAM: ACCESS TO PUBLIC INFORMATION

Several legislative changes affect this legal policy on access to public information.

- HB 1161 adds victims of child abduction to those covered by the address confidentiality program. (See page 10.)
- HB 3130 restricts the release of information about certain persons who hold or apply for a license issued by the district. (See page 12.)
- HB 4123 prohibits the release of criminal history record information (CHRI) obtained from the FBI and limits the release of CHRI obtained from other Texas criminal justice agencies. (See page 12.)
- HB 3033 provides that the litigation exception to disclosure does not apply to election information in the possession of the entity that administers elections. (See page 16.)
- HB 30 and HB 3033 address the release of information related to certain arrests and crimes. (See page 17.)

GBAA(LLEGAL)

ACCESS TO PUBLIC INFORMATION: REQUESTS FOR INFORMATION

Numerous revisions throughout this legal policy on requests for information are the result of HB 3033, including the following:

- The attorney general (AG) may require board members and the officer for public information to complete Public Information Act (PIA) training if the AG determines the district has failed to comply with a requirement of the PIA. (See page 4.)
- "Business day" is defined. A board may designate 10 nonbusiness days each calendar year. (See page 7.)
- With limited exceptions, a district must submit a request for an AG decision through the AG's electronic filing system. (See page 14.)
- A district must take certain actions as soon as practicable after receiving an AG decision. (See pages 20-21.)
- A district may request photo identification from a requestor to establish the requestor has not exceeded a personnel time limit and concealed the requestor's identity. A requestor may decline to provide identification and pay a charge for exceeding the time limit. (See page 30.)

The list of state and national holidays has been added on page 8.

GC(LLEGAL)

PUBLIC NOTICES

This legal policy has been updated to increase the population threshold for the selection of the newspaper for publication of notice in certain counties (see page 2). (HB 4559)

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GKA(LLEGAL) COMMUNITY RELATIONS: CONDUCT ON SCHOOL PREMISES

HB 1760 modifies the Penal Code regarding places where weapons are prohibited to require that grounds on which a school-sponsored activity is occurring be owned by and under the control of a school. (See page 7.)

GKC(LLEGAL) COMMUNITY RELATIONS: VISITORS

HB 3 allows a district to eject a person on district property who fails or refuses to provide identification on request if the person reasonably appears to have no legitimate reason to be on district property.

GKG(LLEGAL) COMMUNITY RELATIONS: SCHOOL VOLUNTEER PROGRAM

HB 4123 allows a district to obtain criminal history record information (CHRI) from the Department of Public Safety, in addition to other agencies, about a volunteer who is excepted from the required CHRI check but subject to a discretionary check by the district. (See page 2.)

Provisions related to the concussion oversight team have been relocated to FM(LLEGAL).

GRAC(LLEGAL) STATE AND LOCAL GOVERNMENTAL AUTHORITIES: JUVENILE SERVICE PROVIDERS

HB 446 changed terminology used in statutes to refer to intellectual disability. (See item 8 on page 2.)

GRB(LLEGAL) RELATIONS WITH GOVERNMENTAL ENTITIES: INTERLOCAL COOPERATION CONTRACTS

This policy has been updated to increase the population threshold for municipalities to contract with one or more school districts to provide school crossing guards. (HB 4559)



(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 make formatting changes appear tracked, even though the text remains the same.

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

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

Plan The District shall develop a cybersecurity plan to secure the District's cyberinfrastructure against a cyberattack or any other cybersecurity incidents, determine cybersecurity risk, and implement appropriate mitigation planning.

Coordinator The Superintendent shall designate a cybersecurity coordinator. The cybersecurity coordinator shall serve as the liaison between the District and the Texas Education Agency in cybersecurity matters.

Training The Board delegates to the Superintendent the authority to:

1. Determine the cybersecurity training program to be used in the District;
2. Verify and report compliance with training requirements in accordance with guidance from the Department of Information Resources; and
3. Remove access to the District's computer systems and databases for noncompliance with training requirements as appropriate.

The District shall complete periodic audits to ensure compliance with the cybersecurity training requirements.

Security Breach Notifications Upon discovering or receiving notification of a breach of system security or a security incident, as defined by law, the District shall disclose the breach or incident to affected persons or entities in accordance with the time frames established by law. The District shall give notice by using one or more of the following methods:

1. Written notice.
2. Email, if the District has email addresses for the affected persons.
3. Conspicuous posting on the District's websites.
4. Publication through broadcast media.

The District shall disclose a breach or incident involving sensitive, protected, or confidential student information as required by law.

**Building Access
Control**

Audits of building access control shall include weekly inspections of instructional facilities during school hours to certify all exterior doors are, by default, set to closed, latched, and locked status and cannot be opened from the outside without a key.

The Superintendent shall ensure that the findings of the weekly inspections are:

1. Reported to the District safety and security committee; and
2. Reported to the campus principal or lead administrator of the instructional facility to ensure awareness of any deficiencies identified.

The campus principal or lead administrator shall assign appropriate staff to take action to reduce the likelihood of similar deficiencies in the future.

The results of the weekly reports shall be kept for review as part of the required safety and security audit.

The District's building access control procedures shall not be interpreted as discouraging parents or guardians who have been properly verified as authorized visitors from visiting their student's campus. [See GKC]

DRAFT

Personnel Duties The Superintendent shall define the qualifications, duties, and responsibilities, ~~and classification~~ of all positions and shall ensure that job descriptions are current and accessible to employees and supervisors.

Posting Vacancies The Superintendent or designee shall establish guidelines for advertising employment opportunities and posting notices of vacancies. These guidelines shall advance the Board's commitment to equal opportunity employment and to recruiting well-qualified candidates. Current District employees may apply for any vacancy for which they have appropriate qualifications.

Applications All applicants shall complete the application form supplied by the District. Information on applications shall be confirmed before a contract is offered for a contractual position and before hiring or as soon as possible thereafter for a noncontractual position.

[For information related to the evaluation of criminal history records, see DBAA.]

Employment of Contractual Personnel

~~Teacher, Librarian,
School Counselor,
and School Nurse~~

~~The Board delegates to the Superintendent final authority to employ contractual personnel in the following categories: classroom teacher, librarian, school counselor, and school nurses. The employees in these categories shall receive the appropriate contract as required by applicable law and Board policy.~~

~~Central Office and
Campus
Administrators~~

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.~~

The Board retains final authority for employment of contractual personnel in ~~these categories:~~ the position of central office administrators from the director level and above and campus administrators including principals and assistant principals.

The Board delegates to the Superintendent the authority to employ teachers, librarians, school counselors, and school nurses.

[See DCA, DCB, DCC, and DCE as appropriate]

Employment of Noncontractual Personnel

Note: For employment of a bus driver related to a Board member or the Superintendent, see DBE(LEGAL).

The Board delegates to the Superintendent final authority to employ and dismiss noncontractual employees on an at-will basis. [See DCD]

Child Labor

The District shall adhere to the requirements set forth by the Fair Labor Standards Act (FLSA) in conjunction with the employment of minors between the ages of 14 through 17. Any supervisor wishing to employ a minor shall coordinate with the human resources department to ensure that the duties and responsibilities for that position are in compliance with FLSA restrictions related to hours worked and tasks performed.

Break in Service

If an employee has a break in service, the period of employment after the break is considered new employment, except for purposes of vesting in the attendance and retention incentive program. Employment after a break in service of less than five years would not be considered new employment for vesting purposes, while employment after a break in service of five years or more would be considered new employment.

Employment Assistance Prohibited

No District employee shall assist another employee of the District or of any school district in obtaining a new job if the employee knows, or has probable cause to believe, that the other employee engaged in sexual misconduct regarding a minor or student in violation of the law. Routine transmission of an administrative or personnel file does not violate this prohibition. [See CJ for prohibitions relating to contractors and agents and DH(EXHIBIT) for the Educators' Code of Ethics.]

Dyslexia and Related Disorders

The District shall comply with all rules and standards adopted by the State Board of Education and guidance published by the commissioner of education to implement the program to test students for dyslexia and related disorders.

In accordance with administrative procedures, the District shall provide regular training opportunities for teachers of students with dyslexia that include new research and practices for educating students with dyslexia.

DRAFT

~~Each student who has been identified as being at risk of dropping out of school, who is not performing at grade level, or who did not perform satisfactorily on a state-mandated assessment shall be provided accelerated and/or compensatory educational services.~~

Accelerated Instruction

~~The District shall provide accelerated instruction in accordance with law if a student fails to perform satisfactorily on a state-mandated assessment.~~

Accelerated Learning Committee

~~When a student fails to perform satisfactorily on a math or reading state-mandated assessment in grades 3, 5, or 8, an accelerated learning committee shall develop a written educational plan in accordance with law. If a parent requests that the student be assigned to a particular teacher the following school year, the request shall be addressed in accordance with the District's administrative procedures.~~

~~A parent complaint about the content or implementation of the educational plan shall be filed in accordance with FNG.~~

DRAFT

Each student who has been identified as being at risk of dropping out of school, who is not performing at grade level, or who did not perform satisfactorily on a state-mandated assessment shall be provided accelerated and/or compensatory educational services.

Accelerated Instruction

The District shall provide accelerated instruction in accordance with law if a student fails to perform satisfactorily on a state-mandated assessment.

Parent Request

If a student fails to perform satisfactorily on a state-mandated assessment, a parent's request that the student be assigned to a particular teacher the following school year shall be addressed in accordance with the District's administrative procedures.

Accelerated Education Plan

Appropriate District staff shall develop an accelerated education plan for a student who fails to perform satisfactorily on the same state-mandated assessment for two or more consecutive years.

A parent complaint about the content or implementation of the accelerated education plan shall be filed in accordance with FNG.

DRAFT

Students in violation of the compulsory attendance law shall be reported to the District attendance officer, who may institute court action as provided by law.

Excused Absences

In addition to excused absences required by law, the District shall excuse absences for the following purposes. A student shall be required to submit verification of these absences in accordance with administrative regulations.

Higher Education Visits

The District shall excuse a student for up to two days during the student's junior year and up to two days during the student's senior year to visit an accredited institution of higher education.

Career Investigation

The District shall excuse a student for up to two days during the student's junior year and up to two days during the student's senior year to visit a professional's workplace for purposes of exploring the student's interest in pursuing a career in that professional's field.

Armed Services Enlistment

The District shall excuse a student 17 years of age or older for up to four days during his or her enrollment in high school for activities related to pursuing enlistment in a branch of the U.S. Armed Services or Texas National Guard.

Early Voting or Election Clerk

The District shall excuse a student for up to two days per school year to serve as an early voting or election clerk.

Learner or Driver's License

The District shall excuse a student 15 years of age or older for one day during his or her enrollment in high school for each of the following:

- Visiting a driver's license office to obtain a learner license; or
- Visiting a driver's license office to obtain a driver's license.

[For extracurricular activity absences, see FM.]

Withdrawal for Nonattendance

The District may initiate withdrawal of a student under the age of 19 for nonattendance under the following conditions:

1. The student has been absent ~~ten~~10 consecutive school days; and
2. Repeated efforts by the attendance officer and/or principal to locate the student have been unsuccessful.

[For District-initiated withdrawal of students 19 or older, see FEA(LEGAL).]

Students Attending Homeschools

Students who are homeschooled are exempt from the compulsory attendance law to the same extent as students enrolled in other private schools.

Adequate documentation of homeschooling for withdrawal shall consist of either a statement of withdrawal in accordance with FD(LOCAL) indicating the date homeschooling began, or a signed and dated letter from a parent or guardian indicating that his or her child is being homeschooled and the date the homeschooling began.

The District may request from a parent or guardian a letter of assurance that a child is being educated using a curriculum designed to meet basic education goals of reading, spelling, grammar, mathematics, and a study of good citizenship.

Enforcing
Compulsory
Attendance

If a parent or guardian refuses to submit a requested statement or letter, or if the District has evidence that a school-aged child is not being homeschooled within legal requirements, the District may investigate further and, if warranted, shall pursue legal action to enforce the compulsory attendance law.

DRAFT

No employee shall give any student prescription medication, non-prescription medication, herbal substances, anabolic steroids, or dietary supplements of any type, except as authorized by this or other District policy.

Medication Provided by Parent

The Superintendent shall designate the employees who are authorized to administer medication that has been provided by a student's parent. An authorized employee is permitted to administer the following medication in accordance with administrative regulations:

1. Prescription medication in accordance with legal requirements.
2. Nonprescription medication, upon a parent's written request, when properly labeled and in the original container.
3. Herbal substances or dietary supplements provided by the parent and only if required by the individualized education program or Section 504 plan for a student with disabilities.

Medication Provided by District

Except as required by law and provided by this policy, the District shall not purchase medication to administer to a student.

Emergency Basis

The District shall purchase certain medications to administer to students only on an emergency basis and in accordance with protocols established by the District's medical adviser, who must be licensed to practice medicine in the state of Texas.

A parent or guardian may provide written notice to the school nurse if conditions exist in which their child should not receive epinephrine or an opioid antagonist medication.

The Superintendent shall designate the employees who are authorized to administer medication under these protocols and permissions.

Epinephrine

The District authorizes ~~school personnel~~ school personnel who have agreed in writing and been adequately trained to administer an unassigned epinephrine auto-injector in accordance with law and this policy. Administration of epinephrine shall only be permitted when an authorized and trained individual reasonably believes a person is experiencing anaphylaxis.

On Campus

Authorized and trained individuals may administer an unassigned epinephrine auto-injector at any time to a person experiencing anaphylaxis on a school campus.

The District shall ensure that at each campus a sufficient number of authorized individuals are trained to administer epinephrine so that at least one trained individual is present on campus during all

hours the campus is open. In accordance with state rules, the campus shall be considered open for this purpose during regular on-campus school hours and whenever school personnel are physically on site for school-sponsored activities.

*Maintenance,
Availability, and
Training*

The Superintendent shall develop administrative regulations designating a coordinator to manage policy implementation and addressing annual training of authorized individuals in accordance with law; procedures for auto-injector use; and acquisition or purchase, maintenance, expiration, disposal, and availability of unassigned epinephrine auto-injectors at each campus.

Notice to Parents

In accordance with law, the District shall provide notice of the policy to parents regarding the epinephrine program, including notice of any change to or discontinuation of this program.

Opioid Antagonist
~~Asthma Medication~~

~~A school nurse shall be permitted to administer unassigned prescription asthma medication to a student with diagnosed asthma if, in his or her professional judgment, the nurse reasonably believes the student is experiencing a symptom of asthma that warrants the use of the District's unassigned prescription asthma medication and the District has received prior written parental consent.~~

This provision shall be applicable to every campus.

On Campus

~~A school nurse may administer unassigned prescription asthma medication to a student experiencing asthma symptoms only on a school campus.~~

The District authorizes school personnel who have been adequately trained to administer an opioid antagonist in accordance with law and this policy. Administration of an opioid antagonist shall only be permitted when an authorized and trained individual reasonably believes a person is experiencing an opioid-related overdose.

Each applicable campus shall have at least one individual who is authorized and trained to administer an opioid antagonist present during regular school hours.

*Maintenance,
Availability, and
Training, and
Reporting*

Each applicable campus shall have at least two unused, unexpired opioid antagonist doses available.

All opioid antagonists shall be stored in a secure location and shall be easily accessible by individuals who are authorized and trained to administer an opioid antagonist.

The Superintendent shall develop administrative regulations to manage policy implementation in accordance with law; procedures

~~for administering medication; and addressing acquisition or purchase, maintenance, expiration, and disposal of opioid antagonists in the District, as well as reporting, employee training, and availability of unassigned prescription asthma~~ emergency notification requirements.

Medication for
Respiratory Distress

The District authorizes school personnel who have been adequately trained to administer medication for respiratory distress in accordance with law and this policy. Administration of this type of medication shall only be permitted when an authorized and trained individual reasonably believes a person is experiencing respiratory distress.

On-Campus

Authorized and trained individuals may administer medication for respiratory distress at any time a person is experiencing this type of distress on a school campus.

The District shall ensure that at each campus, a sufficient number of authorized individuals are trained to administer this medication so that at least one trained individual is present on campus during regular school hours.

~~Notice to Parents~~

~~In accordance with law, the District shall provide notice to parents regarding the unassigned prescription asthma medication program, including notice of any change to or discontinuation of this program.~~

~~Opioid Antagonist
Medication~~

~~A District-employed registered nurse, licensed vocational nurse, or other properly trained and designated individual shall be authorized to administer opioid antagonist medication, such as Naloxone, to assist a person who is reasonably believed to be experiencing an opioid-related overdose. The District-employed authorized persons may administer this medication in accordance with a standing order and/or procedures provided and/or approved by a physician licensed to practice medicine in the state of Texas. The employee shall promptly seek additional medical assistance for the person to whom the medication is administered.~~

~~*On-Campus*~~

~~District-employed authorized personnel identified in the preceding paragraph may administer the opioid antagonist medication on a school campus or at a school-sponsored event in accordance with this policy and applicable administrative regulations.~~

*Maintenance,
Availability, and
Training*

The Superintendent shall develop administrative regulations designating a coordinator to manage policy implementation and addressing annual training of authorized individuals in accordance with law; procedures for use; and acquisition or purchase, maintenance, expiration, disposal, and availability of medication for respiratory distress at each campus.

Notice to Parents

~~Before any RN, LVN, or other designated and trained District employee may have custody of or administer an opioid antagonist medication under this policy, the employee must successfully complete an annual training program provided by NEISD health services, which includes recognizing opioid-related overdoses, administering opioid antagonist medication, and promptly seeking medical attention for suspected drug overdoses. A list of employees who successfully complete such training shall be maintained, updated, and kept in the NEISD health services administration office.~~

~~The District shall provide health services RNs and LVNs, and other relevant school personnel, with the opportunity to complete such training during their regular work schedule.~~

~~Opioid antagonist medication shall be stored in secure locations accessible by designated and trained employees, and in accordance with the drug manufacturer's instructions. Opioid antagonist medication shall be made readily available to designated employees who have completed the required training to administer in the event of suspected drug overdose. All designated and properly trained employees shall be made aware of the exact location of the opioid antagonist medication.~~

~~The school nurse or designee shall regularly inventory and verify opioid antagonist medication supply, and maintain records thereof, in accordance with the established internal procedures and manufacturer recommendations. Expired, damaged, or used opioid antagonist medication shall be disposed of in accordance with established medical waste disposal procedures.~~

*Course and
Scope of
Employment*

~~The District will consider the administration of opioid antagonist medication by a properly trained employee under this policy to be acting in the course and scope of his or her employment, and therefore entitled to defense by the District, if the following conditions are met:~~

- ~~1. The designated and trained employee did not act with the intent to harm or with reckless indifference to a substantial risk or harm in administering opioid antagonist medication to that individual.~~
- ~~2. The designated and trained employee successfully completed the training contemplated by this policy.~~
- ~~3. The designated and trained employee administering the opioid antagonist medication promptly sought additional medical assistance.~~

~~4. The designated and trained employee is administering opioid antagonist medication pursuant to this policy.~~

Notice to Parents

~~The~~ In accordance with law, the District shall provide notice of the policy to parents regarding the ~~opioid antagonist~~ administration of medication ~~program~~ to a person experiencing respiratory distress, including notice of any change to or discontinuation of ~~this program~~ these provisions.

Psychotropics

Except as permitted by law, an employee shall not:

1. Recommend to a student or a parent that the student use a psychotropic drug;
2. Suggest a particular diagnosis; or
3. Exclude the student from a class or a school-related activity because of the parent's refusal to consent to psychiatric evaluation or examination or treatment of the student.

Medical Treatment

A student's parent, legal guardian, or other person having lawful control shall annually complete and sign a form that provides emergency information and addresses authorization regarding medical treatment. A student who has reached age 18 shall be permitted to complete this form.

The District shall seek appropriate emergency care for a student as required or deemed necessary.

**Threat Assessment
and Safe and
Supportive Team**

In compliance with law, the Superintendent shall ensure that a multidisciplinary threat assessment and safe and supportive team is established to serve each campus. The Superintendent shall appoint team members. The team shall be responsible for developing and implementing a safe and supportive school program at each campus served by the team and shall support the District in implementing its multi-hazard emergency operations plan.

Training

Each team shall complete training provided by an approved provider on evidence-based threat assessment programs.

Student Reports

Each campus shall establish a clear procedure for a student to report concerning behavior exhibited by another student for assessment by the team or other appropriate District employee.

Employee
Confidentiality

A District employee who reports a potential threat may elect for the employee's identity to remain confidential and not be subject to disclosure under the state's public information law. The employee's identity shall only be revealed when necessary for the team, the District, or law enforcement to investigate the reported threat.

The District shall maintain a record of the identity of a District employee who elects for the employee's identity to remain confidential.

Imminent Threats or
Emergencies

A member of the team or any District employee may act immediately to prevent an imminent threat or respond to an emergency, including contacting law enforcement directly.

Threat Assessment
Process

The District shall develop procedures as recommended by the Texas School Safety Center. In accordance with those procedures, the threat assessment and safe and supportive team shall conduct threat assessments using a process that includes:

1. Identifying individuals, based on referrals, tips, or observations, whose behavior has raised concerns due to threats of violence or exhibition of behavior that is harmful, threatening, or violent.
2. Conducting an individualized assessment based on reasonably available information to determine whether the individual poses a threat of violence or poses a risk of harm to self or others and the level of risk.
3. Implementing appropriate intervention and monitoring strategies, if the team determines an individual poses a threat of harm to self or others. These strategies may include referral of a student for a mental health assessment and escalation procedures as appropriate.

For a student or other individual the team determines poses a serious risk of violence to self or others, the team shall immediately report to the Superintendent, who shall immediately attempt to contact the student's parent or guardian. Additionally, the Superintendent shall coordinate with law enforcement authorities as necessary and take other appropriate action in accordance with the District's multihazard emergency operations plan.

For a student the team identifies as at risk of suicide, the team shall follow the District's suicide prevention program.

For a student the team identifies as having a substance abuse issue, the team shall follow the District's substance abuse program.

For a student whose conduct may constitute a violation of the District's Student Code of Conduct, the team shall make a referral to the campus behavior coordinator or other appropriate administrator to consider disciplinary action.

As appropriate, the team may refer a student:

1. To a local mental health authority or health-care provider for evaluation or treatment; or
2. For a full individualized and initial evaluation for special education services.

The team shall not provide any mental health-care services, except as permitted by law.

Guidance to School
Community

The team shall provide guidance to students and District employees on recognizing harmful, threatening, or violent behavior that may pose a threat to another person, the campus, or the community and methods to report such behavior to the team, including through anonymous reporting.

Reports

The team shall provide reports to the Texas Education Agency as required by law.

Comprehensive System

The Superintendent shall develop and maintain a comprehensive system of student records and reports dealing with all facets of the school program operation and shall ensure through reasonable procedures that records are accessed by authorized persons only, as allowed by this policy. These data and records shall be stored in a safe and secure manner and shall be conveniently retrievable for use by authorized school officials.

Cumulative Record

A cumulative record shall be maintained for each student from entrance into District schools until withdrawal or graduation from the District.

This record shall move with the student from school to school and be maintained at the school where currently enrolled until graduation or withdrawal. Records for nonenrolled students shall be retained for the period of time required by law. No permanent records may be destroyed without explicit permission from the Superintendent. [See CPC]

Custodian of Records

The principal is custodian of all records for currently enrolled students. The guidance counselor is the custodian of records for students who have withdrawn or graduated. The student handbook made available to all students and parents shall contain a listing of the addresses of District schools, as well as the Superintendent's business address.

Types of Education Records

The record custodian shall be responsible for the education records of the District. These records may include:

1. Admissions data, personal and family data, including certification of date of birth.
2. Standardized test data, including intelligence, aptitude, interest, personality, and social adjustment ratings.
3. All achievement records, as determined by tests, recorded grades, and teacher evaluations.
4. All documentation regarding a student's testing history and any accelerated instruction he or she has received, including any ~~documentation of discussion or action by an accelerated learning committee convened~~ education plan developed for the student.
5. Health services record, including:
 - a. The results of any tuberculin tests required by the District.
 - b. The findings of screening or health appraisal programs the District conducts or provides. [See FFAA]

- c. Immunization records. [See FFAB]
6. Attendance records.
7. Student questionnaires.
8. Records of teacher, school counselor, or administrative conferences with the student or pertaining to the student.
9. Verified reports of serious or recurrent behavior patterns.
10. Copies of correspondence with parents and others concerned with the student.
11. Records transferred from other districts in which the student was enrolled.
12. Records pertaining to participation in extracurricular activities.
13. Information relating to student participation in special programs.
14. Records of fees assessed and paid.
15. Records pertaining to student and parent complaints.
16. Other records that may contribute to an understanding of the student.

Access by Parents

The District shall make a student's records available to the student's parents, as permitted by law. The records custodian or designee shall use reasonable procedures to verify the requester's identity before disclosing student records containing personally identifiable information.

Records may be reviewed in person during regular school hours without charge upon written request to the records custodian. For in-person viewing, the records custodian or designee shall be available to explain the record and to answer questions. The confidential nature of the student's records shall be maintained at all times, and records to be viewed shall be restricted to use only in the Superintendent's, principal's, or school counselor's office, or other restricted area designated by the records custodian. The original copy of the record or any document contained in the cumulative record shall not be removed from the school.

Copies of records are available at a per copy cost, payable in advance. Copies of records must be requested in writing. Parents may be denied copies of records if they fail to follow proper procedures or pay the copying charge. If the student qualifies for free or

reduced-price lunches and the parents are unable to view the records during regular school hours, upon written request of a parent, one copy of the record shall be provided at no charge.

A parent may continue to have access to his or her child's records under specific circumstances after the student has attained 18 years of age or is attending an institution of postsecondary education. [See FL(LEGAL)]

Access by School Officials

A school official shall be allowed access to student records if he or she has a legitimate educational interest in the records.

For the purposes of this policy, "school officials" shall include:

1. An employee, Board member, or agent of the District, including an attorney, a consultant, a contractor, a volunteer, a school resource officer, and any outside service provider used by the District to perform institutional services.
2. An employee of a cooperative of which the District is a member or of a facility with which the District contracts for placement of students with disabilities.
3. A contractor retained by a cooperative of which the District is a member or by a facility with which the District contracts for placement of students with disabilities.
4. A parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.
5. A person appointed to serve on a team to support the District's safe and supportive school program.

All contractors provided with student records shall follow the same rules as employees concerning privacy of the records and shall return the records upon completion of the assignment.

A school official has a "legitimate educational interest" in a student's records when he or she is:

1. Working with the student;
2. Considering disciplinary or academic actions, the student's case, or an individualized education program for a student with disabilities;
3. Compiling statistical data;
4. Reviewing an education record to fulfill the official's professional responsibility; or

5. Investigating or evaluating programs.

**Transcripts and
Transfers of Records**

The District may request transcripts from previously attended schools for students transferring into District schools; however, the ultimate responsibility for obtaining transcripts from sending schools rests with the parent or student, if 18 or older.

For purposes of a student's enrollment or transfer, the District shall promptly forward in accordance with the time line provided in law education records upon request to officials of other schools or school systems in which the student intends to enroll or enrolls. [See FD(LEGAL), Required Documentation] The District may return an education record to the school identified as the source of the record.

**Records
Responsibility for
Students in Special
Education**

The executive director of special education shall be responsible for ensuring the confidentiality of any personally identifiable information in records of students in special education.

A current listing of names and positions of persons who have access to records of students in special education is maintained at the campus special education office or a designated secure location.

**Procedure to Amend
Records**

Within 15 District business days of the record custodian's receipt of a request to amend records, the District shall notify the parents in writing of its decision on the request and, if the request is denied, of their right to a hearing. If a hearing is requested, it shall be held within ~~ten~~10 District business days after the request is received.

Parents shall be notified in advance of the date, time, and place of the hearing. An administrator who is not responsible for the contested records and who does not have a direct interest in the outcome of the hearing shall conduct the hearing. The parents shall be given a full and fair opportunity to present evidence and, at their own expense, may be assisted or represented at the hearing.

The parents shall be notified of the decision in writing within ~~ten~~10 District business days of the hearing. The decision shall be based solely on the evidence presented at the hearing and shall include a summary of the evidence and reasons for the decision. If the decision is to deny the request, the parents shall be informed that they have 30 District business days within which to exercise their right to place in the record a statement commenting on the contested information and/or stating any reason for disagreeing with the District's decision.

**Directory
Information**

Directory information for District students has been classified into two separate categories:

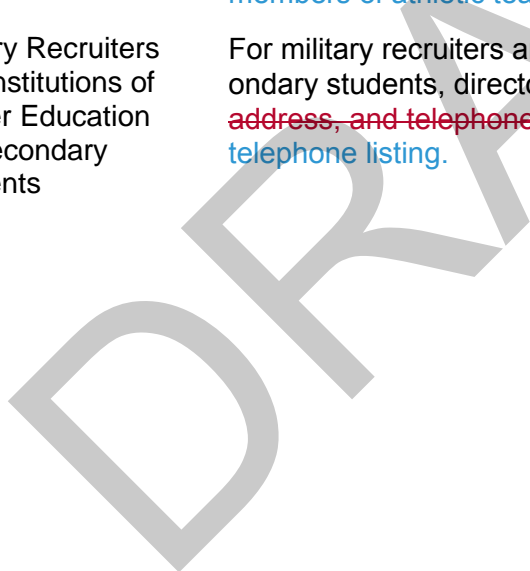
1. Items for use for the District's school-sponsored purposes; and
2. Items for military recruiters and institutions of higher education for secondary students.

School-Sponsored
Purposes

For the following school-sponsored purposes—~~all District publications and announcements~~all District publications and announcements—directory information shall include ~~student name; address; telephone listing; electronic mail address; photograph; 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~~student name; address; telephone listing; electronic mail address; photograph; 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.

Military Recruiters
and Institutions of
Higher Education
for Secondary
Students

For military recruiters and institutions of higher education for secondary students, directory information shall include ~~student name, address, and telephone listing.~~student name, address, and telephone listing.





NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: January 8, 2024

Presenter: Tyler Shoesmith, Executive Director, Pupil Personnel Services

Subject: Employee Voice Survey Results and Discipline Data

Related Page(s):

ACTION ITEM

BACKGROUND INFORMATION

During the November 13, 2023, Regular Board Meeting, the Board of Trustees requested a presentation on the following items:

- Employee Voice Survey results and teacher comments related to the survey response 'Classroom Management in regard to discipline policies and procedures.'
- Five-year comparison of discipline data
- List of Board Policies, Administrative Regulations, and Student Code of Conduct related to discipline.

BOARD ACTION REQUIRED

None



NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: January 8, 2024

Presenter: Anthony Jarrett
Chief Instructional
Officer

Subject: Bexar County Mental Health Grant Update

Related Page(s): Attached
(If Any)

ACTION ITEM

BACKGROUND INFORMATION

North East ISD is a recipient of the 2024-2026 Bexar County American Rescue Plan Act Grant that expands and provides wrap-around services for mental health and student services. The North East ISD iteration of this grant funding is entitled, Fit Mind, Fit Self, Fit Future, which focuses on students and their families who fall below 60% of the community mean income or meet the at-risk indicators. At the time of our application, 52.7% of the district population is economically-disadvantaged with 42% qualifying for free meals. Additionally, nearly 20,000 students attend Title 1 schools. Grants funds usage will be used to reduce the number of discipline referrals and increase the number of students equipped to manage emotions, address mental issues, provide tools that connect families with a variety of social services for on-going and sustainable support. This presentation will provide an update on grant activities and expenditures to date as requested by the Board of Trustees.

BOARD ACTION REQUIRED

None



NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: January 8, 2023

Presenter: Anthony J. Mitchell
Barry Lanford, Executive
Director, Facility
Maintenance

Subject: Approval to Lease NEISD Groundwater

Related Page(s): Attachment

ACTION ITEM

BACKGROUND INFORMATION

San Antonio Water Systems (SAWS) is offering an opportunity for owners of water rights to lease back unused groundwater. NEISD owns 5 water wells with 122.3 acre feet of water which leased back, could generate \$15,899.00 a year for 5 years.

ADMINISTRATIVE CONSIDERATION

Under the Education Code, the Board is considered the owner of all the real property of the District, which would include any rights to minerals, water, or other similar resources on the property. As such, leasing the water rights is an item requiring Board approval.

BUDGETARY CONSIDERATION

There is no expense being put upon the district.

ADMINISTRATIVE RECOMMENDATION

The Maintenance and Operations Department recommends the approval of the leasing of groundwater to Edwards Underground Water District.

BOARD ACTION REQUIRED

Approval/Disapproval

LEASE OF GROUNDWATER

This Lease of Groundwater ("Lease") is entered into to be effective this ____ day of _____, 20__ the ("Effective Date"), by and between **North East Independent School District** (hereinafter referred to as "Lessor" whether one or more) and the City of San Antonio, a Texas municipal corporation, by and through its San Antonio Water System (the "Lessee"). Lessor hereby leases to Lessee the following unrestricted, fully transferable Edwards Aquifer water rights and related rights, on the following terms and conditions:

1. Water Rights.

Lessor leases to Lessee the Lessor's groundwater rights and Lessor's permit rights from the Edwards Aquifer Authority ("EAA") to withdraw **122.318** acre-feet of unrestricted Edwards Aquifer groundwater per annum, under EAA Initial Regular permit No(s) as listed in Exhibit "A" (the "Groundwater Withdrawal Permit(s)"). The Water Rights include all property rights to and for the quantity of rights above referenced, including the right to withdraw and/or beneficially use the Water Rights and all real and personal property rights, appurtenances, permits, authorities, licenses, consents and contracts, if any, directly pertaining to all such Water Rights. If the Water Rights consist of rights under more than one EAA Groundwater Withdrawal Permit, Lessor has attached to this Lease as Exhibit "A", a list identifying each EAA Groundwater Withdrawal Permit, with a description of the total amount of acre feet being leased to Lessee under each Groundwater Withdrawal Permit.

2. Additional Lease Rights.

The lease of the Water Rights as defined above shall also expressly include all of Lessor's Groundwater Withdrawal Permit rights pertaining to the Water Rights, all withdrawal or other permits pertaining to the Water Rights, and all modifications, amendments, renewals, extensions or successor or substitute permits relating to any of the above described items, and the right to withdraw and/or beneficially use the Edwards Aquifer water related to or pertaining to the Water Rights.

3. Term.

The term of this Lease ("Term") shall be for a period of 5 years commencing on **January 1, 2023** (the "Commencement Date") and continuing through **December 31, 2027** (the "Expiration Date"). Under this Lease, each calendar year that this Lease is in effect, beginning with the calendar year in which the Commencement Date occurs, is a Lease Year.

4. Appropriation.

Notwithstanding anything contained herein to the contrary, Lessee shall have the right to terminate this Lease at the end of each of its annual budget periods if it has not appropriated the necessary funds for payment of the lease payment due during the next annual budget period. Such election shall be made in writing to the Lessor within fifteen (15) days after the end of the applicable annual budget period and shall be effective upon Lessor's receipt of such written notice. Provided, however, Lessee agrees to use its best efforts to obtain and appropriate funds for the payment of all lease payments and other expenses and obligations due under the terms of this Lease. Pursuant to Section 271.903 of the Texas Local Government Code, Lessor acknowledges and agrees that all lease payments and other expenses and obligations due under the terms of the Lease shall be deemed to be the commitment of the Lessee's current revenues only.

5. Feasibility Period.

For a period of forty-five (45) days beginning on the Effective Date of this Lease ("Feasibility Period"), Lessee will have the right at its cost to investigate all aspects of the Water Rights, including without limitation Lessor's title to the Water Rights and the existence of any encumbrances or clouds on Lessor's title to the Water Rights. Without limiting any other provisions of this Lease, during the Feasibility Period, Lessor shall cooperate with Lessee and execute or cause to be executed any documentation or instrument which is necessary or useful, as determined by Lessee, to resolve title issues, including but not limited to encumbrances or clouds, discovered by Lessee during its investigations. At Lessee's option, Lessee may extend the Feasibility Period by thirty (30) days by written notice to Lessor, to allow for completion of any title curative matters. Also during Feasibility Period, Lessor shall cooperate with Lessee and execute or provide any additional documentation to prove signatory authority, including but not limited to signed resolutions authorizing the transaction (if applicable). During the Feasibility Period, if Lessee determines in Lessee's sole discretion that it is not in the best interest of Lessee to lease all the Water Rights due to any defects in Lessor's title to or on non-transferability of all or part of the Water Rights for use by Lessee at Lessee's wells, Lessee may terminate this Lease by written notice to Lessor delivered within the Feasibility Period or Lessee may, by delivering notice to Lessor within the Feasibility Period, elect to lease any part of the Water Rights with the Rent adjusted based on the total amount of Water Rights Lessee elects to lease.

6. Payments.

Rent.

For each of the Lease Years, rent for the Water Rights will be one hundred thirty and 00/100 dollars (\$130.00) per acre-foot, for a total lease payment of fifteen thousand nine hundred one and 34/100 dollars (\$15,901.34) per Lease Year ("Rent").

All Rent payments are subject to any adjustment pursuant to Section 5 above (Feasibility Period) and Section 7 below (“Reductions and Changes in Designation”). Rent for each Lease Year is due in one lump-sum payment on or before January 31st of each Lease Year, but, notwithstanding the foregoing, in no event will a payment be made earlier than the expiration of the Feasibility Period or the recognition by the EAA of the transfer of the Water Rights. On or before the Effective Date of this Lease (a) Lessor agrees to provide to Lessee the Social Security Number or the Tax Identification Number for each Lessor; and (b) if Lessor desires that Lessee divide the Rent payments between two or more Lessors, Lessor shall provide Lessee the percentage of the Rent to be paid to each Lessor.

7. Reductions and Changes in Designation.

In the event that there is a permanent reduction by the EAA or other governmental authority of the maximum authorized withdrawal amount of the Groundwater Withdrawal Permit(s) (“Permanent Reduction”), Lessor must elect one of the two following options within sixty (60) days of the effective date of such Permanent Reduction: (1) Lessor may elect that the amount of the Water Rights leased by Lessee under this Lease shall be reduced on an equal percentage basis (or such method adopted by the EAA or other governmental authority) as of the effective date of the reduction of each Groundwater Withdrawal Permit under the Permanent Reduction, and the Rent shall be reduced accordingly on the per acre foot basis as described in Section 6 of this Lease for the first Lease Year in which the Permanent Reduction is applicable and each subsequent Lease Year; or (2) if Lessor, after such Permanent Reduction, owns sufficient rights under the Groundwater Withdrawal Permit(s) relating to the Water Rights to provide the full amount of the Water Rights described in Section 1, Lessor may elect that there is no reduction of the Water Rights or the Rent under this Lease. If, as a result of the first election, Lessee has prepaid Rent for a Lease Year in which Rent is reduced, then Lessor shall refund to Lessee the amount of the reduction in the Rent within 30 days of date Lessor makes such an election if the reduction in Rent occurs in the final Lease Year. If it is not the final Lease Year, then Lessor shall refund to Lessee the amount of the reduction in Rent for the Lease Year within 30 days of date Lessee makes such a request. If Lessee does not make such a request, Lessee may set off such refund amount against any Rent due Lessor in subsequent Lease Years. In the event of the second election, the parties agree to execute and deliver any documents which are required by the EAA or any other governmental authority.

This section 7 does not apply to a temporary reduction in the use of any part of the Water Rights due to demand management, critical period or similar rules of the EAA or other government authority.

8. Documents to be Delivered on Effective Date of Lease.

On the Effective Date of this Lease, Lessor shall deliver to Lessee the following documents executed and acknowledged by Lessor: (a) an EAA Application to Transfer and Amend Initial Regular Permit for the Water Rights, including all Exhibits and other forms or documents required by the EAA to approve the transfer of the use of the Water Rights to

Lessee; (b) a signed consent, on a form provided by Lessee (attached hereto as Exhibit B), granting Lessee access to information maintained by the EAA relating to Lessor's Groundwater Withdrawal Permit(s) and to Lessor's compliance and/or noncompliance with the EAA Act and Rules; (c) a Memorandum of Lease of Groundwater in the form provided by Lessee and attached hereto as Exhibit "C" for each Groundwater Withdrawal Permit relating to the Water Rights; (d) evidence of signatory authority for the general partner of Lessor and authorization for the lease of the Water Rights by all of the partners (general and limited) of the Lessor (if applicable); (e) evidence of signatory authority if Lessor is a limited liability corporation or corporation (if applicable); and (f) evidence of approval of the Lease and authorization by the governing body of Lessor to enter into the Lease if applicable.

9. Permits.

Lessee shall have the right but not the duty to initiate, seek party status in, and/or prosecute any proceedings relating to the Water Rights including, at its election, Lessor's EAA Groundwater Withdrawal Permits and the Real Property (hereinafter defined) as may be necessary for the protection of Lessee's interests in the Water Rights or Edwards Aquifer, including but not limited to (i) contesting the validity of law or regulatory action; (ii) contesting fees assessed to or levied upon the Water Rights; or (iii) protecting, defending, and/or preserving the rights to withdraw water from the Edwards Aquifer. Lessor shall cooperate with Lessee's efforts in connection therewith, although any costs to be incurred by Lessor in connection with such cooperation are subject to approval by Lessor's Board of Trustees. Lessor shall not take any actions or omit to take any actions which will adversely affect the Water Rights.

10. Water Rights Information.

Lessor shall furnish to Lessee notice of all matters or actions related to or affecting the Water Rights, including, without limitation, actual or threatened litigation or administrative actions, within five (5) business days of the date Lessor is aware of such matters or actions. Lessor agrees to furnish to Lessee information concerning and copies of all documents pertaining to such matters or actions within five (5) business days of the date that Lessee requests such information or documents.

11. Continued Operation and Compliance with Lease.

From the Effective Date of this Lease, Lessor shall not take any actions (or omit to take any actions) which will harm or diminish Lessee's interests in the Water Rights. Lessor and Lessee agree to comply with all applicable EAA rules or regulations and other applicable federal, state or local laws, regulations or ordinances relating to Water Rights and the Groundwater Withdrawal Permits.

12. Quiet Enjoyment.

Lessor does hereby warrant and represent to Lessee that it has good and marketable title to the Water Rights, including Lessor's Groundwater Withdrawal Permits. Lessor does hereby represent and warrant to provide to Lessee quiet enjoyment, without restriction or limitation, of the Water Rights during the full term of this Lease. In addition to and notwithstanding the foregoing, in the event the Lessee is deprived of quiet enjoyment of all or any of the Water Rights at any time during the Term of this Lease, Lessee may, in addition to any other rights and remedies Lessee may exercise under this Lease, terminate this Lease in whole, or in part with respect to that portion of the Water Rights that Lessee is unable to quietly enjoy. TO THE EXTENT PERMITTED BY APPLICABLE LAW, LESSOR AGREES TO DEFEND AND INDEMNIFY LESSEE FOR ANY LOSSES, CLAIMS, LIABILITY, COSTS AND EXPENSES, INCLUDING COURT COSTS AND ATTORNEYS FEES, RESULTING FROM LESSOR'S BREACH OF THE AFOREMENTIONED REPRESENTATIONS AND WARRANTIES.

13. Proceeds From Awards.

Lessor assigns to Lessee all interest of Lessor in and to any condemnation awards or insurance proceeds which relate to Lessee's leasehold interest in the Water Rights, as determined by the market value of Lessee's leasehold interest at the time of condemnation.

14. Cooperation.

Lessor will use its best efforts, take such actions and execute and deliver such documents Lessee determines necessary to fully vest Lessee with and protect Lessee's interests in the Water Rights and make effective all of the terms of this Lease. In the event that the real property associated with the Water Rights ("Real Property") or the Water Rights itself is burdened by a financing statement, security agreement, mortgage or deed of trust, and the holder of such financing statement, security agreement, mortgage and deed of trust has not previously released their lien on the Water Rights, Lessor shall use best efforts to obtain and deliver to Lessee a Subordination, Nondisturbance and Attornment Agreement, in form and content acceptable to Lessee, executed by Lessee and the applicable holder of such financing statement, security agreement, mortgage or deed of trust.

15. Assignability.

Lessor and Lessee shall have the right to freely assign this Lease or any rights hereunder. Lessee may freely sublease all or any portion of the Water Rights.

16. Notices.

Any notices to be given hereunder shall be given by placing the notice in the United States mail, certified or registered, properly stamped and addressed to the address shown below or such other addresses as the respective party may direct in writing to the other, by overnight delivery service, or by personal delivery to such address. Notice shall be deemed

effective upon such placing in the mails, on the next business day following delivery and acceptance for next day delivery by any overnight delivery service, or upon actual delivery if by personal delivery:

Lessor: **North East Independent School District**
ATTN: Shannon Grona, President, Board of Trustees
10333 Broadway Annex I
San Antonio, Texas 78217

Lessee: San Antonio Water System
ATTN: Water Resources Department
Mailing Address:
P.O. Box 2449
San Antonio, Texas 78212
Physical Address:
2800 U.S. Highway 281 North
San Antonio, Texas 78298

17. Fees.

Lessee will pay the EAA transfer application fees and county recordation fees necessary to transfer the Water Rights to Lessee. Lessee will also pay EAA Aquifer Management Fees associated with the Water Rights for each Lease Year, or if Lessor has paid some or all of the EAA Aquifer Management Fees for the initial Lease Year prior to the Effective Date of this Lease, Lessee shall reimburse Lessor for such payment. Lessee shall not be liable for any fees, taxes or assessments on the Real Property, or for any EAA fees assessed on or related to water or permit rights not leased to Lessee under this Lease.

18. Liens.

Lessor and Lessee shall promptly pay when due all items for which they are responsible which may result in the placement of a lien on the Water Rights or Lessor's Groundwater Withdrawal Permits or the Real Property. If Lessor or Lessee fail to pay any such item, including but not limited to any tax, charge or assessment, or any mechanic's or materialmen's expenses, or if a lien is placed upon the Water Rights or Lessor's Groundwater Withdrawal Permits or Real Property, the non-defaulting party shall have the right to make such payment and the defaulting party hereby covenants to reimburse the non-defaulting party, upon demand, for any amount so expended or paid, with interest thereon at the highest legal rate per annum from the date of such payment until the date of such reimbursement, or the non-defaulting party may set off such amount against any monies due and owing the defaulting party, including Rent. Lessor shall cooperate with

Lessee in obtaining a subordination of any deed of trust or mortgage encumbering the Water Rights.

19. Default.

If for any reason Lessor fails to comply with any of the provisions of this Lease, or if any of the representations and warranties of Lessor prove to be false, Lessee, at its election, may exercise all rights which may be available to it at law or in equity, including termination of the Lease. If Lessee fails to comply with any provision of the Lease and such failure continues for a period of thirty (30) days after receiving written notice of such failure from Lessor, Lessor may, as its sole and exclusive remedy terminate the Lease and retain the prepaid Rent for the Lease Year in which the Lease is terminated as liquidated damages.

20. Waiver.

The failure on the part of either party to require the performance by the other of any portion of this Lease shall not be deemed a waiver of, or in any way affect that party's rights to enforce such provision. Any waiver by either party of any provision of this Lease shall not be a waiver of any other provision hereof.

21. Severability.

The invalidity or unenforceability of any provision of this Lease shall not affect the validity or enforceability of any other provision of this Lease.

22. Governing Law.

This Lease shall be governed by the laws of the State of Texas and is performable in Bexar County, Texas.

23. Binding Effect.

The Lease shall be binding upon and inure to the benefit of the parties and their respective successors and assigns, except as provided in Section 15.

24. Authority.

Each of the persons signing on behalf of Lessor and Lessee hereby represent and warrant that they have the authority to execute this Lease on behalf of the party indicated by their signature and have the authority to bind such party thereto.

25. Survival.

Except as set out herein, all agreements and representations in this Lease shall survive the end of the Term.

26. Force Majeure.

If Lessee is denied its use of all or a part of the Water Rights by reason of any laws, regulations, or governmental action or other acts outside of the control of Lessor and Lessee, other than as described in Section 7 above, then Lessee and Lessor shall be excused from their obligations hereunder for so long as these circumstances exist; provided, however, that in the event the Water Rights are reduced as described in Section 7 above, the provisions of Section 7 shall control.

27. Further Assurances.

Lessor and Lessee shall take all further actions and shall execute and deliver to the other any other document or instrument which is necessary or useful to fully carry out the transactions evidenced by this Lease, including any amendments to the Permit Rights carried out in conformance with applicable EAA regulations or any documentation required by the EAA in order to evidence the termination of Lessee's interest in the Water Rights upon the termination of this Lease. In addition, the parties agree to amend this Lease in any manner necessary to cause this Lease to be in compliance with EAA rules and regulations. Lessee shall have the authority to file a Memorandum of Lease of Groundwater of public record to reflect its interest in the Water Rights as set out under the terms of this Lease. Lessor agrees to execute any such form of Memorandum of Lease of Groundwater or any amendment of such Memorandum of Lease of Groundwater provided by Lessee.

28. Attorneys Fees.

If any action at law or in equity is brought to enforce or interpret a provision of this Lease, the prevailing party shall be entitled to recover from the other party reasonable attorneys' fees, costs and other necessary litigation disbursements in addition to any relief to which it may be entitled. Any such attorneys' fees award shall be determined by a court of competent jurisdiction.

30. Entire Agreement.

This Lease contains all agreements between the parties hereto and any agreement not contained herein shall not be recognized by the parties. The captions used herein are for convenience only and shall not be used to construe this Lease. Words of gender shall be construed to include any other gender, and words in the singular number shall include the plural and vice versa unless the context requires otherwise.

31. Counterparts.

This Lease may be executed by the parties in any number of counterparts, each of which when so executed and delivered shall be deemed an original instrument, but all such counterparts together shall constitute but one and the same instrument.

[Signature Page to Follow]

Lessor*

North East Independent School District

By: _____

Shannon Grona

Title: President, Board of Trustees

*If there is more than one Lessor, each Lessor must sign. If the Water Rights are derived from property constituting the homestead of Lessor, Lessor's spouse must join in this lease, and the absence of such spouse's joinder to this lease shall constitute a representation and warranty by Lessor that the Water Rights are not part of the homestead.

Lessee

City of San Antonio, a Texas municipal corporation, by and through its San Antonio Water System

By: _____

Robert R. Puente

Title: President/Chief Executive Officer

EXHIBIT "A"

If the Water Rights leased under this Lease consist of rights under more than one EAA Groundwater Withdrawal Permit, Lessor must list below each EAA Groundwater Withdrawal Permit, with a description of the total acre feet being leased to Lessee from each Groundwater Withdrawal Permit.

EAA Groundwater Withdrawal Permit No. P100-413 as recorded in the Official Public Records of Bexar County, Texas.

Total amount of Water Rights being leased to Lessee under this Permit: 16.461 acre-feet.

EAA Groundwater Withdrawal Permit No. P100-416 as recorded in the Official Public Records of Bexar County, Texas

Total amount of Water Rights being leased to Lessee under this Permit: 60.582 acre-feet.

EAA Groundwater Withdrawal Permit No. P100-417 as recorded in the Official Public Records of Bexar County, Texas

Total amount of Water Rights being leased to Lessee under this Permit: 10.275 acre-feet.

EAA Groundwater Withdrawal Permit No. P100-447 as recorded in the Official Public Records of Bexar County, Texas

Total amount of Water Rights being leased to Lessee under this Permit: 35.000 acre-feet.

EXHIBIT "B"

CONSENT TO REVIEW OF EDWARD AQUIFER AUTHORITY ("EAA") RECORDS

The undersigned, as the owner or representative acting on behalf of the owner of certain water rights ("Consenting Party"), has entered into a Lease with the San Antonio Water System as Lessee ("SAWS") for the lease of those water rights to SAWS. In conjunction with such lease, Consenting Party hereby consents to and agrees to allow the review and copying by SAWS of any and all EAA records relating to Consenting Party and the Consenting Party's EAA Initial Regular Permit No(s). **P100-413, P100-416, P100-417 and P100-447** as contained in the files of the Edwards Aquifer Authority ("EAA") at any location of the EAA. Such right granted hereby to SAWS includes but is not limited to files relating to permit issuance, amendment, revocation, application, adjudication or other action affecting such permit or permits, all files relating to compliance or noncompliance with the terms of such permit(s), compliance or noncompliance with EAA Act, rules and regulations, any and all correspondence by and between Consenting Party and the EAA or involving any third party, all materials relating to fees assessed, paid, adjudicated or protested with respect to such permit(s), all information relating to pumpage, water measurement, critical period/demand management withdrawal allocation schedules, water usage or non-usage, all files relating to transfers of water rights into and/or out of Consenting Party's EAA Initial Regular Permit No(s). **P100-413, P100-416, P100-417 and P100-447** and any other data or information affecting such permit(s) as contained in the files of the EAA. Consenting Party in addition hereby requests the EAA to allow access to all such files by SAWS and its representatives without further consent or approval from Consenting Party.

This consent is effective until written notice revoking this consent is provided by Consenting Party to both SAWS and to the EAA.

Date: _____

CONSENTING PARTY:

By: Shannon Grona

Title: President Board of Trustees, North East
Independent School District

EXHIBIT "C"

MEMORANDUM OF LEASE OF GROUNDWATER

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY 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.

MEMORANDUM OF LEASE OF GROUNDWATER

This Memorandum of Lease of Groundwater ("MOL") is executed this _____ day of _____, 20__ by and between **North East Independent School District** (the "Lessor") and the City of San Antonio, a Texas municipal corporation, acting by and through its San Antonio Water System (the "Lessee").

WITNESSETH:

1. On _____, Lessor and Lessee entered into a Lease of Groundwater (the "Lease") of the Water Rights described below:

Water Rights:

The Water Rights consist of the Lessor's groundwater rights and Lessor's permit rights from the Edwards Aquifer Authority ("EAA") to withdraw **16.461** acre-feet of unrestricted Edwards Aquifer groundwater per annum, under EAA Initial Regular Permit **P100-413** recorded as Instrument Number 2008229983 in the Official Public Records of Bexar County, Texas (the "Groundwater Withdrawal Permit") (the "Water Rights"). The Groundwater Withdrawal Permit authorizes the withdrawal and beneficial use of groundwater from the Edwards Aquifer pursuant to the terms and conditions of the Groundwater Withdrawal Permit.

2. The Lease sets out the rights and obligations of the Lessor and Lessee to the Groundwater Withdrawal Permit. The Lease may also cover additional Groundwater Withdrawal Permits, and if so, a separate Memorandum of Lease of Groundwater has been recorded for each such Groundwater Withdrawal Permit.

3. The term of the Lease is for 5 years, from **January 1, 2023** to **December 31, 2027**.

4. In accordance with the terms of the Lease, the Lessor has agreed to lease a total of 16.461 acre-feet per annum of Water Rights to Lessee.

5. This MOL is intended to act only as the notice of the existence of the Lease and its general terms. To the extent the terms of this MOL conflict with the terms of the Lease, the terms of the Lease shall control.

Lessor:
North East Independent School District

By: _____
Shannon Grona,

Title: President, Board of Trustees

ACKNOWLEDGMENT

STATE OF TEXAS §
COUNTY OF BEXAR §

This instrument was acknowledged before me on the _____ day of _____,
20__ by Shannon Grona, President, Board of Trustees, North East Independent School District.

NOTARY PUBLIC, State of Texas

(Seal)

Lessee:

City of San Antonio, a Texas municipal corporation, by and through its San Antonio Water System

By: _____

Robert R. Puente

Title: President/Chief Executive Officer

ACKNOWLEDGMENT

STATE OF TEXAS §
COUNTY OF BEXAR §

This instrument was acknowledged before me on the _____ day of _____, 2023 by Robert R. Puente, President and CEO of the San Antonio Water System, for the City of San Antonio, a Texas municipal corporation, by and through its San Antonio Water System

NOTARY PUBLIC, State of Texas

(Seal)

After recording return to:

**Water Resources
Attn: Brandon Payne
San Antonio Water System
P.O. Box 2449**

San Antonio, Texas 78298-2449

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY 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.

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WITNESSETH:

1. On _____, Lessor and Lessee entered into a Lease of Groundwater (the "Lease") of the Water Rights described below:

Water Rights:

The Water Rights consist of the Lessor's groundwater rights and Lessor's permit rights from the Edwards Aquifer Authority ("EAA") to withdraw **60.582** acre-feet of unrestricted Edwards Aquifer groundwater per annum, under EAA Initial Regular Permit **P100-416** recorded as Instrument Number 20110202523 in the Official Public Records of Bexar County, Texas (the "Groundwater Withdrawal Permit") (the "Water Rights"). The Groundwater Withdrawal Permit authorizes the withdrawal and beneficial use of groundwater from the Edwards Aquifer pursuant to the terms and conditions of the Groundwater Withdrawal Permit.

2. The Lease sets out the rights and obligations of the Lessor and Lessee to the Groundwater Withdrawal Permit. The Lease may also cover additional Groundwater Withdrawal Permits, and if so, a separate Memorandum of Lease of Groundwater has been recorded for each such Groundwater Withdrawal Permit.

3. The term of the Lease is for 5 years, from **January 1, 2023 to December 31, 2027**.

4. In accordance with the terms of the Lease, the Lessor has agreed to lease a total of 60.582 acre-feet per annum of Water Rights to Lessee.

5. This MOL is intended to act only as the notice of the existence of the Lease and its general terms. To the extent the terms of this MOL conflict with the terms of the Lease, the terms of the Lease shall control.

Lessor:
North East Independent School District

By: _____
Shannon Grona

Title: President, Board of Trustees

ACKNOWLEDGMENT

STATE OF TEXAS §
COUNTY OF BEXAR §

This instrument was acknowledged before me on the _____ day of _____,
20__ by Shannon Grona, President, Board of Trustees, Northeast Independent School District.

NOTARY PUBLIC, State of Texas

(Seal)

Lessee:

City of San Antonio, a Texas municipal corporation, by and through its San Antonio Water System

By: _____
Robert R. Puente

Title: President/Chief Executive Officer

ACKNOWLEDGMENT

STATE OF TEXAS §
COUNTY OF BEXAR §

This instrument was acknowledged before me on the _____ day of _____, 2023 by Robert R. Puente, President and CEO of the San Antonio Water System, for the City of San Antonio, a Texas municipal corporation, by and through its San Antonio Water System

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WITNESSETH:

1. On _____, Lessor and Lessee entered into a Lease of Groundwater (the "Lease") of the Water Rights described below:

Water Rights:

The Water Rights consist of the Lessor's groundwater rights and Lessor's permit rights from the Edwards Aquifer Authority ("EAA") to withdraw **10.275** acre-feet of unrestricted Edwards Aquifer groundwater per annum, under EAA Initial Regular Permit **P100-417** recorded as Instrument Number 20080229985 in the Official Public Records of Bexar County, Texas (the "Groundwater Withdrawal Permit") (the "Water Rights"). The Groundwater Withdrawal Permit authorizes the withdrawal and beneficial use of groundwater from the Edwards Aquifer pursuant to the terms and conditions of the Groundwater Withdrawal Permit.

2. The Lease sets out the rights and obligations of the Lessor and Lessee to the Groundwater Withdrawal Permit. The Lease may also cover additional Groundwater Withdrawal Permits, and if so, a separate Memorandum of Lease of Groundwater has been recorded for each such Groundwater Withdrawal Permit.

3. The term of the Lease is for 5 years, from **January 1, 2023** to **December 31, 2027**.

4. In accordance with the terms of the Lease, the Lessor has agreed to lease a total of 10.275 acre-feet per annum of Water Rights to Lessee.

5. This MOL is intended to act only as the notice of the existence of the Lease and its general terms. To the extent the terms of this MOL conflict with the terms of the Lease, the terms of the Lease shall control.

Lessor:
North East Independent School District

By: _____
Shannon Grona

Title: President, Board of Trustees

ACKNOWLEDGMENT

STATE OF TEXAS §
COUNTY OF BEXAR §

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NOTARY PUBLIC, State of Texas

(Seal)

Lessee:

City of San Antonio, a Texas municipal corporation, by and through its San Antonio Water System

By: _____
Robert R. Puente

Title: President/Chief Executive Officer

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COUNTY OF BEXAR §

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P.O. Box 2449
San Antonio, Texas 78298-2449**

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY 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.

MEMORANDUM OF LEASE OF GROUNDWATER

This Memorandum of Lease of Groundwater ("MOL") is executed this _____ day of _____, 20__ by and between **North East Independent School District** (the "Lessor") and the City of San Antonio, a Texas municipal corporation, acting by and through its San Antonio Water System (the "Lessee").

WITNESSETH:

1. On _____, Lessor and Lessee entered into a Lease of Groundwater (the "Lease") of the Water Rights described below:

Water Rights:

The Water Rights consist of the Lessor's groundwater rights and Lessor's permit rights from the Edwards Aquifer Authority ("EAA") to withdraw **35** acre-feet of unrestricted Edwards Aquifer groundwater per annum, under EAA Initial Regular Permit **P100-447** recorded as Instrument Number 20180088637 in the Official Public Records of Bexar County, Texas (the "Groundwater Withdrawal Permit") (the "Water Rights"). The Groundwater Withdrawal Permit authorizes the withdrawal and beneficial use of groundwater from the Edwards Aquifer pursuant to the terms and conditions of the Groundwater Withdrawal Permit.

2. The Lease sets out the rights and obligations of the Lessor and Lessee to the Groundwater Withdrawal Permit. The Lease may also cover additional Groundwater Withdrawal Permits, and if so, a separate Memorandum of Lease of Groundwater has been recorded for each such Groundwater Withdrawal Permit.

3. The term of the Lease is for 5 years, from **January 1, 2023** to **December 31, 2027**.

4. In accordance with the terms of the Lease, the Lessor has agreed to lease a total of 35 acre-feet per annum of Water Rights to Lessee.

5. This MOL is intended to act only as the notice of the existence of the Lease and its general terms. To the extent the terms of this MOL conflict with the terms of the Lease, the terms of the Lease shall control.

Lessor:
North East Independent School District

By: _____
Shannon Grona

Title: President, Board of Trustees

ACKNOWLEDGMENT

STATE OF TEXAS §
COUNTY OF BEXAR §

This instrument was acknowledged before me on the _____ day of _____,
20__ by Shannon Grona, President Board of Trustees, Northeast Independent School District.

NOTARY PUBLIC, State of Texas

(Seal)

Lessee:

City of San Antonio, a Texas municipal corporation, by and through its San Antonio Water System

By: _____
Robert R. Puente

Title: President/Chief Executive Officer

ACKNOWLEDGMENT

STATE OF TEXAS §
COUNTY OF BEXAR §

This instrument was acknowledged before me on the _____ day of _____, 2023 by Robert R. Puente, President and CEO of the San Antonio Water System, for the City of San Antonio, a Texas municipal corporation, by and through its San Antonio Water System

NOTARY PUBLIC, State of Texas

(Seal)

After recording return to:

**Water Resources
Attn: Brandon Payne
San Antonio Water System
P.O. Box 2449
San Antonio, Texas 78298-2449**



NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: January 8, 2024

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 2023-2024, 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 2023-2024 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 12, 2023. 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 2023-2024.

BOARD ACTION REQUIRED

Approval/Disapproval

ATTACHMENT
BUDGETED PURCHASES OF GOODS OR SERVICES COSTING \$50,000 OR MORE
NEISD BOARD MEETING
January 8, 2024

Category	Vendor(s) Name	Description of Goods/Services	Estimated Expenditures 2023-2024	Bid Compliance	Notes
School Nutrition	SmartSense	Monitoring system for HACCP compliance	\$127,200	Sole Source	Purchase over \$50,000 requires Board approval.
Curriculum and Instruction	ESC-20	TEKS Resource System	\$158,438	ESC-20 Purchasing Coop	Purchase over \$50,000 requires Board approval.



NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: January 8, 2024

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

Subject: NEISD Camp Henson
Rappel Tower Project Bid
Award Approval

Related Page(s): Attachment

CONSENT ITEM

BACKGROUND INFORMATION

A bid was received for the NEISD Camp Henson Rappel Tower Project on January 2, 2024 at 2:00 p.m. in Room 317 of the North East ISD Richard A. Middleton Education Center. The consulting firm of DeMunbrun Scarnato and Associates (DSA) is employed as the professional consulting team for this project. This project will provide for the design / build construction of a 16 ft long by 16 ft wide by 48 ft high wood rappel tower with four platforms at heights of 12 ft., 24 ft., 36 ft., and 48 ft., 3 activity walls, and a practice training ramp.

ADMINISTRATIVE CONSIDERATION

This project is included within the District's M&O Contingency Funds, North East Education Foundation (NEEF) Funds, and a donation from Gordon Hartman.

BUDGETARY CONSIDERATION

The Board approved budget for the NEISD Camp Henson Rappel Tower Project equals \$297,000.00. Based on the bid received, the total bid cost will equal \$216,000.00 and the total construction cost, including code requirement costs, equals \$313,000.00. The overage in construction costs will be funded through the M&O Engineering Budget.

ADMINISTRATIVE RECOMMENDATION

It is recommended that the Board of Trustees award the construction bid for the NEISD Camp Henson Rappel Tower Project to Rope Works, Inc. Alternate Bid #1 for a total cost of \$313,000.00 as shown on the accompanying bid attachment. Additionally, it is recommended that the Board of Trustees grant the Superintendent, Chief Operations Officer, and the Interim Executive Director for Construction Management and Engineering authority to execute the contracts in support of this project.

BOARD ACTION REQUIRED

Approval/Disapproval

**BID TAB:NEISD Camp Henson Rappel Tower Project
RFP NO. 06-24 BID DATE: January 2, 2024 @ 2:00 PM**

Consultant: DSA, Inc.				
Bidder	Contractor	Bid Amount	Code Requirements (1)	Total
	Rope Works, Inc.			
	Base Bid: 20-ft x 20-ft x 48-ft high Rappel Tower	\$ 246,000.00	\$ 97,000.00	\$ 343,000.00
	Alt #1: 16-ft x 16-ft x 48-ft high Rappel Tower	\$ 216,000.00	\$ 97,000.00	\$ 313,000.00
Board Approved Budget = \$297,000.00				
Note (1): Work to be completed by District JOC Contractors.				