

Agenda of Regular Meeting

The Board of Trustees Canutillo ISD

A Regular meeting of the Board of Trustees of Canutillo ISD will be held August 28, 2024, beginning at 6:00 PM in the Canutillo ISD Administration Office, 7965 Artcraft, El Paso, TX 79932.

The subjects to be discussed or considered or upon which any formal action may be taken are as listed below. Items do not have to be taken in the order shown on this meeting notice.

1. **GENERAL FUNCTIONS-OTHER**
 - A. Call to Order
 - B. Pledge of Allegiance
 - C. Texas Pledge of Allegiance
 - D. Roll Call
 - E. CISD Vision and Mission Statements 4
2. **BOARD HONORS**
 - A. Swearing in of Jacob Lozano from Northwest Early College and Theodore Locklin from Canutillo High School as the Student Advisors of the Canutillo ISD Board of Trustees for the 2024-25 academic year.
Presenter: Christina Rodriguez
3. **OPEN FORUM-OTHER**

Any person wishing to address the Board during the period reserved for public comment at a Board meeting must sign up to be heard, in accordance with District policy BED(LOCAL):

Each participant will be limited to **THREE MINUTES** to make comments to the Board. The Board is **NOT** permitted to discuss or act upon any issues that are not posted on the agenda for tonight's meeting.

For further information on those policies, contact the Superintendent's Administrative Assistant.
4. **BOARD OF TRUSTEE BUSINESS**
 - A. Discussion and Possible Action on the Selection of a 2024 Delegate to the Texas Association of School Boards.
Presenter: Armando Rodriguez
 - B. Lone Star Governance Student Outcome Goal Progress 5
Presenter: Richard Moore
 - C. Consideration and Appropriate Action on a Resolution Authorizing 14
Two (2) Appointments to the Board of Directors of the Canutillo ISD Public Facility Corporation, and Resolving Other Matters in Connection Therewith.
Presenter: Cantu Harden Montoya LLP
5. **CONSENT AGENDA-VOTING**

A. <i>BUSINESS SERVICES</i>	
1. Approval of the Meeting Minutes	
a. Approval of the July 23, 2024 Minutes	17
b. Approval of the January 23, 2024 Minutes	21
c. Approval of the February 07, 2024 Minutes	24
d. Approval of the February 08, 2024 Minutes	25
2. Approval of the Budget Amendments	
Presenter: C. Pulley	
a. Budget Amendments - July 2024	27
Presenter: C Pulley	
3. Approval of the Monthly Donations	
Presenter: C. Pulley	
a. Board Acceptance of the June & July 2024 Donations Report	29
Presenter: Cristina Pulley	
4. Approval of Memorandum of Understanding Between Education Service Center Region 19 and Canutillo ISD for Texas Reading Academies Enrollment for K-3 teachers	32
Presenter: Dr. Jesica Arellano	
5. Approval of Memorandum of Understanding between Canutillo ISD and EPCC 2024-2027 Dual Credit Partnership Agreement	40
Presenter: Dr. Jesica Arellano	
6. Approval of Memorandum of Understanding between UT Austin and Canutillo ISD - Meadows Precision Math Interventions	54
Presenter: Dr. Jesica Arellano	
7. Approval of Memorandum of Understanding and Agreement between Canutillo ISD and Aliviane Inc.	60
Presenter: Dr. Monica Reyes	
8. Investment Report for the Quarter and Year Ended June 30, 2024	67
Presenter: C Pulley	
9. Discussion and Possible Action to Participate in Lawsuit Regarding the A–F Performance Ratings for the 2023–2024 school year and to engage O’Hanlon, Demerath & Castillo, Legal Counsel Handling the Case.	79
Presenter: Dr. Pedro Galaviz	
B. <i>CURRICULUM AND INSTRUCTION</i>	
1. Executive Summary: Student Code of Conduct 2024-2025	81
Presenter: D. Kerney	
2. Executive Summary: Child Evangelism Fellowship of West Texas facility Request-Garcia Elementary School	179
Presenter: D. Kerney	
3. Executive Summary: Child Evangelism Fellowship of West Texas-Canutillo Elementary School	181
Presenter: D. Kerney	
4. Executive Summary: Child Evangelism Fellowship of West Texas-Bill Childress Elementary School	183
Presenter: D. Kerney	

C. *HUMAN RESOURCES*

1. Discussion and Possible Action Regarding Request for Staffing for School Year 2024-2025 185

Presenter: Martha Carrasco

6. **ADJOURNMENT**

If, during the course of the meeting, discussion of any item on the agenda should be held in a closed meeting, the Board will conduct a closed meeting in accordance with the Texas Open Meetings Act, Government Code, Chapter 551, Subchapters D and E. Before any closed meeting is convened, the presiding officer will publicly identify the section or sections of the Act authorizing the closed meeting. All final votes, actions, or decisions will be taken in open meeting.

CANUTILLO INDEPENDENT SCHOOL DISTRICT

Mission

We provide Equitable Opportunities to ensure our future-ready students are empowered to Explore, Learn, Grow and Excel.

Vision

LEAD today. IMPACT tomorrow.

#VivaCanutillo



CURRICULUM & INSTRUCTION

CANUTILLO A Premier District

TO: CISD Board of Trustees and Superintendent Galaviz
FROM: Jessica Arellano, Executive Director of Curriculum & Instruction
DATE: August 12, 2024
RE: Lone Star Governance Student Outcome Goal Progress

Pursuant to the Lone Star Governance (LSG) framework, Canutillo ISD administration is required to update the board on progress toward meeting student outcome goals. In alignment with our district's LSG calendar, Goal 3 (percentage of graduates earning CCMR indicator) will be the focus for the month of August.

LSG Goal 3 states:

- The percentage of graduates that earn a CCMR indicator will increase from 64% (2022) to 88% by June 2026.

Current district assessment performance data for Dual Credit, SAT/ACT/TSI, and Industry Based Certification (IBC) were compiled and will be presented for discussion at the August 2024 board meeting. This information is being provided to board members and district administration in order to ensure collective awareness concerning student progress toward meeting the district's student outcome goals.

Street Address:

7965 Artcraft Rd.
El Paso, TX 79932

Mailing Address:

P.O. Box 100
Canutillo, TX 79835

P: (915) 877-7440
F: (915) 877-7527
canutillo-isd.org

Canutillo Independent School District does not discriminate on the basis of race, color, religion, gender, sex, national origin, age, disability, military status, genetic information, or any other basis prohibited by law in its employment practices or in providing education services, activities, and programs, including career and technical education (vocational programs).

For additional information regarding Canutillo Independent School District's policy of nondiscrimination contact the Human Resources Division:
(915) 877-7423 | 7965 Artcraft Dr. | El Paso TX 79932.

LONE STAR GOVERNANCE



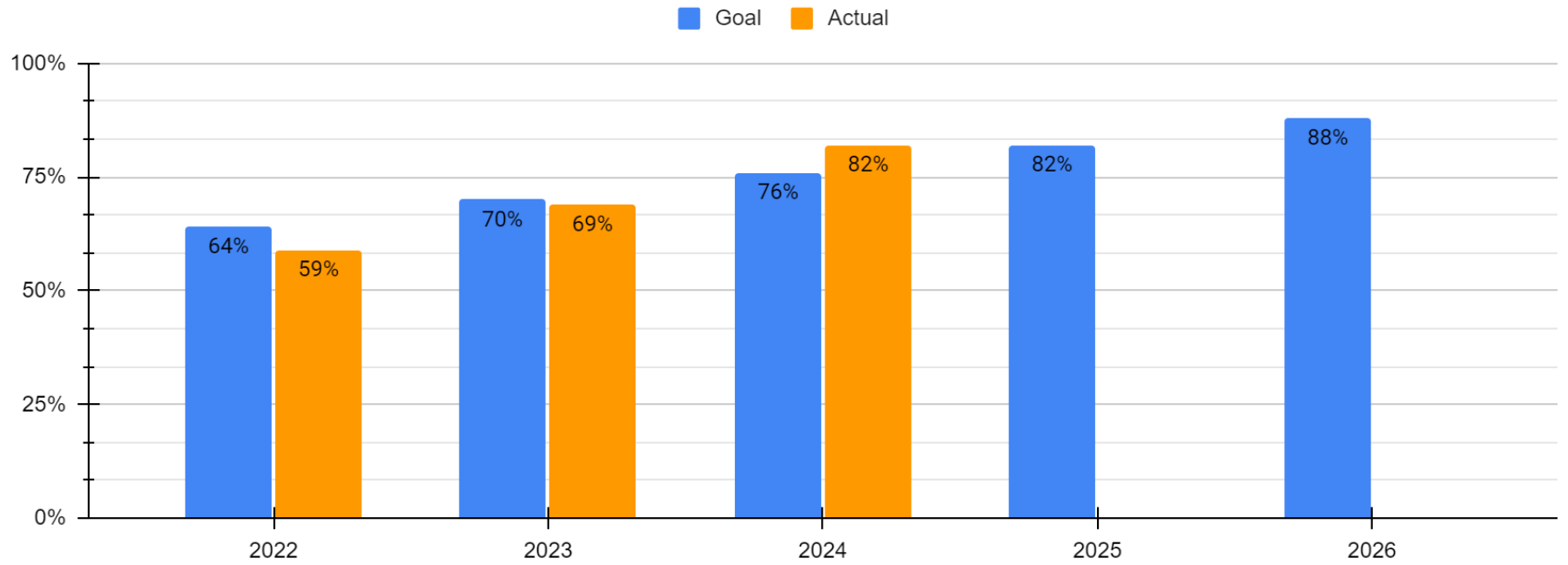
**GOAL 3: COLLEGE CAREER MILITARY READINESS (CCMR)
GOALS AND PROGRESS MONITORING INDICATORS**

August 2024

Goal 3: CCMR

The percentage of graduates earning a CCMR point will increase from 64% (2022) to 88% by June 2026.

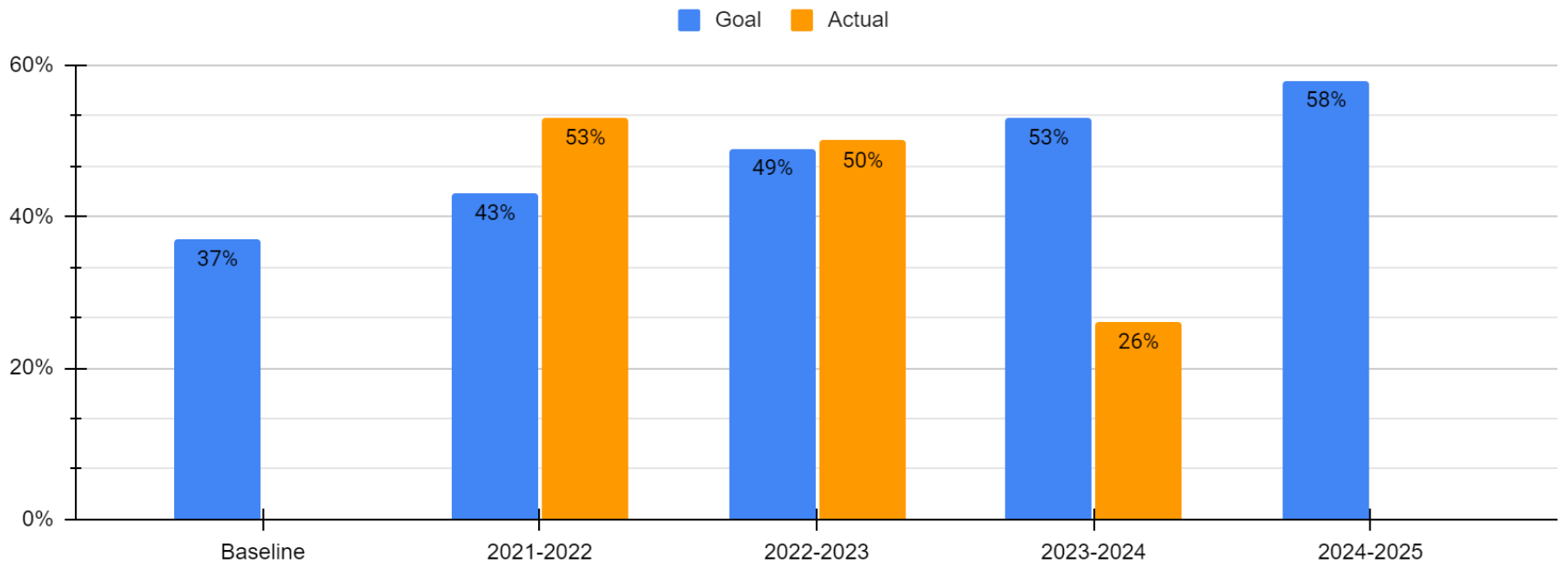
CCMR



GPM 3.1

The percentage of graduates earning a Dual Credit CCMR point will increase from 37% in June 2021 to 61% by June 2026.

Dual Credit



GPM 3.1

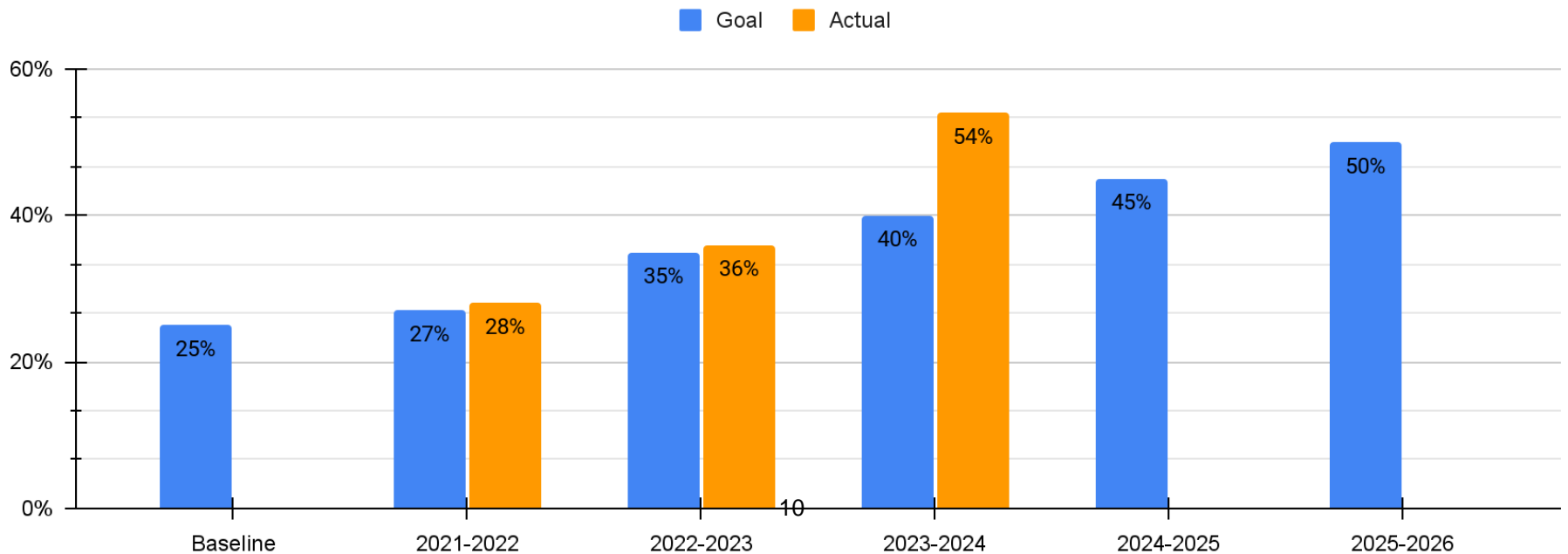
- CHS Offering OnRamps Chemistry Course through UT Austin
 - First Course 2024-2025 School Year
- Studies show that students that take just 1 DC class are 4X more likely to complete 4-year college degree
- Dual Credit courses are open-enrollment and available for any student who meet the criteria to enroll (e.g. passage of TSI/Pre-requisites)



GPM 3.2

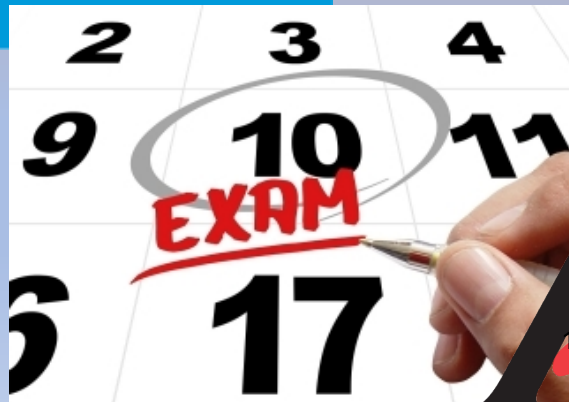
The percentage of graduating seniors scoring at or above SAT/ACT/TSIA2 college ready criterion will increase from 25% in June 2021 to 50% by June 2026.

SAT/ACT/TSIA2



GPM 3.2

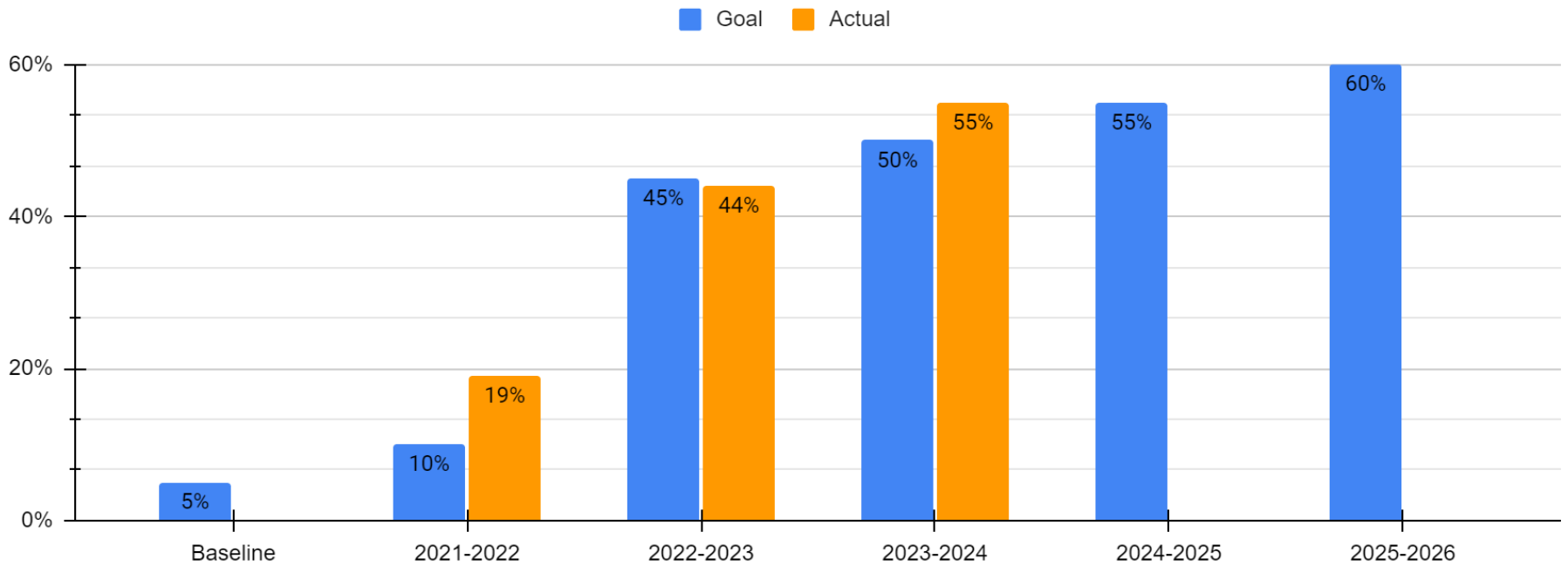
- Focus on testing all CHS Students who have not passed TSIA2, supported by a TSIA2 Bootcamp during spring intersession
- TSIA2 testing in 8th grade for Honors English, Algebra I, & Algebra II Students and Students applying to NWECHS
- New CTE semester-long course called Dollars and Sense that will TSI prep and test all students enrolled



GPM 3.3

The percentage of graduating seniors who earn an approved Industry Based Certification (IBC) will increase from 5.3% in June 2021 to 60% by June 2026.

IBC



GPM 3.3

- Increasing Number of P-TECH Students
- 239 of 2024 graduates earned Industry Based Certification in at least one area.
- Engineering, Biomedical, Robotics will each be offering an IBC in the current school year and beyond.
- Practicum courses, which are offered in more than half of the CTE programs, will assist with achieving an IBC through work-based learning experiences as well as test preparation.



RESOLUTION

RESOLUTION AUTHORIZING TWO (2) APPOINTMENTS TO THE BOARD OF DIRECTORS OF THE CANUTILLO ISD PUBLIC FACILITY CORPORATION, AND RESOLVING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the Canutillo Independent School District (the “District”) authorized the creation of the Canutillo ISD Public Facility Corporation (the “Canutillo ISD PFC”) as a public facility corporation under Chapter 303 of the Texas Local Government Code, as amended (the “Act”) pursuant to a resolution (the “Authorizing Resolution”) adopted by the Board of Trustees of the District (the “Board of Trustees”) on July 23, 2024; and

WHEREAS, in the Authorizing Resolution, the Board of Trustees consented to and approved the terms of the Certificate of Formation of the Canutillo ISD PFC, including the names of the three individuals who are to serve as the initial board of directors, and the District’s obligation to appoint two (2) additional directors to the Canutillo ISD PFC board of directors; and

WHEREAS, the Board of Trustees has determined that it is in the public interest and to the benefit of the residents, employers, potential employees, employees, visitors, and consumers in the District and to the public to appoint two (2) additional directors to the Canutillo ISD PFC to assist in managing the affairs of thereof; all as provided in Article Nine of the Certificate of Formation of the Canutillo ISD PFC; now, therefore,

BE IT THEREFORE RESOLVED BY THE BOARD OF TRUSTEES OF THE CANUTILLO INDEPENDENT SCHOOL DISTRICT THAT:

Section 1. The Board of Trustees hereby authorizes and approves the appointment of the following persons to the Canutillo ISD PFC Board of Directors:

Section 2. To the best knowledge of the Board of Trustees, the aforementioned persons satisfy all requirements and qualifications for appointment to the Canutillo ISD PFC board of directors, and would serve in that capacity pursuant to and in strict conformity with the terms of the Certificate of Formation.

Section 3. If any section, paragraph, clause, or provision of this Resolution shall be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Resolution.

Section 4. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the District.

Section 5. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 6. This Resolution shall be construed and enforced in accordance with the laws of the State or Texas and the United States of America.

Section 7. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.

[The remainder of this page intentionally left blank]

PASSED and APPROVED on this the 28th day of August, 2024.

APPROVED:

President, Board of Trustees

ATTEST:

Secretary, Board of Trustees

1. GENERAL FUNCTIONS-OTHER

1.A. Call to Order

Meeting was called to order at **6:04 PM**

1.B. Roll Call

Trustees Present: Barnes, Mendoza, Rodriguez, Simental, Trout, Zuniga

Trustees Absent: Borrego – She called ahead to mention she would not be able to attend this meeting.

2. OPEN FORUM-OTHER

Any person wishing to address the Board during the period reserved for public comment at a Board meeting must sign up to be heard, in accordance with District policy BED(LOCAL):

Each participant will be limited to THREE MINUTES to make comments to the Board.

The Board is NOT permitted to discuss or act upon any issues that are not posted on the agenda for tonight's meeting.

For further information on those policies, contact the Superintendent's Administrative Assistant.

No community members signed up to be heard

3. BOARD OF TRUSTEE BUSINESS

3.A. Discussion and Possible Action to Renew the District of Innovation Plan 2024-2025

Mrs. Julie Melendez presented the Board of trustees with the district of innovation renewal as well as changes to plan based on past DOI experience. Mrs. Melendez also answered questions from Board Members regarding 2024-25 changes.

Motion to approve District of Innovation as presented by Mrs. Mendoza, Second by Ms. Trout.

All in favor motion passes.

3.B. Discussion and Possible Action to Add Bond Job Accounting Coordinator Using Bond Interest Funds

Mrs. Martha Carrasco and Cristy Pulley presented the position to the Board of Trustees as well as addressed the questions regarding why the district needs this additional position.

Board members request for administration to obtain community feedback in regards to new job request.

Motion by Mrs. Trout not to approve until more information is given to the board during August 28th meeting. Second by Ms. Barnes.

Barnes-Yes, Mendoza-No, Rodriguez-No, Simental-No, Trout-Yes, Zuniga-No
Motion Fails

Motion to approve administration recommendation by Mrs. Mendoza, Second by Mr. Simental

Barnes-No, Mendoza-Yes, Rodriguez-Yes, Simental-Yes, Trout-No, Zuniga-Yes
Motion Passes

3.C. Discussion and Possible Action to Add an At-Risk Teacher at Canutillo High School Using State Compensatory Funds

Motion to approve administration recommendation by Mrs. Trout, Second by Mrs. Mendoza

Barnes-Yes, Mendoza-Yes, Rodriguez-Yes, Simental-Yes, Trout-Yes, Zuniga-Yes

Motion Passes

3.D. Discussion and Possible Action to Approve an El Paso Water Utilities Easement

Motion to approve administration recommendation by Mrs. Trout, Second by Mrs. Mendoza

Barnes-Yes, Mendoza-Yes, Rodriguez-Yes, Simental-Yes, Trout-Yes, Zuniga-Yes

Motion Passes

3.E. Discussion Regarding Past Acquisition and Sale of District Owned Real Property.

Mr. Rodriguez presented Mrs. Barnes with a box of information regarding the past sales of land and summarizing documentation.

No Action taken

3.F. Discussion and Possible Action Of The Creation Of The Canutillo ISD Public Facility Corporation Under Chapter 303 Of The Texas Local Government Code To Act On Behalf Of The Canutillo Independent School District; Approval Of The Certificate of Formation and Bylaws Related to Thereto; and Resolving Other Matters in Connection Therewith.

Mr. Arnold Cantu with Cantu Harden Montoya spoke to the board and summarized how the item was presented at the last board meeting. Mr. Rodriguez mentioned that this is an option to address funding shortages with the district. Mr.

Cantu provided examples to the board members to what can and can not be done with a Public Facility Corporation.

Motion to approve by Mr. Simental, Second by Mrs. Trout

Barnes-Yes, Mendoza-Yes, Rodriguez-Yes, Simental-Yes, Trout-Yes, Zuniga-Yes

Motion Passes

3.G. Update Regarding the Closing of the Canutillo ISD Series 2024AB

Mr. Rudy Mejia from Nickel Hayden gave the Board Members a summary regarding what happened during the initial sales of bonds on July 16th and how they were able to obtain lower interest rates than anticipated.

4. **EXECUTIVE SESSION Closed at 8:02 PM**

To Consult with Attorney Under Sections 551.071, 551.072 and 551.074 of the Texas Government Code:

4.A. Discussion and Update Regarding Potential Acquisition of Real Property for District Needs.

4.B. Discussion Regarding the Recommendation of Administration to Terminate the Probationary Contract of R.M.F. For Job Abandonment Without Good Cause and Issue Appropriate Notice to SBEC.

5. **NEW BUSINESS (continued); OTHER Meeting resumed at 8:49 PM**

5.A. Discussion and Possible Action Regarding Potential Acquisition of Real Property for District Needs.

Administration recommendation to authorize PROCEDEO and CBRE to continue with negotiations of preferred sites if they reach a price point they want to recommend to the board. A contract is only valid if presented and approved to the board.

Motion By Mrs. Trout and Second by Mrs. Mendoza,

Barnes-Yes, Mendoza-Yes, Rodriguez-Yes, Simental-Yes, Trout-Yes, Zuniga-Yes

Motion Passes

5.B. Discussion and Possible Action Regarding the Recommendation of

Administration to Terminate the Probationary Contract of R.M.F. for Job Abandonment Without Good Cause and Issue Appropriate Notice to SBEC.

Motion to approve administration recommendation to Terminate the Probationary Contract of R.M.F. for Job Abandonment Without Good Cause and Issue Appropriate Notice to SBEC by Mrs. Mendoza, Second by Mrs. Zuniga.

Barnes-No, Mendoza-Yes, Rodriguez-Yes, Simental-Yes, Trout-Abstain, Zuniga-Yes

Motion Passes

6. ADJOURNMENT

The meeting was adjourned at **8:53 PM** under unanimous consent.

Presented to the Board of Trustees for approval on **August 28 2024**. The minutes reflect all agenda items in the order as originally posted and do not necessarily reflect the order in which they were discussed.

1. **GENERAL FUNCTIONS-OTHER**

1.A. Call to Order @ **6:00 PM**

1.B. Pledge of Allegiance

1.C. Texas Pledge of Allegiance

Pledge of allegiance and Texas Pledge of allegiance were led by students in the board room at the time

1.D. Roll Call

Trustees Present, Barmes, Borrego, Mendoza, Rodriguez, Trout and Zuniga

Trustee Absent: Mr. Simental, who called ahead to mention he would not be able to attend.

1.E. CISD Vision and Mission Statements

Mission: Mrs. Trout

Vision: Mrs. Barnes

2. **BOARD HONORS**

2.A. Honoring of the Canutillo ISD Board of Trustees in Recognition of Texas School Board Appreciation Month

Mr. Gustavo Reveles presented the School Board Recognition month and presented the trustees with gift from the district schools and departments.

Mr. Reveles also read the Texas State School Board Resolution as requested by trustee Trout.

3. **OPEN FORUM-OTHER**

Any person wishing to address the Board during the period reserved for public comment at a Board meeting must sign up to be heard, in accordance with District policy BED(LOCAL):

Each participant will be limited to THREE MINUTES to make comments to the Board.

The Board is NOT permitted to discuss or act upon any issues that are not posted on the agenda for tonight's meeting.

For further information on those policies, contact the Superintendent's Administrative Assistant.

Mrs. Maria Castillo - JDE Principal – Who wants to thank the board for the opportunity given to her to serve as a principal. Mrs. Castillo wants to extend her gratitude. She shared her experience with the board and her commitment to CISD and the JDE community.

4. BOARD OF TRUSTEE BUSINESS

4.A. Discussion Regarding the Current Budget and Plans to Address Future Budgets Including Options Related to the Reduction of Costs, Personnel and the Financial Condition of the District.

Mrs. Cristy pulley presented to the board numbers of updates based on prior Board Budget Workshops. Board gave direction to seek additional savings to decrease overall deficit. Board members also requested dollar figures to have more details regarding how/from where are cost savings coming from.

Mrs. Carrasco answered questions from the board members regarding how vacant position cuts lead to cost savings for School year 23-24 and for the upcoming school year.

5. CONSENT AGENDA-VOTING

5.A. BUSINESS SERVICES

5.A.1. Approval of the Monthly Financials

5.A.1.a. Approval of the Monthly Financials - December 2023

5.A.2. Approval of the Monthly Donations

5.A.2.a. Board Acceptance of the December 2023 Donations Report.

5.A.3. Approval of the Budget Amendments

5.A.3.a. Approval of Budget Amendments for the Month of December 2023

5.A.4. Approval to enter into Interlocal with TASB Benefits Cooperative

5.A.5. Approval Request for the Adoption of the Child Nutrition Procurement Procedures Manual

5.B. CURRICULUM AND INSTRUCTION

5.B.1. Transfer Update

5.B.2. Executive Summary: Canutillo Central Congregation of Jehovah's Witnesses facility request for use of Canutillo Elementary School

Move to approve as presented by Mrs. Trout, Second by Mrs. Mendoza Barnes-Yes, Borrego-Yes, Mendoza-Yes, Rodriguez- Yes, Simental-Yes, Trout-Yes, Zuniga-Yes
All in favor motion passes.

6. ADJOURNMENT

The meeting was adjourned at **7:18 PM** under unanimous consent.

Meeting Minutes
Regular Board Meeting
Tuesday, January 23, 2024 6:00 PM

Canutillo ISD Administration Office
7965 Arcraft
El Paso, TX 79932

Presented to the Board of Trustees for approval on **08-26-2024**. The minutes reflect all agenda items in the order as originally posted and do not necessarily reflect the order in which they were discussed.

1. **GENERAL FUNCTIONS-OTHER**

1.A. Call to Order

Meeting was called to order at **5:05 PM**

1.B. Roll Call

Trustees Present:

Mrs Barnes, Borrego, Rodriguez Simental, Trout, Zuniga

Trustee Absent:

Mrs. Mendoza, who called ahead to notify she would not be able to attend.

2. **Workshop**

2.A. Discussion Between Facilities Assessment Committee and Board of Trustees

Regarding Potential Bond Proposals

Committee

Motion Sergio Martinez to approve recommendation (Option 1), Second by

Stephanie Fritze

Motion passes under unanimous consent.

2.B. Discussion and Action Regarding Facilities Assessment Committee

Recommendations 385,955,000

Motion: Zuniga

Second: Barnes

Motion passes under unanimous consent.

3. **ADJOURNMENT**

The meeting was adjourned at **8:05 PM** under unanimous consent.

Presented to the Board of Trustees for approval on **08-26-2024**. The minutes reflect all agenda items in the order as originally posted and do not necessarily reflect the order in which they were discussed.

1. **GENERAL FUNCTIONS-OTHER**

1.A. Call to Order

Meeting was called to order at **6:00 PM**

1.B. Roll Call

Trustees Present: Barnes, Borrego, Rodriguez, Simental, Trout

Trustees Absent: Mrs. Mendoza, she called ahead to mention she would not be able to make it to today's meeting

2. **Workshop**

2.A. Budget Workshop Presentation.

Presenters: Administration Team Dr. Rico and Mrs. Pulley presented an update on the CISD Budget to the Board Members. Board had questions regarding ADA funding and what is the district doing to address absenteeism.

Mrs. Pulley presented to the board information previously requested by the trustees regarding what lead to the current deficit.

Mr. Rodriguez wants to give direction from the board to administration to look into their budgets for potential savings.

Dr. Rico, Kerney, Reyes and Montañez answered questions regarding ADA funding and how to work on student attendance to improve revenue loss. (97% goal was not obtained).

Mrs. Lucy Borrego left the meeting at **8:17 pm**

2.B. Healthcare Update

Presentation By Martha Carrasco and Randy McGraw

Mr. Macgraw explain to the board members how the high number of insurance claims have driven up the price of district insurance. He also explained that the way claims are processed, it is difficult to predict how insurance plan changes will reflect on claims for the upcoming fiscal year.

3. **ADJOURNMENT**

The meeting was adjourned at **8:25 PM** under unanimous consent.

Meeting Minutes
Board Workshop
Thursday, February 8, 2024 6:00 PM

Canutillo ISD Administration Office
7965 Arcraft
El Paso, TX 79932

Presented to the Board of Trustees for approval on **08-26-2024**. The minutes reflect all agenda items in the order as originally posted and do not necessarily reflect the order in which they were discussed.

Board of Trustees

Meeting Date: _____

Executive Summary of Board Agenda Item

Subject/Title for Agenda Posting:

Justification Statement:

Purpose of Agenda Item:

Information Discussion Action

Item Type:

Curriculum & Instruction HumanResources Business Services

Staff Responsible:

Signature of Requester(s)

Signature of Presenter(s)

CPulley
Business Services Approval (Initials)

Date

Agenda Summary:

RECOMMENDATION:

PRIOR BOARD ACTION:

AWARDED:

AWARDED AMOUNT:

AMOUNT(S):

ACCOUNT NO(S):

PROCUREMENT METHOD TYPE: (3 Quotes, Cooperative Contract Quotes, Sole Source, Formal Bid)

REQUESTING DEPARTMENT:

CONSEQUENCES OF NON-APPROVAL:

IMPLEMENTATION TIMELINE:

ATTACHMENT(S):





FINANCIAL SERVICES
CANUTILLO A Premier District

TO: Board of Trustees
 Dr. Pedro Galaviz, Superintendent

FROM: Cristina Pulley, Executive Director for Financial Services

DATE: August 13, 2024

SUBJECT: Budget Amendments for July 2024

Budget Amendments submitted are summarized below for your review and consideration.

Administrative Cost Ratio Formula:

21 Instructional Leadership + 41 General Administration

 All Expenses

BC #346009 -This amendment will transfer funds from reading materials to supplies and software licenses/subscriptions for instructional classroom resources. This budget amendment will have no impact on the administrative cost ratio.

Budget Account Number		Current Budget	Change	Amended Budget
185.12.6329.00.104.30	Reading Materials	\$ 14,000	\$ (14,000)	\$ -
185.11.6399.00.104.30	General Supplies	\$ -	\$ 295	\$ 295
185.11.6396.00.104.30	Software License/Subscriptions <\$5,000	\$ 7,911	\$ 13,705	\$ 21,616

Street Address:
 7965 Artcraft Rd.
 El Paso, TX 79932

Mailing Address:
 P.O. Box 100
 Canutillo, TX 79835

P: (915) 877-7516
 F: (915) 877-7524
 canutillo-isd.org

Board of Trustees

Meeting Date: August 28, 2024

Executive Summary of Board Agenda Item

Subject/Title for Agenda Posting: Board Acceptance of the June and July 2024 Donations Report

Justification Statement: Presentation for your review and acceptance of the June and July 2024 Donations Report.

Purpose of Agenda Item: Information Discussion Action
 Item Type: Curriculum & Instruction Human Resources Business Services

Staff Responsible: Cristina Pulley

Signature of Requester(s)
Cristina Pulley *Cristina Pulley*

Signature of Presenter(s)
Elizabeth B. Sida *Elizabeth Sida* 07/26/2024

Business Services Approval (Initials) *Date*

Agenda Summary:

The Financial Services Department presents the following donations reported to Finance in June and July 2024.
 Total donations for June are \$2,919.79, total donations for July are \$516.90.

RECOMMENDATION: Administration recommends that the Board accept the June and July 2024 Donations Report as presented.

PRIOR BOARD ACTION: Yes AWARDED: N/A AWARDED AMOUNT: N/A

AMOUNT(S): \$3,436.69

ACCOUNT NO(S): N/A

PROCUREMENT METHOD TYPE: (3 Quotes, Cooperative Contract Quotes, Sole Source, Formal Bid)
 N/A

REQUESTING DEPARTMENT:
 N/A

CONSEQUENCES OF NON-APPROVAL:
 N/A

IMPLEMENTATION TIMELINE:
 N/A

ATTACHMENT(S): June and July 2024 Donations Report
 29



Executive Summary of Board Agenda Item

Subject/Title for Agenda Posting:

Justification Statement:

Purpose of Agenda Item:

Information Discussion Action

Item Type:

Curriculum & Instruction HumanResources Business Services

Staff Responsible:

Signature of Requester(s)

Signature of Presenter(s)

Elizabeth Sida

Business Services Approval (Initials)

Date

Agenda Summary:

RECOMMENDATION:

PRIOR BOARD ACTION:

AWARDED:

AWARDED AMOUNT:

AMOUNT(S):

ACCOUNT NO(S):

PROCUREMENT METHOD TYPE: (3 Quotes, Cooperative Contract Quotes, Sole Source, Formal Bid)

REQUESTING DEPARTMENT:

CONSEQUENCES OF NON-APPROVAL:

IMPLEMENTATION TIMELINE:

ATTACHMENT(S):





MEMORANDUM OF UNDERSTANDING Texas Reading Academies

RECITALS

THIS INTERLOCAL AGREEMENT (hereinafter referred to as “Agreement”) is made and entered into by and between the Canutillo Independent School District (hereinafter referred to as “The District” and Education Service Center Region 19, (hereinafter referred to as “ESC 19”).

WHEREAS, the Texas Government Code, Chapter 791, the “Interlocal Cooperation Act,” authorizes local government entities to enter into interlocal contracts for governmental purposes;

WHEREAS, to accomplish the outcome of every Kindergarten through Third Grade teacher and principal receiving Reading Academy training, TEA has published guidance in the form of letters to school districts and FAQ guidance to Education Service Centers; and

WHEREAS, the most recent guidance to Education Service Center regarding their provision of Reading Academies to school districts and is incorporated for all purposes into this MOU as if reproduced in its entirety; and

WHEREAS, TEA states that school districts have the following options relating to ensuring their teachers obtain Reading Academies training:

1. **Use an Authorized Provider** for Comprehensive pathway for teachers and principals.
 - The District pays \$3,000 per participant for Comprehensive pathway.

WHEREAS, ESC 19, as an Authorized Provider, desires to comply with the guidance set forth by TEA by entering this MOU with school districts to provide Comprehensive pathway

Cohort 5 - 2024-2045	
Stephani Romo	RES
Vivian Varela	JDE
Gabriela Romero	JDE
Ariana Ornelas	CES
Ruth Flores	DDE
Jared Cicchetti	GES

Reading Academy training for K-3 teachers and principals employed at their district.

NOW, THEREFORE, in consideration of the mutual promises and subject to the terms and conditions set forth herein, the Parties hereto agree as follows:

I. Designation by District of Reading Academies Services to be Provided by ESC 19:

The District opts for ESC 19 to provide Reading Academies training to the District as follows:

Responsibilities of the Parties.

For ESC 19:

- 1) Inform LEAs about each pathway available for Texas Reading Academies. Options are: ELAR, Biliteracy, STR ELAR, STR Biliteracy, Demonstrated Proficiency, and Administrator.
- 2) Assist LEAs in determining the appropriate model and pathway in which to enroll each participant. Blended pathway is available only to administrators starting school year 2023-2024. ESC 19 will not lead the administrative pathway. However, ESC 19 will work in collaboration with districts to enroll administrators in the course.
- 3) Ensure that Cohort Leaders attend Cohort Leader Training prior to leading a cohort for the associated implementation year.
- 4) Ensure all Cohort Leaders have met the screening requirements determined by TEA.
- 5) Ensure that each cohort is assigned an appropriate cohort leader for the designated pathway (ELAR, Biliteracy, STR ELAR, STR Biliteracy)
- 6) Ensure that full-time Cohort Leaders only serve the following number and types of cohorts within the 12-month term:
 - One comprehensive cohort (up to a maximum of 60 participants).Note: A one-month overlap is allowable. For example, cohort leaders may start a new cohort, or set of cohorts, one month prior to an 11-month course ending, but will be responsible for completing all assigned duties for both cohort years.
- 7) Ensure that Cohort Leader & Support Cohort Leader Roles and Responsibilities are clearly communicated to LEAs.
- 8) Work with districts to ensure all academy participants have adequate support to complete the Texas Reading Academy course to include ensuring participants attend all scheduled sessions.
- 9) Ensure that Cohort Leaders sign and abide by all requirements listed in the Cohort Leader Agreement.
- 10) Communicate Reading Academy expectations to participants and collect signed "Participant Statement of Understanding" for all participants enrolled in the course.
- 11) Ensure Cohort Leaders review the plagiarism clause with participants at the beginning of each module.
- 12) Work with Cohort Leaders to address artifact academic dishonesty.
- 13) Inform participants that the use of Chat GPT or other AI text generators for discussions,

- assignments, and artifacts is strictly forbidden. As AI-generated text is not the work of the submitter, the submission of AI-generated text will be considered plagiarism and subject to the rules governing plagiarism in the Reading Academies.
- 14) Work with LEAs and Cohort Leaders to ensure artifacts are submitted by the deadline indicated on the Important Dates document.
 - 15) Ensure that Cohort Leaders support participants through all artifact submissions using the artifact rubrics and learner checklists.
 - 16) Authorized Provider will be the first point of contact and, together with the cohort leader, verify that the artifact submission(s) demonstrate irregularities that indicate possible plagiarism. Plagiarism will not be tolerated, and such incidents will be resolved with TEA guidance.
 - 17) All Reading Academies participants are held to a high standard of professionalism, and plagiarism and/or sharing of answers within or outside of the cohort will not be tolerated. All participants suspected of plagiarism or sharing content will be warned and required to resubmit their work. On the second offense, they may be removed from the cohort in which they are participating and may be required to take the Reading Academies over again in their entirety.
 - 18) Authorized Providers are responsible for ensuring that Cohort Leaders communicate placeholders are NOT allowed for artifact submissions; any placeholders will be scored with a "0".
 - 19) Monitor and support district in ensuring the quality of Reading Academy implementation.
 - 20) Inform districts about the formative and summative metrics.

- Summative Metric Reviewed at the end of each term: 90% of participants complete the course (earn a certificate)
- Formative Metric Reviewed Monthly: 95% comprehensive participants submit artifacts by deadline. 80% of blended participants submit artifacts by the deadline
- Summative Metric: 75% of participants pass artifact on the first attempt; 90% pass artifact by their second attempt.
- Formative Metric: 80% of participants pass artifact #1 by the first attempt. 95 % of participants pass artifact #1 by the second attempt.
- 80% of participants pass artifact #2 by the first attempt. 95% of participants pass artifact #2 by the second attempt.
- Cohort Leader satisfaction after modules 4 and 8 will be gathered from participants to provide insights if additional support for cohort leaders is needed.
- Customer service satisfaction data as an Authorized Provider will be gathered.
 - a. Authorized Provider
- will hold monthly Communities of Practice (CoP) meetings with cohort leaders (virtual and in person).
- Will closely monitor and analyze data for each cohort to ensure a positive learning experience.
- Will provide technical support and assistance to Cohort Leaders including coaching cycles, artifact training, Canvas Announcements, campus visits, etc.

For the District:

- 21) Determine the appropriate model in which to enroll each participant. (ELAR, Biliteracy, ELAR STR, Biliteracy STR). STR participants must provide proof of eligibility for the STR pathway.
- 22) Provide support to reading academy participants to complete the Texas Reading Academy course and will keep district campus leaders informed of learner progress and attendance to ensure participants attend and successfully complete all scheduled sessions.
- 23) Ensure that artifacts are submitted by the deadline indicated on the Important Dates document.
- 24) Work with Cohort Leaders to address academic dishonesty. The use of Chat GPT or other AI text generators for discussions, assignments, and artifacts is strictly forbidden. As AI-generated text is not the work of the submitter, the submission of AI-generated text will be considered plagiarism and subject to the rules governing plagiarism in the Reading Academies.
- 25) Acknowledge that the district will be held responsible for all Reading Academy Metrics as assigned by TEA.
- 26) Assign one or more individuals to support the coordination and implementation of Reading Academies.
- 27) Review and communicate the 2024 – 2025 Reading Academy calendar to district and campus leaders to support and facilitate campus planning of substitute coverage for teachers attending the 10 face-to-face regular pathway sessions and the 7-day schedule for STR pathway sessions. This communication will further support attendance and completion of Texas Reading Academy for all learners.
- 28) Ensure participants are willing and able to complete the entirety of the Reading Academies content within the course time, unless one of the following exceptions arises: Resignation, Retirement, Termination, Reassignment outside of K-3, FMLA, or another extreme circumstance deemed appropriate by TEA and/or ESC. Should any of the above exceptions occur, inform Authorized provider in a timely manner.

II. TERM OF AGREEMENT

This Agreement shall be effective on August 1, 2024, and terminate, except as provided herein, on August 31, 2025, unless sooner terminated upon 30 days prior written notice by either party or upon completion of all training by ESC 19 of the District's personnel (the "Term"). Upon termination hereof, each party agrees to cooperate with the other to fulfill any action required by TEA in its regulation of Reading Academies. No monies will be refunded unless Agreement is terminated within 30 days of initial signing date.

III. FEES

Pay the TEA set fee to ESC 19 as an Authorized Provider of \$3,000 per participant

The District requests _____ participants attend the Reading Academy course.
The total fee of the district is _____

IV. ADDITIONAL TERMS AND CONDITIONS

1. **Assignments**. Neither Party may assign this Agreement without the prior written consent of the other.
2. **Entire Agreement**. This Agreement contains all the agreement between the Parties with respect to the matters contained herein and no prior agreement or understanding pertaining to any such matters shall be effective for any purpose.
3. **Independent Contractor Status**. Each party and its people are independent contractors in relation to the other party with respect to all matters arising under this Agreement. Nothing herein shall be deemed to establish a partnership, joint venture, association, or employment relationship between the parties.
4. **Third Party Beneficiaries**. Nothing in this Agreement creates or will be deemed to create third party beneficiaries of or under this Agreement.
5. **Governing Law**. This Agreement shall be governed, construed, and enforced according to the laws of the State of Texas, without giving effect to principles of conflicts of laws, and the Parties agree to resolve any dispute in the state and federal courts having jurisdiction in El Paso County, Texas.
6. **Sovereign Immunity**. Nothing in this Agreement shall be deemed to waive the sovereign immunity of ESC 19, of the staff and employees of ESC 19, or of the District.
7. **Dispute Resolution**. The Executive Director of ESC 19 or his/her designee and the authorized agent of the District shall resolve disputes that develop under this Agreement.
8. **Amendments**. This Agreement may not be amended, modified or changed, nor shall any waiver of any provision hereof be effective, except by an instrument in writing and signed by each of the Parties.

Executive Summary of Board Agenda Item

Subject/Title for Agenda Posting: Approval of Memorandum of Understanding between Canutillo ISD and EPCC 2024-2027 Dual Credit Partnership Agreement

Justification Statement: It allows Cautillo High School students an opportunity to earn dual high school and college credit

Purpose of Agenda Item: Information Discussion Action
Item Type: Curriculum & Instruction HumanResources Business Services

Staff Responsible: Jessica Arellano, C&I Executive Director

Signature of Requester(s)

Signature of Presenter(s)

Eliabeth B. Sida
Business Services Approval (Initials)

8/20/2024
Date

Agenda Summary:

A Memorandum of Understanding (MOU) for a Dual Credit Partnership Agreement (DCPA) between Canutillo ISD and El Paso Community College was signed by the board on 8/24/2021 (attached) for the 2021-2024 school years. Attached please find an amendment for this MOU between the Canutillo Independent School District (ISD) DCPA and EPCC. EPCC's legal counsel drafted the amendment. It modifies the 2024-2027 Dual Credit Partnership Agreement and waives instructor costs and fees formerly assessed to our public school partners following HB 8. The terms of this amendment are effective as of September 1, 2023.

RECOMMENDATION: Administration recommends that the Board approve this Memorandum of Understanding between Canutillo ISD and EPCC 2024-2027 Dual Credit Partnership Agreement as presented

PRIOR BOARD ACTION: AWARDED: AWARDED AMOUNT:

AMOUNT(S): NA

ACCOUNT NO(S): Various

PROCUREMENT METHOD TYPE: (3 Quotes, Cooperative Contract Quotes, Sole Source, Formal Bid)
Memorandum of Understanding

REQUESTING DEPARTMENT: Curriculum and Instruction

CONSEQUENCES OF NON-APPROVAL: The CISD High Schools will not be able to follow thru with the agreement as it stands.

IMPLEMENTATION TIMELINE: Upon Approval

ATTACHMENT(S): 2024-2027 CISD/EPCC DCPA, 2024 DCPA Amendment





2024-2027 DUAL CREDIT PARTNERSHIP AGREEMENT



Between
Canutillo Independent School District
And
El Paso County Community College District

This Dual Credit Partnership Agreement (Agreement) between Canutillo Independent School District and El Paso County Community College District (EPCC or the College) is designed to allow High School students an opportunity to earn dual High School credit and College credit. *19 Texas Administrative Code (19 TAC), Chapter 9, Subchapter H, Partnerships between Secondary Schools and Texas Public Two-year Associate Degree-Granting Institutions* establishes authority and rules for two-year associate degree-granting institutions to enter into agreements with secondary schools to offer courses that grant credit toward the student's High School curriculum requirements and College-level credit. Dual Credit Requirements are identified/outlined in *19 TAC Chapter 4, Subchapter D, Dual Credit Partnerships Between Secondary Schools and Texas Public Colleges*, §4.85. Nothing herein shall be construed to violate either the Texas Public Information Act, Tex. Gov't Code, §552.001 et seq., or the Family Educational Rights and Privacy Act, 20 U.S.C § 1232g.

Canutillo Independent School District is located at:
7965 Artcraft
El Paso, TX 79932

The following conditions apply to this Agreement in accordance with Texas Higher Education Coordinating Board (THECB) Rules and Regulations:

1. Purpose

The Purpose of this Agreement is to facilitate the cooperation between the College and the District in the provision of College courses for Dual Credit for qualified students.

2. Eligible Courses

- a. Only courses as permitted by 19 TAC, Part 1, CH4, Subchapter D, §4.85 (a) identified as College-level academic courses in the current edition of the EPCC Catalog or as College-level workforce education courses in the current edition of the Workforce Education Course Manual (WECM) may be used for Dual Credit. New High School sites located off EPCC campuses must follow the *Courses for Dual Credit Schedule* as it is posted on the EPCC Dual Credit web page.
- b. Courses approved for Dual Credit for an individual student must be applicable to a college or university certificate or degree.
- c. Course matching is a requirement to award Dual Credit. In order to offer any College course for Dual Credit, it must be paired with an equivalent High School course. The learning objectives for the College course and the Texas Essential Knowledge and Skills (TEKS) for the High School class must have significant overlap or match. If an equivalent High School class does not exist, then the College course cannot be offered by the High School for Dual Credit.
- d. Any TEKS not covered by the College course will be taught by the High School and accounted for separately from the required content of the College course.

3. Student Eligibility

- a. High School students will meet State and EPCC requirements for admission to the College.
- b. High School students must take the EPCC placement tests and/or provide EPCC approved additional test scores in math, reading, and writing as well as course-specific placement test scores where applicable and have the course prerequisites prior to enrolling in College-level courses. Students with disabilities needing accommodations will contact the EPCC Center for Students with Disabilities (CSD) to arrange a meeting with a CSD Counselor. The placement exam will be administered at the High School that complies with EPCC's CSD-approved accommodations.
- c. High School students shall not be enrolled in more courses than those allowable by State laws and Texas Administrative Code and Regulations and in accordance with the *Courses for Dual Credit Schedule* for new sites until the High School is approved by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) as an EPCC off-site.
- d. El Paso Community College will certify to the appropriate agency, no fewer than once per calendar year, the eligibility of all students for which it receives notice of FAST eligibility from such student's school district or charter school, of that student's eligibility for the FAST Program.
- e. High School students will be enrolled in EPCC courses upon the timely receipt of all the pre-registration/advising documentation by the EPCC Admissions and Registration DC/ECHS Specialist. If a High School student has a hold preventing registration such as, but not limited to, "business hold or required documentation," the student will not be enrolled in the class and a notation will be made to the roster and returned back to the designated individual at the High School. High School administration (Principal, Assistant Principal, or Counselor) will be notified and will be responsible for assisting the student in clearing the hold. Once the hold has been removed, the High School designee must add the student once more to the enrollment roster requesting enrollment once again.
- f. Application of Americans with Disabilities Act Amendments Act and Section 504 of the Rehabilitation Act of 1973. To the extent this Agreement and the services provided under the Agreement are subject to the Americans with Disabilities Act Amendments Act and/or Section 504 of the Rehabilitation Act of 1973, EPCC and Canutillo Independent School District agree to take any steps necessary to comply with the provisions of these laws. Coordination of services under the Agreement, enrollment of students and any necessary accommodations will be managed by the EPCC Center for Students with Disabilities (CSD). Appropriate accommodations will be determined by an EPCC CSD Counselor based upon individual needs and requirements of the required program of study. Accommodations will be provided by Canutillo Independent School District. Accommodations for special education students enrolled in Dual Credit and College courses must adhere to EPCC's accommodations policy.

4. Instructional Calendar

The College courses for Dual Credit taught on the High School campus will comply with the District's instructional calendar. Distance education sections will comply with the College calendar.

5. Location

- a. Dual Credit instruction will predominantly occur in the facilities of the High School campus. EPCC facilities may be used as appropriate, depending on the availability of resources.
- b. When the High School does not have an instructor, who is qualified and selected by EPCC to deliver a College course for Dual Credit onsite at the High School campus, the course may be located online with an instructor provided by the College, depending on the availability of resources.
- c. A qualified instructor may be provided by the College to teach the College course on the High School campus if available. A High School may also contract directly with an EPCC credentialed instructor to deliver the College course on the High School campus. Workload must be previously approved by an EPCC administrator.

6. Student Composition of Classes

Courses may be composed of Dual Credit students only or of Dual Credit and College credit students. Exceptions for a mixed class (composed of students taking the College course for High School credit only and students taking the College course for Dual Credit) may be allowed only under one of the following conditions:

- a. If the course involved is required for completion under the State Board of Education Recommended or Distinguished Achievement High School Program graduation requirements, and the High School involved is otherwise unable to offer such a course.
- b. If the High School credit-only students are College Board Advanced Placement students.
- c. If the course is a career and technology/College workforce education course and the High School credit-only students are earning articulated College credit which will only be awarded after graduation from High School and subsequent enrollment at EPCC.

7. Faculty Selection, Supervision, and Evaluation

- a. All High School Dual Credit instructors must meet the credential requirements as specified by EPCC, the State Board of Education, and that would be acceptable by SACSCOC and other pertinent accrediting agencies. EPCC may limit the number of Dual Credit sections by course or program based on institutional need and/or accreditation guidelines.
- b. The College shall select, supervise, and evaluate Dual Credit High School instructors using the same College procedures used for EPCC faculty teaching on the College campuses and will maintain the same standards for the evaluation of instructional effectiveness and learning outcomes for the College course taught on the High School campus as the same courses taught at the College campuses. EPCC retains the right not to assign courses to an instructor.
- c. Official transcripts, an adjunct faculty application, and other documents pertinent to credentials verification of Dual Credit High School instructors will be kept on file at the EPCC Office of Human Resources.
- d. Qualified, EPCC-selected and trained Dual Credit High School instructors teaching the College course at the High School will do so as part of their High School teaching

assignment. Nevertheless, a Dual Credit High School instructor will comply with the College's standards of instruction and evaluation processes. All instructional aspects of the College course will be supervised by the designated College Instructional Dean.

- e. Each semester, Dual Credit students will complete a Faculty Evaluation and Student Survey for each College course for Dual Credit. The evaluation/survey is administered online. The Dual Credit faculty member and the High School are requested to remind the students in the last couple of weeks of the semester to complete the survey. The Faculty Evaluation process is highly confidential to encourage a student's willingness to respond with candor regarding their experience in the class without fear of reprisals from the instructor. The Faculty Evaluation will not be shared with the instructor, the designated College Instructional Dean, the instructional coordinator and, upon request, the designated High School administrators until after grades have been posted.
- f. It is required that new Dual Credit faculty attend New Faculty Orientation, which is held during Faculty Development Week at the beginning of the Fall Semester (August) and the Dual Credit Summer Convening in June. Newly credentialed Dual Credit faculty will be required to complete an introductory 10-hour online course. Additionally, ongoing attendance is required at College division and discipline meetings and at one faculty development workshop of the instructor's choice each semester.
- g. In the event the High School credentialed faculty is absent more than 3 consecutive days, or is absent enough times that the instructional contact hours fall below what is required for the College course, the High School is responsible for contacting the designated College Instructional Dean to discuss the anticipated length of absence, and necessary arrangements for a substitute or replacement. Only substitutes/replacements credentialed by EPCC in the discipline/course may be used to cover a class. If the High School is unable to find a credentialed discipline/course qualified substitute or replacement, EPCC may provide a qualified faculty if available.

8. Course Curriculum, Instruction and Grading Criteria

EPCC shall ensure that a College course for Dual Credit offered at the High School and the corresponding course offered at the College campuses are equivalent with respect to the curriculum, contact hours, course enrollment maximum, materials, instruction, and method/rigor of evaluation of student performance, and grading criteria regardless of student composition of the class. (See appendix A for Crosswalk)

- a. EPCC course syllabi and textbooks must be used in College courses for Dual Credit at all times. The syllabus for each course must be submitted to the appropriate Instructional Coordinator as requested and uploaded in compliance with HB 2504 by the end of the first week of classes.
- b. The High School will provide each student enrolled in a College course for Dual Credit with all College textbooks and instructional materials required by the College discipline. College textbooks and other instructional materials may not be shared among multiple students, and students must be allowed to use them both in and out of class as would any College student studying at the College campuses.
- c. The EPCC Office of Distance Learning Support Services will verify that the High School has adequate technology to support online course delivery. In addition, classroom, science lab and library facilities assessments will be conducted at least every three years or as needed.

- d. The High School will identify a High School onsite facilitator whose role is to support the EPCC instructor of record in order to enhance the success of Dual Credit students enrolled in online courses.

9. Academic Policies and Student Support Services

- a. All academic policies applicable to courses taught on EPCC campuses shall apply to Dual Credit High School students as outlined on EPCC Procedure GH-2 *High School Dual Credit Program Requirements* and in the College Catalog. These policies include the appeal process for disputed grades, drop policy, the communication of grading policy to students, when the syllabus must be distributed, and processes for addressing instructional issues/concerns.
- b. Dual Credit students may utilize the same services that are available to other EPCC students. The College is responsible for ensuring timely and efficient access to such services as academic advising and counseling, College-appropriate (non-curricular) accommodations for students with disabilities, learning materials (e.g., library resources), academic achievement programs (e.g. Honors Program), and student success initiatives (e.g., tutoring).
- c. Each High School must have an appointed Counselor or Designee to provide academic guidance regarding Dual Credit who will encourage course completion and achievement of course work leading to a College degree. EPCC will provide training for the High School Counselor or Designee.
- d. Except as expressly set forth herein, the High School shall provide student services for all Dual Credit students including, health services, counseling services, tutorial services, transportation, food service, Blackboard Learn Ultra, and all College textbooks and teaching materials. By July 1 of each year, the High School will submit all graduated seniors' final High School transcripts, with the official graduation date, through the Texas Records Exchange (TREx) system. Paper copies will not be accepted.
- e. In addition to on-site resources provided by the High School, Dual Credit students will be issued an EPCC ID card and will have open access to EPCC's online library databases, materials, and resources. Dual Credit students will have access to on-campus and online EPCC tutoring centers, Academic Computer Services labs, and libraries. EPCC Librarians will provide training to designated High School Librarians on available EPCC resources. Dual Credit students will have access to all EPCC student services and privileges, including participation in student government and student clubs.
- f. Dual Credit students will adhere to all the requirements of the District/High School Code of Conduct and State law applicable to public school students. Dual Credit students will have the rights and responsibilities defined in the EPCC Code of Conduct, EPCC Catalog, EPCC Student Handbook, and the EPCC Board Policies and College Procedures. In the event of any inconsistency between the District/High School Code of Conduct and the EPCC Code of Conduct, the District/High School Code of Conduct and applicable provisions of Chapter 37 of the Texas Education Code will be followed. Students enrolled in a course for Dual Credit who are placed in an alternative school will be withdrawn from the course but may be allowed to remain in the Dual Credit program upon returning to the high school campus.
- g. Transportation is at the sole discretion of the District/High School and not the responsibility of EPCC. The District/High School will ensure bus routes for students attending courses at all EPCC site facilities during the fall, spring, and summer terms that occur during regular High

School hours. The High School will provide round-trip transportation for Dual Credit students to EPCC campuses for official school activities, such as daily classes in an approved schedule.

10. Transcription of Credit

EPCC will transcribe College grades immediately upon a student's completion of the course. Approved District/High School personnel will have access to the official College grade through the High School Dashboards.

11. Funding

- a. The Dual Credit High School instructors will be compensated by the District/High School in accordance with the District's Standard Teacher Salary Schedule. It is not contemplated that Dual Credit High School instructors will be teaching any classes in addition to their regular workload by virtue of their participation in the Program. Said Dual Credit High School instructors will not receive any monetary compensation from EPCC for their participation in the Program. The Dual Credit High School instructors teaching courses which result in the award of concurrent credit must meet the same standards, review, and approval procedures used by the College to select faculty responsible for teaching the same courses at the College campuses. Dual Credit High School instructors will teach courses on a volunteer basis and are entitled to all the rights and privileges accorded to any EPCC adjunct faculty member.
- b. EPCC will waive tuition and designated fees for students enrolled in the Dual Credit Program.
- c. Both parties to this Agreement agree that neither party may charge a student who has been determined to have met the eligibility criteria for participation in the dual credit Financial Aid for Swift Transfer ("FAST") Program any cost of tuition or other fees whatsoever (including late fees or three-peat fees) incurred for the enrollment in the course(s) contemplated herein.
- d. The High School is responsible for all College textbooks and instructional materials. This includes funding of Open Educational Resources (OER) and First Day Adoption (FDAY) materials used in lieu of textbooks. The School District will be invoiced within 30 days after the end of the semester and payment in full will be due to EPCC within one month of the invoice. College-approved textbooks purchased by the District may be used for a maximum of four years from the date of initial purchase. The High Schools must adhere to EPCC textbook College Procedure EDA-1 *Selection and Ordering of Textbooks for Credit/Developmental Education Courses*. In addition, the High School must comply with the textbook tracking requirements by completing and returning the textbook tracking form within the timelines set forth.

12. EPCC Administrators and High School Principals, along with any necessary administrative staff, will maintain open lines of communication between the College and their High Schools.

- a. Marketing and Co-branding. Dual Credit is a strong and beneficial partnership between the District or High School and EPCC and will be co-branded accordingly. References to College Courses for Dual Credit that are offered by EPCC will prominently feature EPCC's name and logo on all media/marketing materials, school marquees, verbal and non-verbal messaging, and anywhere else the program is visible, including the school's website. When used in conjunction with the District or High School logo, logos must be of the same size and in high-profile locations. When communicating about Dual Credit programs or courses offered by EPCC, it is important to state "These Dual Credit course offerings are available thanks to a partnership with El Paso Community College," when speaking, presenting, or discussing the initiative as well as in all written materials, including, but not

limited to: news releases, website content, promotional materials, social media, or other content.

Signage, banners, and other displays should prominently demonstrate the partnership and should include EPCC and its logo. EPCC logos, banners, or other identifying material should be displayed in each classroom used to teach Dual Credit students. Materials or exceptions to this guideline will need to be reviewed and approved by EPCC's Marketing/Community Relations Department and the Dean of Dual Credit and Early College High Schools. Each party reserves the right to approve major signage, banners and other displays marketing Dual Credit that will be displayed outside the EPCC campus to the general public.

The District/High School is responsible for ensuring that departments producing materials as well as appropriate administrators, faculty and staff are aware of the marketing and co-branding requirements. Media/marketing materials that do not reflect appropriate co-branding may have to be taken down and redone to properly reflect required marketing and co-branding.

13. Records and Criminal History.

Records relating to this Amendment may be subject to disclosure pursuant to the Texas Public Information Act, Section 552.001 et. seq. of the Texas Government Code. Each party agrees, to the extent it receives information or records concerning any student, it shall not disclose the same except as permitted by the Family Educational Rights and Privacy Act a/k/a FERPA (20 U.S.C. 1232(g)). EPCC further agrees that, if applicable, it shall comply at its sole expense with the requirements of Section 22.0834 of the Texas Education Code, "Criminal History Record Information Review of Certain Contract Employees," any applicable rule(s) adopted by the Texas Commissioner of Education, Canutillo Independent School District Board Policies and other policies and requirements of such statute and rule(s), and will ensure that no covered person with a disqualifying criminal history performs services under this Amendment.

14. House Bill 1638: Statewide Dual Credit Goals

The following are specific program goals aligned with the statewide goals developed collaboratively by the Texas Higher Education Coordinating Board (THECB) and the Texas Education Agency (TEA) in compliance with House Bill 1638 (85th Legislature, Regular Session), as codified in Texas Education Code, Section 28.009 (b-1) and (b-2):

- a) Statewide Dual Credit Goal 1: Independent school districts and institutions of higher education will implement purposeful and collaborative outreach efforts to inform all students and parents of the benefits and costs of Dual Credit, including enrollment and fee policies.
 - i) EPCC will participate in information sessions that promote Dual Credit hosted by the District or High School.
 - ii) EPCC will host campus tours for students new to Dual Credit.
 - iii) EPCC will maintain a webpage to include information relevant to all Dual Credit stakeholders.
 - iv) EPCC will host a Dual Credit Counseling Institute in Fall and Spring.
 - v) EPCC and District or High School will collaborate in the promotion of Dual Credit programs through press releases, social media, and institutional web pages.
- b) Statewide Dual Credit Goal 2: Dual Credit programs will assist High School students in the successful transition to and acceleration through postsecondary education.
 - i) EPCC will grant District or High School staff access to Dual Credit Dashboards

- ii) EPCC will participate in annual data sharing sessions
- iii) EPCC will support transition to College through Operation College Bound.
- c) Statewide Dual Credit Goal 3: All Dual Credit students will receive academic and College readiness advising with access to student support services to bridge them successfully into College course completion.
 - i) EPCC will host Dual Credit New Student Orientation sessions for every Dual Credit student.
 - ii) EPCC and District or High School will conduct joint advising sessions in compliance with SB 25
 - iii) Dual Credit Students will have access to Dual Credit High School and College counselors to ensure credits apply to the selected certificate or degree.
- d) Statewide Dual Credit Goal 4: The quality and rigor of Dual Credit courses will be sufficient to ensure student success in subsequent courses.
 - i) EPCC will host a Dual Credit Summer Convening for newly credentialed Dual Credit faculty.
 - ii) Newly credentialed District or High School faculty will be enrolled in a 10-hour online course administered by EPCC.
 - iii) Dual Credit faculty and facilitators will participate in EPCC’s Faculty Development Week workshops in Fall and Spring.
 - iv) All Dual Credit stakeholders will be invited to the Building Bridges: Dual Credit Conference hosted annually by EPCC and the Spring Forum.

This Agreement may only be modified in writing by the District Superintendent and the College President, or their designees, upon mutual agreement, at least 30 days in advance of the modification.

This Agreement will become effective on the date the last party executes the Agreement and will remain in effect for three (3) years or until such time as mutual agreement is made to modify or terminate the Agreement. EPCC monitors enrollment at each off-campus location and ensures the off-campus site provides a collegiate academic experience and support services. If a site has no enrollment or may not be able to provide the collegiate experience, EPCC reserves the right to discontinue offering courses at the location via either online or face-to-face course delivery and to close (cease approval of) the off-campus site with the accreditor, SACSCOC. In the event of such a closure/cease of site approval, EPCC will discuss the possibility of the continuation of Dual Credit courses with the location’s students coming to an EPCC campus for course instruction.

William Serrata, Ph.D. **(Date)**
President

Pedro Galaviz, Ed. D **(Date)**
Superintendent

Approved as to form:

Approved as to form:

General Counsel **(Date)**

General Counsel **(Date)**



Appendix A
Dual Credit Crosswalk
2024-2027



HS Course	PEIMS #	EPCC Course Subject	EPCC Course #	EPCC Course	EPCC Core Component
Mathematics					
Pre- Calculus A	03101100	MATH	1314	College Algebra	Mathematics
Pre-Calculus B	03101100	MATH	2412	Pre-Calculus Math	Mathematics
Independent Study in Mathematics First Time	03102500	MATH	1324	Mathematics for Business & Social Sciences	Mathematics
Independent Study in Mathematics Second Time	03102501	MATH	2413	Calculus I	Mathematics
Social Studies					
DCR Pyscology	03350100	PSYC	2301	General Psychology	Social and Behavioral Sciences
DCR Sociology	03370100	SOCI	1301	Introduction to Sociology	Social and Behavioral Sciences
DCR Government	03330100	GOVT	2305	Federal Government	Government/Political Science
DCR US History A	03340100	HIST	1301	US History I	History
DCR US History B	03340100	HIST	1302	US History II	History
DCR World History A	03340400	HIST	2321	World Civilizations I	Social and Behavioral Sciences
DCR World History B	03340400	HIST	2322	World Civilizations II	Social and Behavioral Sciences
Economics	03310300	ECON	1301	Introduction to Economics	Social and Behavioral Sciences
Education 1300 - College Transition	N1290050	EDUC	1300	Learning Framework	Component Area Option
Special Topics in Social Studies First Time	03380002 03380022 03380032 03380042	PHIL	1301	Introduction to Philosophy	Language, Philosophy & Culture
Special Topics in Social Studies Second Time		PHIL	2303	Introduction to Formal Logic	Language, Philosophy & Culture
Special Topics in Social Studies Third Time		PHIL	2306	Introduction to Ethics	Language, Philosophy & Culture
Special Topics in Social Studies Fourth Time		GOVT	2306	Texas Government	Government/Political Science
Social Studies Advanced Studies First Time	03380001 03380021 03380032	PSYC	2306	Human Sexuality	Social and Behavioral Sciences
Social Studies Advanced Studies Second Time		SOCI	2301	Marriage and the Family	Social and Behavioral Sciences
Social Studies Advanced Studies Third Time		PSYC	2314	Lifespan Growth & Development	Social and Behavioral Sciences
Economics Advanced Studies (First Time Taken)	03310301	ECON	2301	Principles of Macroeconomics	Social and Behavioral Sciences
Economics Advanced Studies (Second Time Taken)	03310321	ECON	2302	Principles of Microeconomics	Social and Behavioral Sciences
Science					
Astronomy A	03060100	ASTR	1303	Stars and Galaxies	Life and Physical Science
Astronomy B	03060100	ASTR	1304	Solar System	Life and Physical Science
DCR Biology (A)	03060300	BIOL	1306	Biology for Science Majors I	Life and Physical Science
DCR Biology (B)	03060300	BIOL	1307	Biology for Science Majors II	Life and Physical Science
Anatomy and Physiology	13020600	BIOL	2401	Anatomy and Physiology I	Life and Physical Science
Anatomy and Physiology	13020600	BIOL	2402	Anatomy and Physiology II	Life and Physical Science
Chemistry A	03040000	CHEM	1311	General Chemistry I (Science Majors)	Life and Physical Science
Chemistry B	03040000	CHEM	1312	General Chemistry II (Science Majors)	Life and Physical Science
DCR Physics A	03050000	PHYS	1301	College Physics I	Life and Physical Science
DCR Physics B	03050000	PHYS	1302 ⁴⁹	College Physics II	Life and Physical Science



Dual Credit Crosswalk



2024-2027

HS Course	PEIMS #	EPCC Course Subject	EPCC Course #	EPCC Course	EPCC Core Component
Geology A (Non-Science Majors)	03060200	GEOL	1301	Earth Sciences for Non-Science Majors I	Life and Physical Science
Geology B (Non-Science Majors)	03060200	GEOL	1302	Earth Sciences for Non-Science Majors II	Life and Physical Science
Scientific Research and Design I A	13037200 13037210 13037220	PHYS	1315	Physical Science I	Life and Physical Science
Scientific Research and Design I B		PHYS	2325	University Physics I	Life and Physical Science
Scientific Research and Design II A		PHYS	2326	University Physics II	Life and Physical Science
Scientific Research and Design II B		GEOL	1303	Physical Geology	Life and Physical Science
Scientific Research and Design III A		GEOL	1304	Historical Geology	Life and Physical Science
Scientific Research and Design III B		CHEM	1306	Introductory Chemistry I (Allied Health Emphasis)	Life and Physical Science
		CHEM	1307	Introductory Chemistry II	Life and Physical Science

Science Labs

Physics Lab A	84800XXX	PHYS	1101	College Physics Lab A	Life and Physical Science
Physics Lab B	84800XXX	PHYS	1102	College Physics Lab B	Life and Physical Science
Physical Science Lab	84800XXX	PHYS	1115	Physical Science Lab	Life and Physical Science
Geology Lab # 1 (Non-Science Majors)	84800XXX	GEOL	1101	Earth Sciences for Non-Science Majors I Lab	Life and Physical Science
Geology Lab B (Non-Science Majors)	84800XXX	GEOL	1102	Earth Sciences for Non-Science Majors II Lab	Life and Physical Science
Earth and Science Lab A	84800XXX	GEOL	1103	Physical Geology Lab	Life and Physical Science
Earth and Science Lab B	84800XXX	GEOL	1104	Historical Geology Lab	Life and Physical Science
DCR Biology Lab A	84800XXX	BIOL	1106	Biology for Science Majors I Lab	Life and Physical Science
DCR Biology Lab B	84800XXX	BIOL	1107	Biology for Science Majors II Lab	Life and Physical Science
Chemistry Lab A	84800XXX	CHEM	1111	General Chemistry I Lab	Life and Physical Science
Chemistry Lab B	84800XXX	CHEM	1112	General Chemistry II Lab	Life and Physical Science
Health Science Chemistry Lab A	84800XXX	CHEM	1106	Health Science I Lab	Life and Physical Science
Health Science Chemistry Lab B	84800XXX	CHEM	1107	Health Science II Lab	Life and Physical Science
Astronomy Lab A	84800XXX	ASTR	1103	Stars and Galaxies	Life and Physical Science
Astronomy Lab B	84800XXX	ASTR	1104	Solar System	Life and Physical Science

English

Contemporary Media	03241401	COMM	1307	Introduction to Mass Communication	Language, Philosophy & Culture
DCR English III A	03220300	ENGL	1301	Composition I	Communication
DCR English III B	03220300	ENGL	1302	Composition II	Component Area Option
DCR English IV A	03220400	ENGL	2322	British Literature I	Language, Philosophy & Culture
DCR English IV B	03220400	ENGL	2323	British Literature II	Language, Philosophy & Culture
Independent Study in English First Time	03221800	ENGL	2333	World Literature II	Language, Philosophy & Culture
Independent Study in Speech	03241200	SPCH	1315	Public Speaking	Communication
Communication Applications	03241400	SPCH	1321	Business & Professional Communication	Communication



Dual Credit Crosswalk



2024-2027

HS Course	PEIMS #	EPCC Course Subject	EPCC Course #	EPCC Course	EPCC Core Component
Fine Arts					
Architectural Design I	13004600	ARCH	1301	Architectural History	Language, Philosophy & Culture
Art 1, Art Appreciation	03500110	ARTS	1301	Art Appreciation	Creative Arts
Dance 1, Principals of Dance 1	03830100	DANC	2303	Dance Appreciation	Creative Arts
Theatre, Theatre Arts 1	03250100	DRAM	1310	Theater Appreciation	Creative Arts
Music Studies, Music Appreciation I	03155600	MUSI	1306	Music Appreciation	Creative Arts
Music Studies, Music Appreciation II	03155700	MUSI	1310	American Musics	Creative Arts
Foreign Language					
Spanish I	03440110	SPAN	2311	Intermediate Spanish I	Language, Philosophy & Culture
Spanish II	03440220				Language, Philosophy & Culture
Spanish III	03440300	SPAN	2313	Spanish for Native / Heritage Speakers I	Language, Philosophy & Culture
Spanish IV	03440440	SPAN	2315	Spanish for Native / Heritage Speakers II	Language, Philosophy & Culture

AMENDMENT TO DUAL CREDIT PARTNERSHIP AGREEMENT

This Amendment (this “Amendment”) is attached to and made a part of that certain Dual Credit Partnership Agreement (the “Contract”) between Canutillo Independent School District (the “District”) and El Paso Community College, dated as of September 16, 2021. All references herein to a particular paragraph shall be to the corresponding paragraph in the Contract and such provision is accordingly amended, but all remaining provisions thereof shall remain in effect as written. In the event of any conflict between the provisions of this Amendment and the Contract, the terms and provisions of this Amendment shall control. Capitalized terms used herein, but not defined herein, shall have the same meanings attributed to them in the Contract. Each of the following provisions is incorporated by reference into the Contract as if set out in full therein.

1. Prohibition of Fees for Eligible Students.

The Following Section 11 Funding, subsection “g” is hereby added, immediately following existing Section 3 Funding, subsection “f”, to read in full as follows:

“e. Both parties to this Agreement agree that neither party may charge a student who has been determined to have met the eligibility criteria for participation in the dual credit Financial Aid for Swift Transfer (“FAST”) Program any cost of tuition or other fees whatsoever (including late fees or three-peat fees) incurred for the enrollment in the course(s) contemplated herein.”

2. Dual Certification Obligations.

The Following Section 1 Student Eligibility, subsection “d” is hereby added, immediately following existing Section 1 Student Eligibility subsection “c”, to read in full as follows:

“h. El Paso Community College will certify to the appropriate agency, no fewer than once per calendar year, the eligibility of all students for which it receives notice of FAST eligibility from such student’s school district or charter school, of that student’s eligibility for the Fast Program.”

3. Contract Provisions Still in Effect. Except as amended in this Amendment, the terms and provisions of the Contract shall remain in full force and effect.

4. Counterparts. This Amendment may be executed in multiple counterparts, each of which shall be deemed an original and all of which, when taken together, shall constitute one and the same agreement. Reproductions or copies of signatures (including, without limitation, in .pdf format) shall be as effective as manually executed signatures.

IN WITNESS WHEREOF, the parties have caused this Amendment to be executed by their duly authorized representatives as of the later date set forth below.

Signatures:

EL PASO COUNTY COMMUNITY COLLEGE

By: _____
Name: William Serrata, Ph.D.
Its: President
Dated: _____

CANUTILLO INDEPENDENT SCHOOL DISTRICT

By: _____
Name: Dr. Pedro Galaviz
Its: Superintendent
Dated: _____

Board of Trustees

Meeting Date: 8/28/2024

Executive Summary of Board Agenda Item

Subject/Title for Agenda Posting:

Justification Statement:

Purpose of Agenda Item:

Information Discussion Action

Item Type:

Curriculum & Instruction HumanResources Business Services

Staff Responsible:

Signature of Requester(s)

Signature of Presenter(s)

Elizabeth Sida

Business Services Approval (Initials)

8/20/2024
Date

Agenda Summary:

RECOMMENDATION:

PRIOR BOARD ACTION:

AWARDED:

AWARDED AMOUNT:

AMOUNT(S):

ACCOUNT NO(S):

PROCUREMENT METHOD TYPE: (3 Quotes, Cooperative Contract Quotes, Sole Source, Formal Bid)

REQUESTING DEPARTMENT:

CONSEQUENCES OF NON-APPROVAL:

IMPLEMENTATION TIMELINE:

ATTACHMENT(S):



Memorandum of Understanding
Meadows Center for Preventing Educational Risk and Canutillo Independent School District
Precision Mathematics - First Grade Project

The Meadows Center for Preventing Educational Risk (MCPER) at The University of Texas at Austin seeks to continue its collaboration with Canutillo Independent School District (CISD) during the 2024-2025 school year. Specifically, the purpose of this continuation is to further examine the effects of the first-grade Precision Mathematics (PM -1) intervention on the outcomes of first- grade multilingual and monolingual students who face mathematics difficulties. PM-1 is a small- group intervention comprised of eight units (32 lessons) that provide first-grade students opportunities to apply and improve their understanding of whole numbers and operations and foundational skills of measurement and data analysis and engage in purposeful mathematics discourse in the context of real-world science-based activities.

This study is funded by the National Science Foundation (Grant: 2010550).

In support of this research, the MCPER team and CISD agree to the following:

The **MCPER** will:

- Communicate with elementary schools and first-grade teachers who agree to participate in the study.
- Obtain teacher consent with participating first-grade teachers.
- Observe all district and school policies.
- Assist district in identifying district -employed interventionists to teach PM -1 groups.
- Obtain parent written consent and student assent.
- Randomly assign 8 teacher identified students per first-grade classroom at participating schools to one of two study conditions, PM-1 or control condition
- Assist district/schools with scheduling of PM-1 groups.
- Administer pre- and post-test mathematics assessment battery to first-grade students.
- Provide PM-1 focused professional development to district-employed interventionists and a subsequent professional development workshop mid-way through the intervention.
- Provide the PM-1 intervention materials at no cost.
- Provide ongoing coaching and support of PM-1 interventionists.
- Conduct observations of intervention groups and core mathematics instruction in participating classrooms
- Collect daily audio recordings of lesson implementation.
- Provide \$500 stipend to participating teachers.
- Administer teacher and interventionist surveys.
- Provide reimbursement or payment to district for intervention time of district-employed interventionists (1 hour per lesson for each intervention group) at a rate of \$23.50 per hour.
- Protect the privacy and confidentiality of all participants and their data.
- Agree to comply with all requirements of the Family Educational Rights and Privacy Act (FERPA) and with all rules and guidelines stipulated in their agreement with the university Internal Review Board (IRB).
- Report study findings to district and school personnel.

The **CISD** will:

- Identify and assign appropriately aligned duties to identified PM -1 interventionists.
- Coordinate initial communication between MCPER team and participating campuses and first-grade teachers.
- Coordinate and support study activities, including the scheduling of PM-1 groups.
- Identify the first-grade students in each participating classroom based on current level of performance on mathematics.
- Allow participating teachers to distribute and collect parental consent forms.
- Allow MCPER to assess first-grade students in participating classrooms at two timepoints (pre and post).
- Provide space at each participating campus for PM-1 assessment and intervention instruction to take place.
- Allow MCPER team to observe intervention groups and core mathematics instruction in participating classrooms.
- Allow district-employed interventionists to audio-record their daily intervention instruction.
- Allow participating teachers to complete consent form and surveys regarding teaching background and classroom characteristics.
- Provide student-level demographic and assessment data including: Student name, Race/ Ethnicity, Gender, DOB, Grade Level, School Homeroom Teacher, Free and Reduced Lunch Status, LEP Status (e.g., ESL, LEP, ELL), Special Education Status, Special Education Category, retention data, TELPAS scores for kindergarten and first grade years, and students' BOY, MOY, EOY district math and reading scores.

Any modifications to the current agreement will be submitted and discussed between the MCPER team and the Canutillo ISD team prior to any proposed changes. The agreement will be effective as of date signed and will remain active for 1 year thereafter.

This agreement can be terminated by either entity by providing not less than sixty (60) days advance written notice.

Nothing in this Agreement is intended to nor shall it operate to confer any third-party beneficiary rights in favor of any person or entity.

Agreed by:

UT Representative

Signature: 

Printed Name: Christian Doabler, Ph.D.

Position: Principal Investigator, Precision Mathematics First Grade Study

District Representative

Signature: _____

Printed Name: _____

Position: _____

INTERLOCAL COOPERATION CONTRACT

This **Interlocal Cooperation Contract (Contract)** is entered into effective **October 28, 2024 (Effective Date)**, by and between Contracting Parties pursuant to authority granted in and in compliance with [Chapter 791, Government Code](#).

CONTRACTING PARTIES:

Receiving Party: The University of Texas at Austin, of the State of Texas.
The Meadows Center for Preventing Educational Risk
1912 Speedway D4900
College of Education SZB 5.110
Austin, Texas 78712
Phone: (512) 2325-2320

Performing Party: Canutillo Independent School District, of the State of Texas.
Address: 7965 Artcraft Rd,
El Paso, TX 79932
Phone: (915) 877-7400

PURPOSE:

The purpose of this Contract is to obtain the services of Performing Party to conduct intervention services for a research project. This Contract will increase the efficiency and effectiveness of Contracting Parties.

STATEMENT OF SERVICES TO BE PERFORMED:

Performing Party will perform the following services (**services**):

Intervention services

WARRANTIES:

Receiving Party warrants (1) the services are necessary and authorized for activities properly within its statutory functions and programs; (2) it has authority to contract for the services under authority granted in Section 65.31, *Texas Education Code*, and [Chapter 791, Government Code](#); (3) it has all necessary power and has received all necessary approvals to execute and deliver this Contract, and (4) the representative signing this Contract on Receiving Party's behalf is authorized by its governing body to do so.

Performing Party warrants (1) it has authority to perform the services under authority granted in Section _____, *Texas _____ Code* and Chapter 791, *Texas Government Code*; (2) it has all necessary power and has received all necessary approvals to execute and deliver this Contract, and (3) the representative signing this Contract on Performing Party's behalf is authorized by its governing body to do so.

CONTRACT AMOUNT:

The total amount of this Contract will not exceed **\$50,901.00**.

PAYMENT:

Receiving Party will remit payments to Performing Party for services satisfactorily performed in accordance with [Chapter 2251, Government Code](#) (Texas Prompt Payment Act).

Payments made under this Contract (1) are based on cost recovery (2) will fairly compensate Performing Party for the services performed, and (3) will be made from current revenues available to Receiving Party.

[Section 51.012, Education Code](#), authorizes Receiving Party to make payments through electronic funds transfer methods. Performing Party agrees to accept payments from Receiving Party through those methods, including the automated clearing house system (ACH). Performing Party agrees to provide its banking information to Receiving Party in writing on Performing

Party letterhead signed by an authorized representative of Performing Party. Prior to the first payment, Receiving Party will confirm Performing Party's banking information. Changes to Performing Party's bank information must be communicated to Receiving Party in writing at least thirty (30) days before the effective date of the change and must include an IRS Form W-9 signed by an authorized representative of Performing Party.

TERM:

The term of this Contract begins on the Effective Date and expires on **May 23rd, 2025**.

NOTICES:

Except as otherwise provided by this Section, notices, consents, approvals, demands, requests or other communications provided or permitted under this Contract, will be in writing and will be sent via certified mail, hand delivery, overnight courier, facsimile transmission (to the extent a facsimile number is set forth below), or email (to the extent an email address is set forth below) as provided below, and notice will be deemed given (i) if delivered by certified mail, when deposited, postage prepaid, in the United States mail, or (ii) if delivered by hand, overnight courier, facsimile (to the extent a facsimile number is set forth below) or email (to the extent an email address is set forth below), when received:

If to Receiving Party: The University of Texas at Austin
The Meadows Center
Maria Longhi
Email: mlonghi@austin.utexas.edu

If to Performing Party: Canutillo Independent School District
Sandra Carrillo
Email: scarrillo@canutillo-isd.org

or other person or address as may be given in writing by either party to the other in accordance with this Section.

TERMINATION:

In the event of material failure by a Contracting Party to perform its duties and obligations in accordance this Contract, the other party may terminate this Contract upon thirty (30) days' advance written notice of termination setting forth the nature of the material failure; provided that, the material failure is through no fault of the terminating party. The termination will not be effective if the material failure is fully cured prior to the end of the 30-day period.

OTHER PROVISIONS:

Access by Individuals with Disabilities. Performing Party represents and warrants (**EIR Accessibility Warranty**) the electronic and information resources and all associated information, documentation, and support Performing Party provides to Receiving Party under this Contract (**EIRs**) comply with applicable requirements set forth in [1 TAC Chapter 213](#) and [1 TAC Section 206.70](#) (ref. [Subchapter M, Chapter 2054, Texas Government Code](#)). To the extent Performing Party becomes aware the EIRs, or any portion thereof, do not comply with the EIR Accessibility Warranty, then Performing Party represents and warrants it will, at no cost to Receiving Party, either (1) perform all necessary remediation to make the EIRs satisfy the EIR Accessibility Warranty or (2) replace the EIRs with new EIRs that satisfy the EIR Accessibility Warranty. If Performing Party is unable to do so, Receiving Party may terminate this Contract and, within thirty (30) days after termination, Performing Party will refund to Receiving Party all amounts Receiving Party paid under this Contract.

Performing Party will provide all assistance and cooperation necessary for the performance of accessibility testing conducted by Receiving Party or Receiving Party's third party testing resources as required by [1 TAC Section 213.38\(g\)](#).

Payment of Debt or Delinquency to the State. Pursuant to Sections [2107.008](#) and [2252.903](#), *Government Code*, any payments owing to Performing Party under this Contract may be applied directly toward any debt or delinquency Performing Party owes the State of Texas or any agency of the State of Texas, regardless of when it arises, until paid in full.

Venue; Governing Law. Travis County Texas, will be the proper place of venue for suit on or in respect of this Agreement. This Agreement, all of its terms and conditions, all rights and obligations of the parties, and all claims arising out of or relating to this

Agreement, will be construed, interpreted and applied in accordance with, governed by and enforced under, the laws of the State of Texas.

Entire Agreement; Modifications. This Contract supersedes all prior agreements, written or oral, between Performing Party and Receiving Party and will constitute the entire agreement and understanding between the parties with respect to its subject matter. This Contract and each of its provisions will be binding on the parties, and may not be waived, modified, amended or altered, except by a writing signed by Receiving Party and Performing Party.

Loss of Funding. Performance by a Contracting Party of its duties and obligations under this Contract may be dependent upon the appropriation and allotment of funds by the Texas State Legislature (**Legislature**) and/or allocation of funds by that Contracting Party's governing board. If Legislature fails to appropriate or allot necessary funds, or a Contracting Party's governing board fails to allocate necessary funds, then Contracting Party that loses funding may terminate this Contract without further duty or obligation. Contracting Parties agree acknowledge that appropriation, allotment, and allocation of funds are beyond the Contracting Parties' control.

State Auditor's Office. Contracting Parties understand acceptance of funds under this Contract constitutes acceptance of authority of the Texas State Auditor's Office or any successor agency (**Auditor**), to conduct an audit or investigation in connection with those funds (ref. [Sections 51.9335\(c\), 73.115\(c\) and 74.008\(c\), Education Code](#)). Contracting Parties agree to cooperate with Auditor in the conduct of the audit or investigation, including providing all records requested. Contracting Parties will include this provision in all contracts with permitted subcontractors.

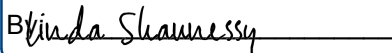
Assignment. This Contract is not transferable or assignable except upon written approval by Contracting Parties.

Severability. If any one or more of the provisions of this Contract will for any reason be held to be invalid, illegal, or unenforceable in any respect, that invalidity, illegality or unenforceability will not affect any other provision, and this Contract will be construed as if the invalid, illegal, or unenforceable provisions had never been included.

Public Records. It will be the independent responsibility of Receiving Party and Performing Party to comply with [Chapter 552, Government Code \(Public Information Act\)](#), as it applies to the Contracting Parties' respective information. Receiving Party is not authorized to receive public information requests or take any action under the Public Information Act on behalf of Performing Party. Likewise, Performing Party is not authorized to receive public information requests or take any other action under the Public Information Act on behalf of Receiving Party.

Executed effective on the Effective Date by the following duly authorized representatives of Contracting Parties:

RECEIVING PARTY:

DocuSigned by:

D9E4716847F042B...

Name: Linda Shaunessy

Title: Business Contracts Administrator

Date: 2024-08-01 | 13:18:42 PDT

PERFORMING PARTY:

By: _____

Name: Dr. Pedro Galaviz

Title: Superintendent

Date: _____

Board of Trustees

Meeting Date: 8/28/2024

Executive Summary of Board Agenda Item

Subject/Title for Agenda Posting: Memorandum of Understanding and Agreement between Canutillo ISD and Aliviane Inc.

Justification Statement: This MOUA will provide evidence-based curriculum education, utilizing the Life Skills curriculum, in the district's elementary and middle schools.

Purpose of Agenda Item:
Item Type:

- Information Discussion Action
 Curriculum & Instruction Human Resources Business Services

Staff Responsible:

Monica Reyes, Executive Director
Signature of Requester(s)

Monica Reyes
Signature of Presenter(s)

[Signature]
Business Services Approval (Initials)

8/20/2024
Date

Agenda Summary:

This memorandum of understanding and agreement confirms Canutillo ISD's commitment to provide the community with age-appropriate Alcohol, Tobacco, and Other Drug (ATOD) presentations and information disseminated to the students, teachers, and families. Canutillo ISD students will also have an opportunity to participate in youth mentoring services through the Big Brother, Big Sisters program. Information will also be presented at other district and campus activities such as prevention classes, Parent University, health fairs and community events.

RECOMMENDATION: Administration Recommends the Approval of the Memorandum of Understanding and Agreement with Aliviane.

PRIOR BOARD ACTION: Approved AWARDED: 6/19/23 AWARDED AMOUNT: N/A

AMOUNT(S): N/A

ACCOUNT NO(S): N/A

PROCUREMENT METHOD TYPE: (3 Quotes, Cooperative Contract Quotes, Sole Source, Formal Bid)
Memorandum of Understanding and Agreement.

REQUESTING DEPARTMENT: Student Support Services Department

CONSEQUENCES OF NON-APPROVAL: The loss of a preventative measure concerning alcohol, tobacco and other drugs and the loss of a resource of information to be shared with Canutillo ISD students in classroom presentations and with parents at community events.

IMPLEMENTATION TIMELINE: School year 2024-2025

ATTACHMENT(S): MOUA document and Exhibit A





MEMORANDUM OF UNDERSTANDING & AGREEMENT

Aliviane, Inc. is committed to providing comprehensive substance use and other mental health disorder services for residents living in West Texas (Region 10), which includes the counties of El Paso, Brewster, Culberson, Jeff Davis, Hudspeth, and Presidio. To accomplish these goals, we must rely on community resources to provide much needed services that are beyond the scope of this organization and/or to augment the services provided by Aliviane, Inc. **This document represents a record of agreement to provide individuals with program services listed below between Aliviane, Inc. programs and the following partnering agency:**

Name of Partnering Agency/Organization/ School/Program:

Canutillo Independent School District

Aliviane, Inc. applicable program services:

- | | | | | |
|--|---|--------------------------------|---|-------------------------------|
| <input checked="" type="checkbox"/> PRIDES | <input checked="" type="checkbox"/> PRC Region 10 | <input type="checkbox"/> HMHL | <input type="checkbox"/> WCR | <input type="checkbox"/> YRRC |
| <input type="checkbox"/> PRIDES - Rural | <input type="checkbox"/> EPAPC | <input type="checkbox"/> AOPC | <input type="checkbox"/> CCC | <input type="checkbox"/> PPW |
| <input checked="" type="checkbox"/> Strengthening Families | <input type="checkbox"/> PADRE | <input type="checkbox"/> OTC | <input type="checkbox"/> Por Mi Familia | |
| <input checked="" type="checkbox"/> IMASTAR | <input type="checkbox"/> PATH | <input type="checkbox"/> YFOPC | <input type="checkbox"/> RSS | |

Description of services provided by Aliviane Inc.

General Description	Specific Deliverables
<p>Youth Prevention Indicated Program (YPI) may provide prevention services to youth at risk of substance use and adults referred.</p>	<p>Services include prevention education; age appropriate ATOD presentations; Information Dissemination to children, and families; Alternative Activities; Problem Identification and Referral as requested; Prevention services will include participation in community events.</p>
<p>Youth Prevention Selective (YPS) may provide prevention services to youth ages 12-17 years of age and adults referred.</p>	<p>Services include prevention education; age appropriate ATOD presentations; Information Dissemination to children, and families; Alternative Activities; Problem Identification and Referral as requested; Prevention services will include participation in community events.</p>
<p>Youth Prevention Universal Program (YPU) may provide prevention services to all youth and adults referred.</p>	<p>Services include prevention education; age appropriate ATOD presentations; Information Dissemination to children, and families; Alternative Activities; Problem Identification and Referral as requested; Prevention services will include participation in community events.</p>

<p>El Paso Advocates for Prevention Coalition will work towards the prevention and reduction of the illegal and harmful use of alcohol, Marijuana, tobacco, and prescription drugs, (to include other drugs) in El Paso County, amongst youth and adults, by promoting and conducting community-based and evidence-based prevention strategies with key stakeholders.</p> <p>PRC program provides the community with substance use events, data, and information to mitigate the use of illicit substances in our community for all ages.</p> <p>Big Brothers Big Sisters may provide youth mentoring services to enhance protective factors for youth at risk of substance misuse.</p>	<p>Services include conducting prevention services activities through the coalition. Implement the combination of information dissemination, alternative activities, community based process, environmental strategies, shift related to polices, practices, norms and community condition.</p> <p>Services include data sharing, substance use presentations, Regional Needs Assessment, tobacco compliance checks, tobacco law education, mass media, promotion of substance use related events, social media posting, and referrals.</p> <p>Services include age-appropriate group mentoring services that include 14–30-minute sessions and monthly family engagement activities to participate in program. Collaboration on services and resources for participants identified by campus and district mental health professionals. The mentoring program will need to be vetted by SHAC and approved by the Board of Trustees prior to utilizing this program. Parent permission will be required for any student to participate. All program mentors shall follow district screening procedures prior to working with Canutillo ISD students.</p>
<input checked="" type="checkbox"/> Referral <input checked="" type="checkbox"/> Transportation <input type="checkbox"/> Communication <input checked="" type="checkbox"/> Financial Assistance <input checked="" type="checkbox"/> Case Management <input checked="" type="checkbox"/> Presentations/Sessions	

Description of services provided by Partnering Agency/Organization/School/Program

General Description	Specific Deliverables
<p>Provide coordinating support for Aliviane prevention presentations, information dissemination, alternative activities, evidence-based curriculum services, health fairs and community events, by allowing Prevention Specialist to work in their virtual or online classrooms and students.</p>	<p>Support for prevention education curriculum, adult and youth presentations ad information dissemination, virtually or in person</p>
<input type="checkbox"/> Referral <input type="checkbox"/> Transportation <input type="checkbox"/> Communication <input type="checkbox"/> Financial Assistance <input type="checkbox"/> Case Management <input type="checkbox"/> Presentations/Sessions	

This MOUA indicates that a referral relationship exists and will abide by the Occupations Code, Title 3, Subtitle A, Chapter 102, Subchapter A, Sec. 102.001. This MOUA does not indicate any contract, liability, or endorsement between both partnering entities. Both entities will mutually provide information regarding services provided, admission and eligibility criteria, non-duplication of services, and any other

information necessary for effective placement of individuals within the guidelines of client confidentiality as specified by State and Federal laws and regulations, specifically the Federal Regulations on Confidentiality of Alcohol and Substance Abuse Patient Records (Federal Register, General Provisions Title 42, Chapter 1, Part 2), Health Insurance Portability and Accountability Act (HIPAA), and any other requirements as mandated by existing protocols.

This MOUA recognizes that referred individuals are responsible for any fees or payments if any apply. Aliviane, Inc. has no liability or responsibility for such fees or payments, unless arranged in advance, in writing, by an official of Aliviane, Inc. with authority to authorize such payment. This agreement will be in effect for one year from the date of full execution or may be terminated by either entity with thirty (30) days written notice.

Signature: _____

Name: Dr. Pedro Galaviz
Title: Superintendent of Schools
Entity: Canutillo ISD
Phone: 915-877-7444
Email: pgalaviz@canutillo-isd.org

Signature: _____

Name: Ivonne Tapia, LPC-S, LCDC, ACPS
Title: Chief Executive Officer
Entity: Aliviane, Inc.
Phone: 915-782-4000
Email: itapia@aliviane.org

Start Date: 09-1-2024 End Date: 09-1-2025
MOUA Renewal Required 1-Year after Start Date*

Form ID: ADM-MOUA-01
2020



Activities Curriculum Overview: Building Bonds and Skills

Week 1: BBBS Match Meeting Paperwork

The Big Brothers Big Sisters (BBBS) team will guide youth and mentors through the completion of match meeting paperwork. During this session, Youth Development Program (YODP) goals will be discussed, and the Child Outcome Survey/Youth Outcome Survey (COS/YOS) will be completed. The match agreement will be signed by all participants.

Week 2: Getting to Know You Activity

Using an icebreaker handout, youth and mentors will engage in a group activity answering questions that lay the foundation for meaningful conversations. This activity aims to establish a positive and supportive relationship between the youth and their mentors.

Week 3: DIY Stress Ball

Aligned with the SFP topic of the week, 'Staying Cool in Conflicts,' youth will create their own stress balls. This hands-on activity provides a tangible tool for stress relief and aligns with the broader goal of developing conflict management skills.

Week 4: Bracelet Making Activity

In line with the SFP topic 'Being Who You Want To Be,' youth will craft personalized bracelets, fostering discussions on personal growth and self-identity.

Week 5: Vision Board Activity

Participants will create vision boards, collages representing their interests, personalities, dreams, and goals. This activity encourages self-expression, creativity, and a positive outlook. Vision boards will serve as daily reminders when placed in visible locations.

Week 6: Jenga Game

Youth and mentors will enjoy playing Jenga together, fostering interactions and positive engagement. The game promotes a fun and inclusive atmosphere while providing an opportunity for mentors and youth to connect.

Week 7: Shoulder, Knees, Cup! Game

A lighthearted game promoting positive interactions, fun, and camaraderie between youth and mentors. The focus is on enjoyment and building connections.

Week 8: Red Ribbon Group Slogan Activity

Aligned with the SFP topic 'Alcohol and Drugs,' youth and mentors collaboratively create a group slogan and display in a poster created by the group. This creative activity encourages open conversations about substance abuse and reinforces positive choices.

Week 9: Human Knot Game

Aligned with the SFP topic 'Solving Problems,' youth and mentors engage in the hands-on Human Knot Game. This activity emphasizes teamwork and communication skills in a dynamic and interactive manner.

Week 10: My Circle of Support Activity

Youth identify and acknowledge adults in their support network, promoting a sense of connection and security. This activity fosters an understanding that asking for help is a normal and healthy part of life.

Week 11: Painting Activity

Aligned with the SFP topic 'Managing Emotions,' participants express their emotions through drawing and painting. This creative activity promotes emotional awareness and healthy practices for managing emotions.

Week 12: Sticky Notes Affirmation Activity

Aligned with the SFP topic 'Handling Criticism,' youth write positive affirmations on sticky notes, reinforcing positive self-dialogue and building resilience.

Week 13: UNO Game

Youth and mentors enjoy a casual and enjoyable session playing UNO, providing a relaxed setting for connection.

Week 14: End of Session Party

To conclude the 14-week session, youth and mentors will reflect on their time together, and complete match closure surveys with BBBS staff assistance. This celebratory gathering marks the end of a successful mentoring program.

Board of Trustees

Meeting Date: _____

Executive Summary of Board Agenda Item

Subject/Title for Agenda Posting:

Justification Statement:

Purpose of Agenda Item:

Information Discussion Action

Item Type:

Curriculum & Instruction HumanResources Business Services

Staff Responsible:

Signature of Requester(s)

Signature of Presenter(s)

CPulley
Business Services Approval (Initials)

Date

Agenda Summary:

RECOMMENDATION:

PRIOR BOARD ACTION:

AWARDED:

AWARDED AMOUNT:

AMOUNT(S):

ACCOUNT NO(S):

PROCUREMENT METHOD TYPE: (3 Quotes, Cooperative Contract Quotes, Sole Source, Formal Bid)

REQUESTING DEPARTMENT:

CONSEQUENCES OF NON-APPROVAL:

IMPLEMENTATION TIMELINE:

ATTACHMENT(S):



CANUTILLO A Premier District

TO: Board of Trustees
Dr. Pedro Galaviz, Superintendent

FROM: Cristina Pulley, Executive Director of Financial Services

DATE: August 6, 2024

SUBJECT: Annual Comprehensive Investment Report for Fiscal Year 2024

Introduction

This report presents a comprehensive overview of the investment program and activity of the Canutillo Independent School District for the year ended June 30, 2024. The Public Funds Investment Act requires quarterly reporting of investment activity and balances (both book and market values). In addition to quarterly reporting, district policy CDA-Local requires a written year end investment report to be presented to the Board of Trustees.

The investment objectives of safety, liquidity, and maturity levels that are sufficient to meet anticipated cash requirements is what drives the investment activity. For fiscal year 2023-2024, the District maintained its investments in investment pools and governmental investment pools with Logic, Lone Star, Texas Class, Texpool and TexSTAR. The portfolio within these investment pools includes Money Market, Commercial Paper, U.S. Treasury Securities, Government Obligation, and Repurchase Agreements.

Analysis of Investment Performance

The focus of the investment program is the safety, liquidity and maturity of invested funds. Funds must be available to meet daily cash requirements as well as short and long-term needs. Maximizing investment yields are only considered after the other investments' goals have been met. Investment yields are reported for the fiscal year ending June 30, 2024.

The District ended the first quarter with \$20,281,958 in investment funds. In the second quarter, this amount increased to \$31,752,352 mainly resulting from tax collections during the month of December. The District ended the fourth quarter with \$20,937,245 million in investment funds. The decrease is attributed to property taxes and state revenue which tapers off toward the end of the year, as is the norm. Throughout the year, revenue and disbursements fluctuated.

At the beginning of the fiscal year, the average interest yield was 5.45%. In the fourth quarter, the investment rate decreased to an average of 5.38% due to an economic stimulus. Total interest revenue for the fiscal year totaled \$1,352,048.

7965 Artcraft | El Paso, TX 79932
915.877.7400 | www.canutillo-isd.org

Follow us on: [f](#) [t](#) [v](#)



CANUTILLO A Premier District

General Fund

General Fund investments are restricted by payroll pay dates and accounts payable check runs, since payments for all funds are initially paid out of this fund. Transfers are made as needed from the pools to the checking bank account to cover cash disbursements. The investment balance in the General Fund ended the year with an average investment yield of 5.3826%. The average investment balance in the General Fund started with \$6.972 million invested, increased to \$10.886 million in the third quarter and ended the year with a balance of \$5.165 million. Revenues during the year came mainly from property taxes and from state funds. The peak was mostly due to the collection of property taxes in December, January and February.

Debt Service Fund

The Debt Service Fund ended with an average investment yield of 5.3968%. The ending investment balance in the Debt Service Fund increased from \$10.956 million to \$13.338 million. The bulk of property taxes were deposited in December, January, and February. The high cash balance was needed to pay the August debt payments of \$2.145 million and February debt payments of \$10.936 million. Payments due on February 15th and August 15th dates must be considered when making investment decisions in the Debt Service Fund.

Food Service Fund

The Food Service Fund balance increased from \$2.330 to \$2.429 million. The generated interest revenue for the fourth quarter was \$32,693 invested at a yield of 5.45%.

Health Insurance Fund

The Health Insurance fund ended with an average investment yield of 5.45%. The ending investment balance increased minimally from \$3,588 to \$3,740. The interest revenue in the fourth quarter was \$50. The change from being a self-insured District to not in January was prompted by an increase in health insurance claims.

Construction Projects Fund

The Construction Projects Fund ended with an average investment yield of 5.45%. The fund began the year with a balance of \$18,047 and ended the year with a balance of \$53. On May 4, 2024, a \$387 million bond was approved to fund future construction projects.

Conclusion

The District will continue to monitor yields in longer term investments. Daily yields have increased due to the increase of rates in equity markets. The investment rating for all five investment pools is “AAA” rates. The District utilizes and will continue to utilize governmental investment pools and fixed maturity investments whenever available. As the district’s investment officers, we will continue to seek investment opportunities after investment safety, liquidity, and maturity are considered. The investment portfolio is in compliance with the Public Funds Investment Act and the Board’s investment policy requirements throughout the year. The District faced a challenging year in maintaining balanced-budget measures which included budget cuts, student program eliminations and staff reductions; these challenges were taken into consideration as they affected the overall amounts that were invested.

Cristina Pulley

Cristina Pulley, Executive Director of Financial Services

Elvira Monzon-Uscanga

Elvira Monzon-Uscanga, Accountant

7965 Artcraft | El Paso, TX 79932
915.877.7400 | www.canutillo-isd.org

Follow us on: [f](#) [t](#) [i](#)



CANUTILLO A Premier District

TO: Board of Trustees
Dr. Pedro Galaviz, Superintendent

FROM: Cristina Pulley, Executive Director of Financial Services

DATE: August 6, 2024

SUBJECT: Quarterly Investment Report for June 30, 2024

The attached report of investments for the Canutillo Independent School District for the quarter ending June 30, 2024 is in full compliance with the Investment Policy and strategy as established for the District with the Public Funds Investment Act (Chapter 2256).

Approved by:

Cristina Pulley

Cristina Pulley, Executive Director of Financial Services

Elvira Monzon-Uscanga

Elvira Monzon-Uscanga, Accountant

7965 Artcraft | El Paso, TX 79932
915.877.7400 | www.canutillo-isd.org

Follow us on: [f](#) [t](#) [v](#)



**Canutillo Independent School District
Quarterly Summary of Investments
June 30, 2024**

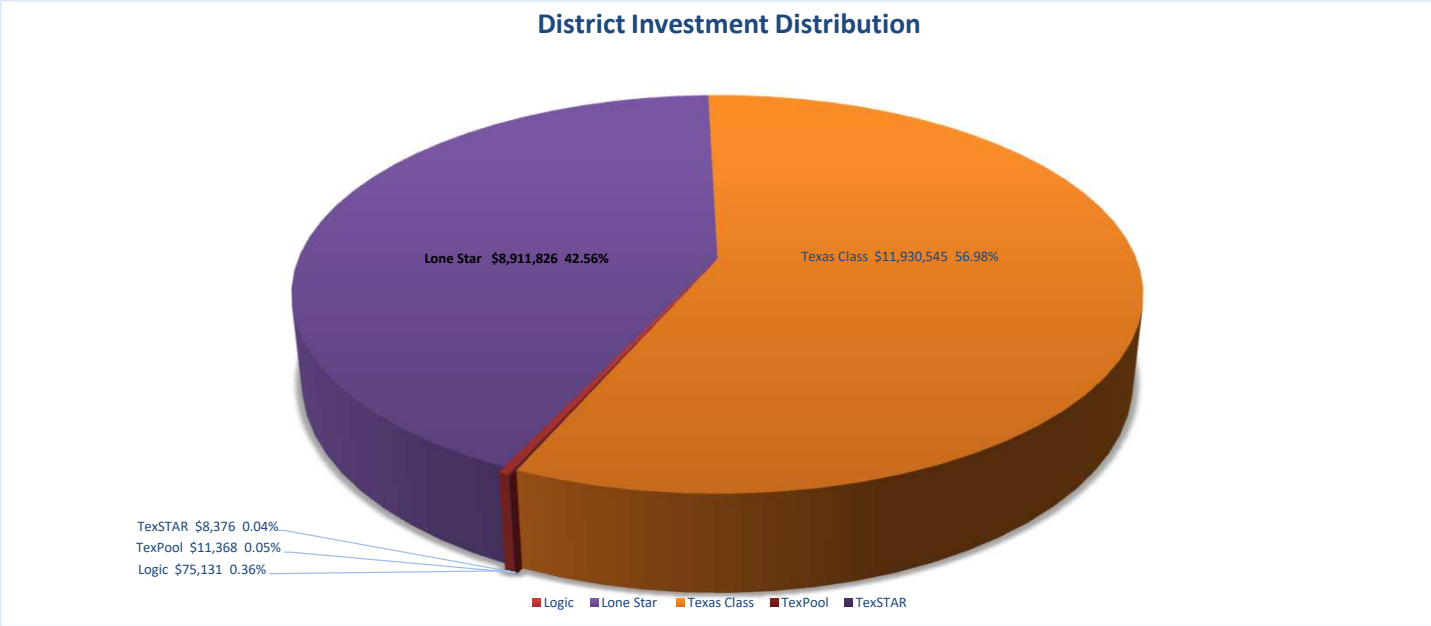
Description	Maturity Date	Current Month Interest Rate	06/30/2024 Book Value	06/30/2024 Market Value	03/31/2024 Book Value	3/31/2024 Market Value	Quarterly Accrued Interest	Book Value Increase/Decrease
Operating Fund								
Logic	On Demand	5.4105%	\$ 75,131	\$ 75,150	\$ 74,124	\$ 74,142	\$ 1,008	\$ 1,008
Lone Star Corporate	On Demand	5.4500%	5,013,580	5,013,580	1,081,631	1,081,631	36,058	3,931,949
Texas Class	On Demand	5.4278%	57,185	57,185	9,710,950	9,710,950	40,763	(9,653,765)
TexPool	On Demand	5.3120%	11,368	11,368	11,263	11,263	150	105
TexSTAR	On Demand	5.3126%	8,193	8,192	8,086	8,084	107	107
Subtotal		5.3826%	\$ 5,165,457	\$ 5,165,475	\$ 10,886,053	\$ 10,886,071	\$ 78,087	\$ (5,720,596)
Debt Service Fund								
Lone Star Corporate	On Demand	5.4500%	\$ 1,465,086	\$ 1,465,086	\$ 1,445,369	\$ 1,445,369	\$ 19,716	\$ 19,716
Texas Class	On Demand	5.4278%	11,873,360	11,873,360	11,667,518	11,667,518	159,099	205,842
TexSTAR	On Demand	5.3126%	183	183	180	180	3	3
Subtotal		5.3968%	\$ 13,338,628	\$ 13,338,628	\$ 13,113,068	\$ 13,113,068	\$ 178,818	\$ 225,561
Food Service Fund								
Lone Star Corporate	On Demand	5.4500%	\$ 2,429,367	\$ 2,429,367	\$ 2,396,674	\$ 2,396,674	\$ 32,693	\$ 32,693
Health Insurance Fund								
Lone Star Corporate	On Demand	5.4500%	\$ 3,740	\$ 3,740	\$ 3,689	\$ 3,689	\$ 50	\$ 50.33
Construction Fund								
Lone Star 2011	On Demand	5.4500%	12	12	4,322	4,322	52	(4,310)
Lonestar 2013	On Demand	5.4500%	41	41	14,236	14,236	171	(14,196)
Subtotal		5.4500%	\$ 53	\$ 53	\$ 18,558	\$ 18,558	\$ 222	\$ (18,505)
Total Investments		5.4259%	\$ 20,937,245	\$ 20,937,263	\$ 26,418,042	\$ 26,418,060	\$ 289,871	\$ (5,480,797)

Portfolio Weighted Average Maturity						S&P Credit	
Asset	Book Value	Days to Maturity	Weighted Average Maturity (WAM)	Maturity Date of Each Asset		Ratings as of 6/30/2024	
Logic	75,131	1	0.004	7/1/2024	Liquid pool, due on demand	AAAm	
Lone Star	8,911,826	1	0.426	7/1/2024	Liquid pool, due on demand	AAA/S1+	
Texas Class	11,930,545	1	0.570	7/1/2024	Liquid pool, due on demand	AAAm	
TexPool	11,368	1	0.001	7/1/2024	Liquid pool, due on demand	AAAm	
TexSTAR	8,376	1	0.000	7/1/2024	Liquid pool, due on demand	AAAm	
	\$ 20,937,245		1.000				

**Canutillo Independent School District
Quarterly Summary of Investments
June 30, 2024**

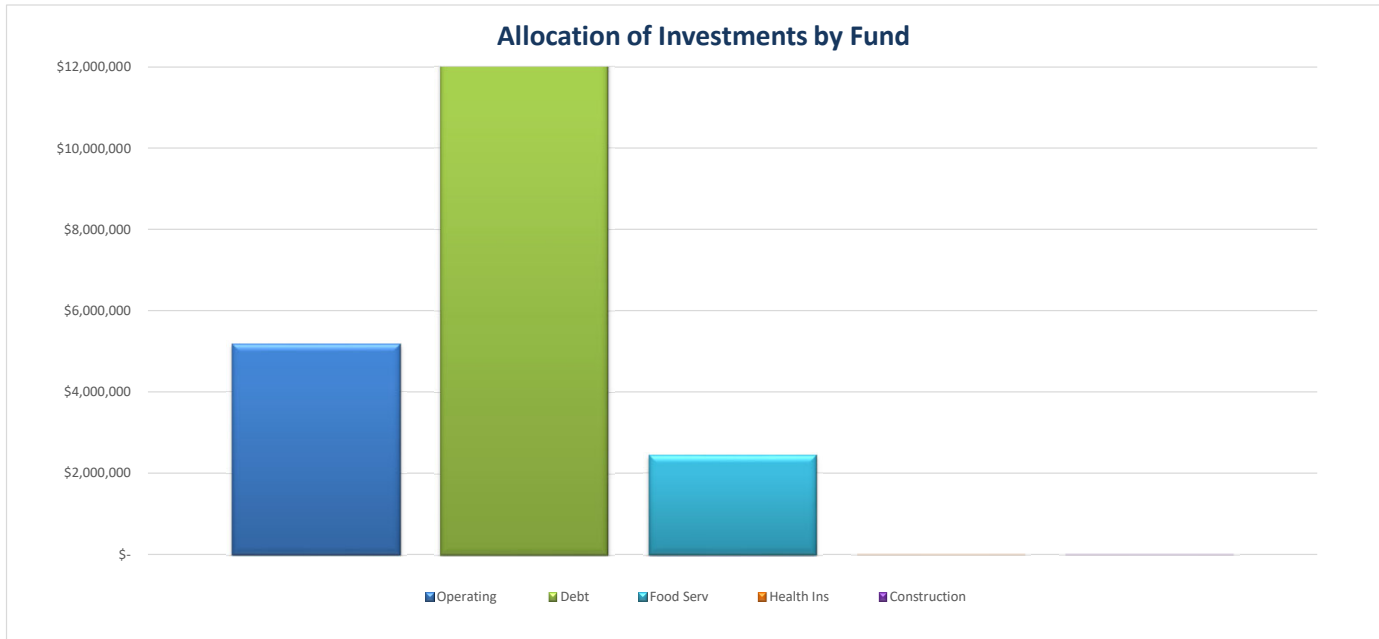
AAA is the highest Issuer Credit Rating assigned by Standard & Poor's
(m=Money Market, f=Fund, S1+designates low volatility)

Investment	Amount	Percentage
Logic	\$ 75,131	0.36%
Lone Star	\$ 8,911,826	42.56%
Texas Class	\$ 11,930,545	56.98%
TexPool	\$ 11,368	0.05%
TexSTAR	\$ 8,376	0.04%
Total	\$ 20,937,245	100.00%



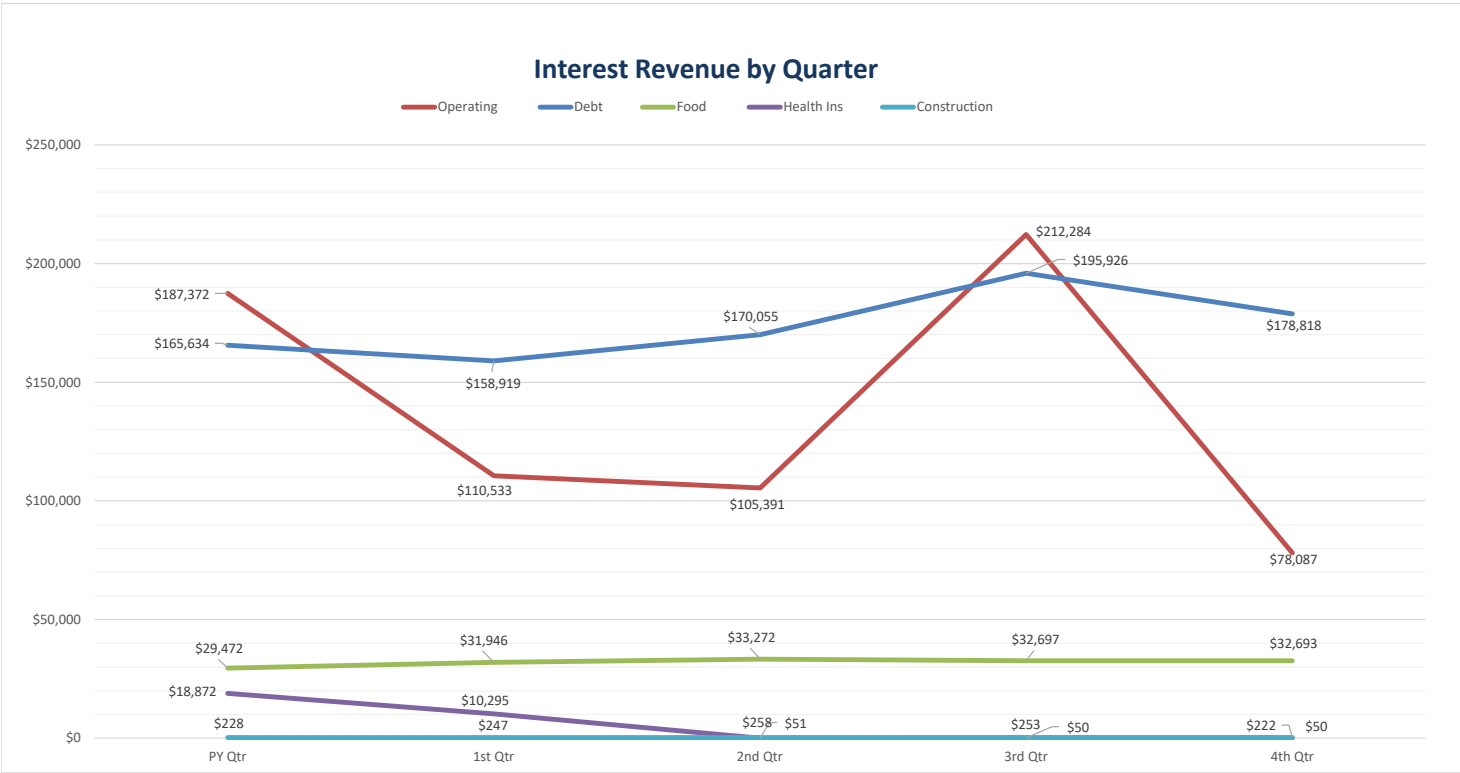
**Canutillo Independent School District
Quarterly Summary of Investments
June 30, 2024**

Fund	Amount	Percentage
Operating	\$ 5,165,457	24.67%
Debt	\$ 13,338,628	63.71%
Food Serv	\$ 2,429,367	11.60%
Health Ins	\$ 3,740	0.02%
Construction	\$ 53	0.00%
Total	\$ 20,937,245	100.00%



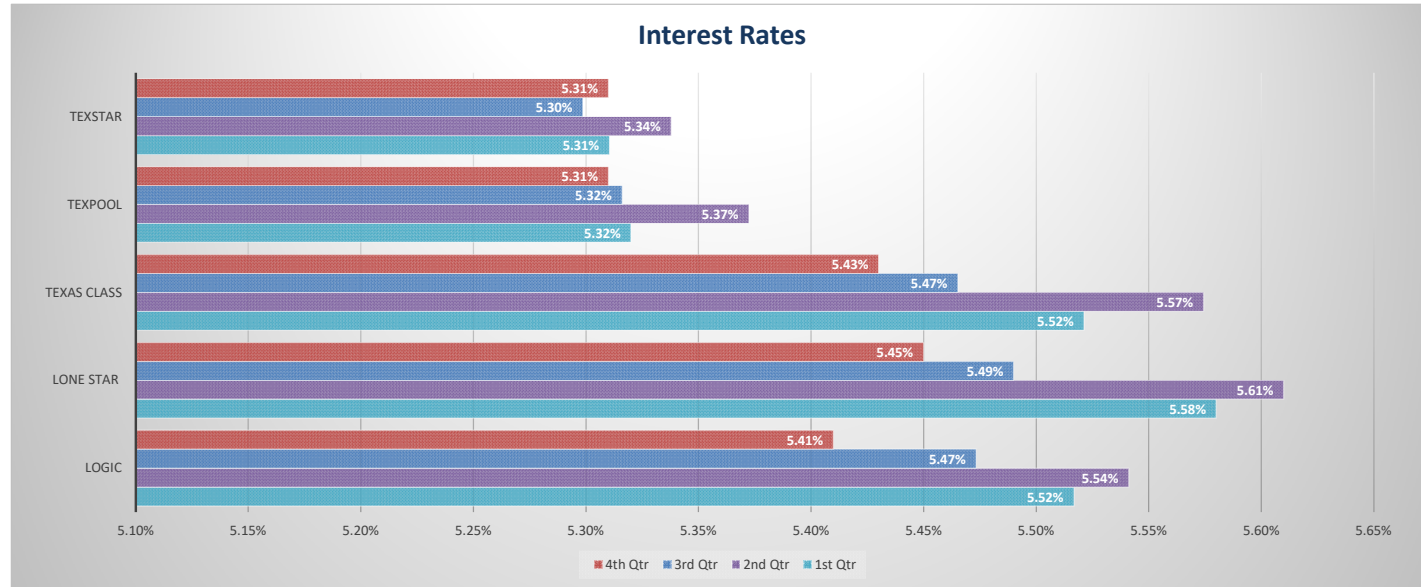
Interest	PY Qtr	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr
Operating	\$ 187,372	\$ 110,533	\$ 105,391	\$ 212,284	\$ 78,087
Debt	\$ 165,634	\$ 158,919	\$ 170,055	\$ 195,926	\$ 178,818
Food	\$ 29,472	\$ 31,946	\$ 33,272	\$ 32,697	\$ 32,693
Health Ins	\$ 18,872	\$ 10,295	\$ 51	\$ 50	\$ 50
Construction	\$ 228	\$ 247	\$ 258	\$ 253	\$ 222
Total	\$ 401,578	\$ 311,941	\$ 309,027	\$ 441,210	\$ 289,870

**Canutillo Independent School District
Quarterly Summary of Investments
June 30, 2024**



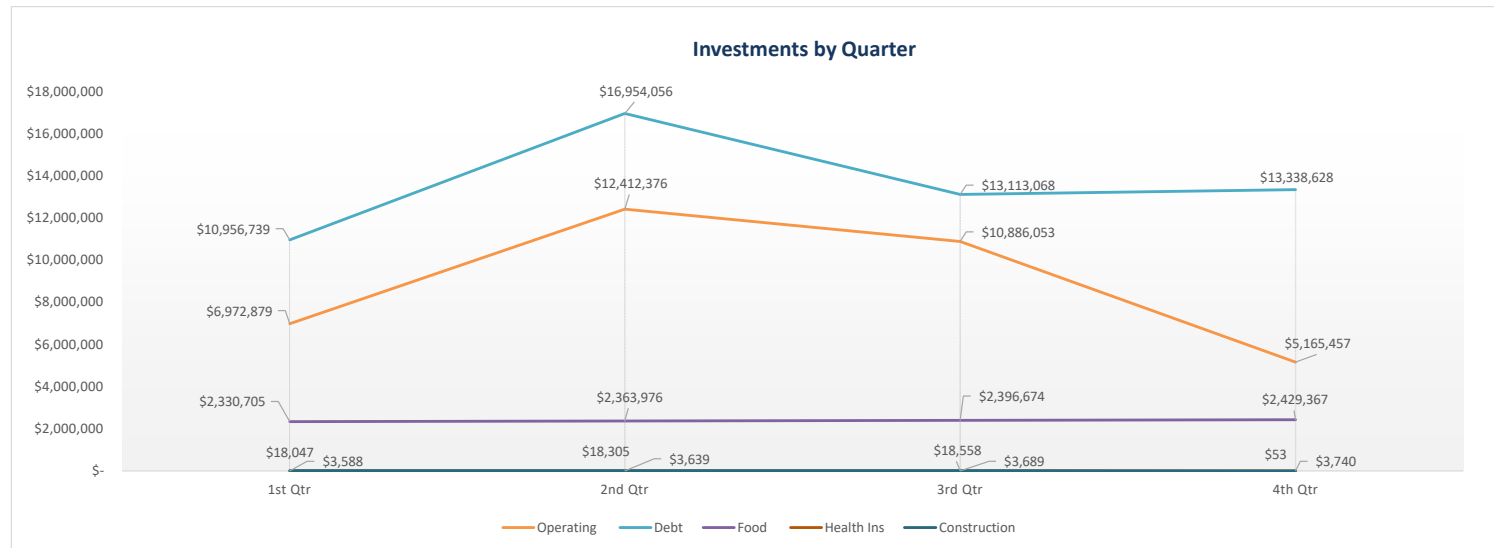
Investment	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr
Logic	5.52%	5.54%	5.47%	5.41%
Lone Star	5.58%	5.61%	5.49%	5.45%
Texas Class	5.52%	5.57%	5.47%	5.43%
TexPool	5.32%	5.37%	5.32%	5.31%
TexSTAR	5.31%	5.34%	5.30%	5.31%
Average	5.45%	5.49%	5.41%	5.38%

**Canutillo Independent School District
Quarterly Summary of Investments
June 30, 2024**



**Canutillo Independent School District
Quarterly Summary of Investments
June 30, 2024**

Fund	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr
Operating	\$ 6,972,879	\$ 12,412,376	\$ 10,886,053	\$ 5,165,457
Debt	\$ 10,956,739	\$ 16,954,056	\$ 13,113,068	\$ 13,338,628
Food	\$ 2,330,705	\$ 2,363,976	\$ 2,396,674	\$ 2,429,367
Health Ins	\$ 3,588	\$ 3,639	\$ 3,689	\$ 3,740
Construction	\$ 18,047	\$ 18,305	\$ 18,558	\$ 53
Total	\$ 20,281,958	\$ 31,752,352	\$ 26,418,042	\$ 20,937,245



SIGNATURE CERTIFICATE



REFERENCE NUMBER

2C269825-5490-4658-B9EB-4623AC20DD3E

TRANSACTION DETAILS

Reference Number

2C269825-5490-4658-B9EB-4623AC20DD3E

Transaction Type

Signature Request

Sent At

08/20/2024 18:33 EDT

Executed At

08/20/2024 18:34 EDT

Identity Method

email

Distribution Method

email

Signed Checksum

d171b07368dc30b2ce5340cc45b1bb73bcd4ee0c3cb3ff5c668b20962848acf3

Signer Sequencing

Disabled

Document Passcode

Disabled

DOCUMENT DETAILS

Document Name

Investment 4th Qtr Report 6 30 2024

Filename

Investment_4th_Qtr_Report_6_30_2024.pdf

Pages

9 pages

Content Type

application/pdf

File Size

944 KB

Original Checksum

caf538f1292e90ec630c3c76d320bd0447ac62a56a091f98ec3b4b52ce7cadc0

SIGNERS

SIGNER	E-SIGNATURE	EVENTS
<p>Name Elvira Monzon-Uscanga</p> <p>Email emonzonuscanga@canutillo-isd.org</p> <p>Components 2</p>	<p>Status signed</p> <p>Multi-factor Digital Fingerprint Checksum 6b59fd260c453d9fd5114bb31110fd094f6ed4749c10da0f410ddd67f3ab45e1</p> <p>IP Address 70.125.228.98</p> <p>Device Chrome via Windows</p> <p>Typed Signature </p> <p>Signature Reference ID B64E2C2A</p>	<p>Viewed At 08/20/2024 18:33 EDT</p> <p>Identity Authenticated At 08/20/2024 18:34 EDT</p> <p>Signed At 08/20/2024 18:34 EDT</p>
<p>Name Cristina Pulley</p> <p>Email cpulley@canutillo-isd.org</p> <p>Components 2</p>	<p>Status signed</p> <p>Multi-factor Digital Fingerprint Checksum be10ab64f2bb8e314177f71fc6bb42cd740ae4ea0522f7829c12c7a4bcb24667</p> <p>IP Address 70.125.228.98</p> <p>Device Chrome via Windows</p> <p>Typed Signature </p> <p>Signature Reference ID E87EBACF</p>	<p>Viewed At 08/20/2024 18:33 EDT</p> <p>Identity Authenticated At 08/20/2024 18:33 EDT</p> <p>Signed At 08/20/2024 18:33 EDT</p>

AUDITS

TIMESTAMP	AUDIT
08/20/2024 18:33 EDT	CISD Finance Department (finance@canutillo-isd.org) created document 'Investment_4th_Qtr_Report_6_30_2024.pdf' on Chrome via Windows from 70.125.228.98.
08/20/2024 18:33 EDT	Cristina Pulley (cpulley@canutillo-isd.org) was emailed a link to sign.
08/20/2024 18:33 EDT	Elvira Monzon-Uscanga (emonzonuscanga@canutillo-isd.org) was emailed a link to sign.
08/20/2024 18:33 EDT	Cristina Pulley (cpulley@canutillo-isd.org) viewed the document on Chrome via Windows from 70.125.228.98.
08/20/2024 18:33 EDT	Elvira Monzon-Uscanga (emonzonuscanga@canutillo-isd.org) viewed the document on Chrome via Windows from 70.125.228.98.
08/20/2024 18:33 EDT	Cristina Pulley (cpulley@canutillo-isd.org) authenticated via email on Chrome via Windows from 70.125.228.98.

TIMESTAMP	AUDIT
08/20/2024 18:33 EDT	Cristina Pulley (cpulley@canutillo-isd.org) signed the document on Chrome via Windows from 70.125.228.98.
08/20/2024 18:34 EDT	Elvira Monzon-Uscanga (emonzonuscanga@canutillo-isd.org) authenticated via email on Chrome via Windows from 70.125.228.98.
08/20/2024 18:34 EDT	Elvira Monzon-Uscanga (emonzonuscanga@canutillo-isd.org) signed the document on Chrome via Windows from 70.125.228.98.

LEGAL SERVICES AGREEMENT WITH O'HANLON, DEMERATH & CASTILLO

This agreement is made between the Canutillo Independent School District (“District”) and O’Hanlon, Demerath & Castillo (“Firm”) for representation of the District in the lawsuit regarding the A–F performance ratings for the 2023–2024 school year.

1. Joint Representation: The Firm will be representing multiple school districts in this litigation. We will allocate all fees and expenses incurred for the common benefit of all school district clients equally **among all school districts** who are represented by the Firm in this lawsuit. Any fees or expenses that are incurred only for the benefit of a single school district (e.g., attending a board meeting, discussing this case with an individual from a school district, etc.) will be billed separately to that school district.

2. Fees: Time will be billed by the Firm as follows: an hourly fee of \$450 for shareholders, \$350 for partners, \$275 for associates, and \$110 for paralegals and law clerks. Fees will be charged for legal work on the case that benefits the District and not for clerical or other nonlegal tasks. Time will be billed in 1/10th hour increments. The District authorizes the Firm to retain outside law firms or attorneys to assist with this matter at the same rates described above.

3. Expenses: The District will reimburse the Firm for reasonable and necessary expenses incurred in handling this litigation, including filing fees, transcription fees, expenses for investigation, expert witness fees, and travel (if any) outside of Travis County. The Firm anticipates retaining Dee Carney as an expert witness at a rate of \$250 per hour and may retain a psychometrician as an expert witness at a rate of no more than \$450 per hour.

4. Termination: You will have the right **to terminate** our representation **at any time**. In the event of any such termination, we will cooperate in all steps necessary to free us of any obligations to perform further, including the execution of any documents reasonably necessary to complete our withdrawal. The District will be responsible for its share of the fees and expenses incurred as of the date of termination under the terms of this agreement.

5. Conflict Issues: The Firm has not detected any conflict between our firm and your interests. Further, we do not anticipate any conflict to arise in the future. The District authorizes the Firm to represent additional school districts in this litigation and consents to the Firm speaking with other school districts and third parties regarding this litigation.

The District will not be charged for any time spent speaking with third parties other than co-counsel, opposing counsel, and/or expert witnesses.

6. Miscellaneous: This letter agreement is governed by the laws of the State of Texas and is binding. This letter agreement constitutes the entire agreement with respect to matters involving the engagement of the Firm for this litigation and the payment of fees in connection with this engagement. Since the outcome of litigation or other legal matters is subject to the vagaries and risks inherent in the litigation or legal process, it is understood that we have made no promises or guarantees to you concerning any outcomes as a result of our representation. Nothing in this letter shall be construed as such a promise or guarantee.

7. Notice to Clients: The State Bar of Texas investigates and prosecutes professional misconduct committed by Texas attorneys. Although not every complaint against or dispute with a lawyer involves professional misconduct, the State Bar's Office of the Chief Disciplinary Counsel will provide you with information about how to file a complaint. Please call 1-800-932-1900 toll-free or for more information visit CDC.Texasbar.com.

* * *

By signing below on behalf of the District, you agree that at a publicly-posted meeting compliant with Texas law, the District's Board of Trustees either delegated authority to you to sign this agreement or approved this agreement.

Dr. Pedro Galaviz
Superintendent, Canutillo ISD

Nick Maddox
O'Hanlon, Demerath & Castillo



OFFICE OF THE ASSOCIATE SUPERINTENDENT

#BestSmallDistrictinTexas

To: Board of Trustees and Superintendent Galaviz

From: Dr. Debra Kerney, Associate Superintendent

Date: August 20, 2024

Re: Student Code of Conduct for the 2024-2025 School Year

Policy FO (LEGAL) requires that the Board of Trustees review and adopt the Student Code of Conduct annually. The Student Code of Conduct is available for review. Please note that since this was not a legislative year, TASB did not require any revisions for this year's Student Code of Conduct. After board approval, guidelines will be followed for dissemination of the Code of Conduct, which will be placed on the district website for access by the community. The Student Code of Conduct will be available to parents both in English and Spanish. Additionally, campuses are required to have a “paper” copy in the front office as well as in the library.

Street Address:
7965 Artcraft Rd.
El Paso, TX 79932

Mailing Address:
P.O. Box 100
Canutillo, TX 79835

P: (915) 877-7481
F: (915) 877-7522
canutillo-isd.org



Texas Education Agency A-Rated Three Years in a Row.

Canutillo Independent School District does not discriminate on the basis of race, color, religion, gender, sex, national origin, age, disability, military status, genetic information, or any other basis prohibited by law in its employment practices or in providing education services, activities, and programs, including career and technical education (vocational programs).

For additional information regarding Canutillo Independent School District's policy of nondiscrimination contact the Human Resources Division:
(915) 877-7423 | 7965 Artcraft Dr. | El Paso TX 79932.

#BestSmallDistrictinTexas



2024-2025 STUDENT CODE OF CONDUCT

7965 Artcraft | El Paso, TX 79932
915.877.7400 | www.canutilloisd.org
Follow us on:   



If you have difficulty accessing the information in this document because of disability, please contact the Public Information Office at (915) 877-7401.



Armando Rodriguez
President



Lucy Borrego
Vice President



Cindy Zuñiga
Secretary



Breanne Barnes
Trustee



Patricia Mendoza
Trustee



Bobby Simental
Trustee



Blanca Trout
Trustee



Dr. Pedro Galaviz
Superintendent of
Schools

TEAM ⁸³ OF EIGHT

Canutillo ISD Strategic Plan Balanced Scorecard 2023-2028

Mission

We provide Equitable Opportunities to ensure our future-ready students are empowered to Explore, Learn, Grow, and Excel.

Vision

LEAD today. IMPACT tomorrow.

In Canutillo ISD, We Believe:

- › **STUDENTS** are empowered to think critically and engage civically and empathetically, as they meet the challenges of building a better world.
- › **PARENTS** and **FAMILIES** are welcomed into our schools and District, with meaningful opportunities to actively engage in supporting the social, emotional, and academic needs of their students.
- › **FACULTY** and **STAFF MEMBERS** are respected and valued as dedicated leaders and continuous learners in the educational process.
- › **CAMPUS ADMINISTRATORS** build authentic, inclusive, and supportive relationships within their school community through mutual respect and trust.
- › **THE SUPERINTENDENT** and **CENTRAL OFFICE STAFF** are active and engaged listeners who are accountable for ensuring equitable, efficient, and transparent utilization of district resources.
- › **THE BOARD OF TRUSTEES** are a unified team who holds each other accountable, treats each other with respect, and represents the district with integrity and honesty.

Priorities & Performance Objectives

STUDENT SUCCESS

- › Student Safety & Well-Being
- › Academic Growth
- › College Career Military Readiness

STAFF SUCCESS

- › Staff Safety & Well-Being
- › Professional Learning & Quality Staff
- › Staff Satisfaction

COMMUNITY ENGAGEMENT AND PARTNERSHIPS

- › Family Engagement
- › Community Partnerships
- › Customer Satisfaction

FISCAL AND OPERATIONAL SYSTEMS

- › Fiscal Responsibility
- › Strategic Allocation of Resources
- › Planning for Growth
- › Well Maintained Facilities

TECHNOLOGY RESOURCES

- › Apple Refresh I:1
- › Wireless access/Testing
- › Infrastructure/Safety
- › Community Connectivity

Contents

Canutillo Independent School District Student Code of Conduct..... 1

Student Code of Conduct..... 2

 Accessibility..... 2

 Purpose 2

School District Authority and Jurisdiction..... 3

 Campus Behavior Coordinator..... 3

 Threat Assessment and Safe and Supportive School Team 3

 Searches 3

 Reporting Crimes 4

 Security Personnel..... 4

 “Parent” Defined..... 4

 Participating in Graduation Activities 4

 Unauthorized Persons..... 4

Standards for Student Conduct..... 6

General Conduct Violations..... 7

 Disregard for Authority..... 7

 Mistreatment of Others..... 7

 Property Offenses 8

 Possession of Prohibited Items..... 8

 Possession of Telecommunications or Other Electronic Devices 9

 Illegal, Prescription, and Over-the-Counter Drugs 9

 Misuse of Technology Resources and the Internet 9

 Safety Transgressions..... 10

 Miscellaneous Offenses..... 10

Discipline Management Techniques..... 11

 Students with Disabilities 11

 Techniques..... 11

 Prohibited Aversive Techniques..... 12

 Notification..... 13

 Appeals..... 13

Removal from the School Bus 14

Removal from the Regular Educational Setting 15

 Routine Referral 15

 Formal Removal..... 15

 Returning a Student to the Classroom..... 15

Out-of-School Suspension	16
Misconduct.....	16
Process.....	16
Coursework During Suspension	17
Disciplinary Alternative Education Program (DAEP) Placement	18
Discretionary Placement: Misconduct That May Result in DAEP Placement	18
Mandatory Placement: Misconduct That Requires DAEP Placement.....	19
Sexual Assault and Campus Assignments	20
Process.....	20
Length of Placement.....	21
Appeals.....	22
Restrictions During Placement.....	23
Placement Review	23
Additional Misconduct.....	23
Notice of Criminal Proceedings.....	23
Withdrawal During Process	24
Newly Enrolled Students	24
Emergency Placement Procedure.....	24
Transition Services.....	24
Placement and/or Expulsion for Certain Offenses	25
Registered Sex Offenders.....	25
Certain Felonies	25
Expulsion	28
Discretionary Expulsion: Misconduct That May Result in Expulsion	28
Mandatory Expulsion: Misconduct That Requires Expulsion.....	30
Under Age Ten.....	31
Process.....	31
Length of Expulsion	33
Withdrawal During Process	33
Additional Misconduct.....	33
Restrictions During Expulsion	33
Newly Enrolled Students	33
Emergency Expulsion Procedures.....	34
DAEP Placement of Expelled Students	34
Transition Services.....	34
Glossary	35

Canutillo Independent School District Student Code of Conduct

2024-25 School Year

If you have difficulty accessing the information in this document because of disability, please contact pio@canutillo-isd.org or (915) 877-7401.

Student Code of Conduct

Accessibility

If you have difficulty accessing the information in this document because of disability, please contact pio@canutillo-isd.org or (915) 877-7401.

Purpose

The Student Code of Conduct (“Code of Conduct”), as required by Chapter 37 of the Texas Education Code, provides methods and options for managing student behavior, preventing and intervening in student discipline problems, and imposing discipline.

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

This Code of Conduct has been adopted by the Canutillo ISD board of trustees and developed with the advice of the district-level planning and decision-making committee. It provides information to parents and students regarding standards of conduct, consequences of misconduct, and procedures for administering discipline. This Code of Conduct remains in effect during summer school and at all school-related events and activities outside the school year until the board adopts an updated version for the next school year.

In accordance with state law, the Code of Conduct shall be posted at each school campus or shall be available for review at the campus principal’s office. Additionally, the Code of Conduct shall be available at the campus behavior coordinator’s office and posted on the district’s website. Parents shall be notified of any conduct violation that may result in a student being suspended, placed in a DAEP or JJAEP, expelled, or taken into custody by a law enforcement officer under Chapter 37 of the Education Code.

Because the Code of Conduct is adopted by the district’s board of trustees, it has the force of policy. In the event of a conflict between the Code of Conduct and the Student Handbook, the Code of Conduct shall prevail.

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

School District Authority and Jurisdiction

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

The district has disciplinary authority over a student:

1. During the regular school day;
2. While the student is traveling on district transportation;
3. During lunch periods in which a student is allowed to leave campus;
4. At any school-related activity, regardless of time or location;
5. For any school-related misconduct, regardless of time or location;
6. When retaliation against a school employee, board member, or volunteer occurs or is threatened, regardless of time or location;
7. When a student engages in cyberbullying, as defined by Education Code 37.0832;
8. When criminal mischief is committed on or off school property or at a school-related event;
9. For certain offenses committed within 300 feet of school property as measured from any point on the school's real property boundary line;
10. For certain offenses committed while on school property or while attending a school-sponsored or school-related activity of another district in Texas;
11. When the student commits a felony, as provided by Education Code 37.006 or 37.0081; and
12. When the student is required to register as a sex offender.

Campus Behavior Coordinator

As required by law, a person at each campus must be designated to serve as the campus behavior coordinator (CBC). The designated person may be the principal or any other campus administrator selected by the principal. The CBC is primarily responsible for maintaining student discipline. The district shall post on its website and in the Student Handbook, for each campus, the email address and telephone number of the person serving as CBC. Contact information may be found at www.canutillo-isd.org

Threat Assessment and Safe and Supportive School Team

The CBC or other appropriate administrator will work closely with the campus threat assessment and safe and supportive school team to implement the district's threat assessment policy and procedures, as required by law, and shall take appropriate disciplinary action in accordance with the Code of Conduct.

Searches

District officials may conduct searches of students, their belongings, and their vehicles in accordance with state and federal law and district policy. Searches of students shall be conducted in a reasonable and nondiscriminatory manner. Refer to the district's policies at FNF(LEGAL) and FNF(LOCAL) for more information regarding investigations and searches.

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

Desks, lockers, district-provided technology, and similar items are the property of the district and are provided for student use as a matter of convenience. District property is subject to search or inspection at any time without notice.

Reporting Crimes

The principal or other school administrators as appropriate shall report crimes as required by law and shall call local law enforcement when an administrator suspects that a crime has been committed on campus.

Security Personnel

The board utilizes police officers *and/or* security personnel to ensure the security and protection of students, staff, and property. In accordance with law, the board has coordinated with the campus principal, CBC and other district employees to ensure appropriate law enforcement duties are assigned to these persons. Provisions addressing the various types of security personnel can be found in the CKE policy series. The law enforcement duties of district security personnel are: assist with student supervision, traffic supervision, safety and security of each camps, training of staff, and any other duties that fall under legal scope of law enforcement.

“Parent” Defined

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

Participating in Graduation Activities

The district has the right to limit a student’s participation in graduation activities for violating the district’s Code of Conduct.

Participation might include a speaking role, as established by district policy and procedures.

Students eligible to give the opening and closing remarks at graduation shall be notified by the campus principal. Notwithstanding any other eligibility requirements, in order to be considered eligible, a student shall not have engaged in any misconduct that resulted in an out-of-school suspension, removal to a DAEP, or expulsion during the semester immediately preceding graduation.

The valedictorian and salutatorian may also have speaking roles at graduation. No student shall be eligible to have such a speaking role if he or she engaged in any misconduct that resulted in an out-of-school suspension, removal to a DAEP, or expulsion during the semester immediately preceding graduation.

Unauthorized Persons

In accordance with Education Code 37.105, a school administrator, SRO, or district police officer shall have the authority to refuse entry to or eject a person from district property if the person refuses to leave peaceably on request and:

1. The person poses a substantial risk of harm to any person; or

School District Authority and Jurisdiction

2. The person behaves in a manner that is inappropriate for a school setting and persists in the behavior after being given a verbal warning that the behavior is inappropriate and may result in refusal of entry or ejection.

Appeals regarding refusal of entry or ejection from district property may be filed in accordance with policies FNG(LOCAL) or GF(LOCAL), as appropriate. However, the timelines for the district's grievance procedures shall be adjusted as necessary to permit the person to address the board in person within 90 calendar days, unless the complaint is resolved before a board hearing.

See **DAEP—Restrictions During Placement** on page 23 for information regarding a student assigned to DAEP at the time of graduation.

Standards for Student Conduct

Each student is expected to:

- Demonstrate courtesy, even when others do not.
- Behave in a responsible manner.
- Exercise self-discipline.
- Attend all classes regularly and on time.
- Remain at assigned school location throughout the instructional day (trespassing is not allowed).
- Bring appropriate materials and assignments to class.
- Meet district and campus standards of grooming and dress.
- Obey all campus and classroom rules.
- Respect the rights and privileges of students, teachers, and other district staff and volunteers.
- Respect the property of others, including district property and facilities.
- Cooperate with and assist the school staff in maintaining safety, order, and discipline.
- Adhere to the requirements of the Student Code of Conduct.

General Conduct Violations

The categories of conduct below are prohibited at school, in vehicles owned or operated by the district, and at all school-related activities, but the list does not include the most severe offenses. In the subsequent sections on **Out-of-School Suspension** on page 16, **DAEP Placement** on page 17, **Placement and/or Expulsion for Certain Offenses** on page 25, and **Expulsion** on page 28, those offenses that require or permit specific consequences are listed. Any offense, however, may be severe enough to result in **Removal from the Regular Educational Setting** as detailed on page 15.

Disregard for Authority

Students shall not:

- Fail to comply with directives given by school personnel.
- Leave school grounds or school-sponsored events without permission.
- Disobey rules for conduct in district vehicles.
- Refuse to accept discipline or consequence assigned by a teacher or principal.

Mistreatment of Others

Students shall not:

- Use profanity or vulgar language or make obscene gestures.
- Fight or scuffle. (For assault, see **DAEP—Placement and/or Expulsion for Certain Offenses** on page 25.)
- Threaten a district student, employee, or volunteer, including off school property if the conduct causes a substantial disruption to the educational environment.
- Engage in bullying, cyberbullying, harassment, or making hit lists. (See **glossary** for all four terms.)
- Release or threaten to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent.
- Engage in sexual or gender-based harassment or sexual abuse, whether by word, gesture, or any other conduct directed toward another person, including a district student, employee, board member, or volunteer.
- Engage in conduct that constitutes dating violence. (See **glossary**.)
- Engage in inappropriate or indecent exposure of private body parts.
- Participate in hazing. (See **glossary**.)
- Coerce an individual to act through the use or threat of force.
- Commit extortion or blackmail.
- Engage in inappropriate verbal, physical, or sexual conduct directed toward another person, including a district student, employee, or volunteer.
- Record the voice or image of another without the prior consent of the individual being recorded or in any way that disrupts the educational environment or invades the privacy of others.

Property Offenses

Students shall not:

- Damage or vandalize property owned by others. (For felony criminal mischief, see **DAEP— Placement and/or Expulsion for Certain Offenses** on page 25.)
- Deface or damage school property, including textbooks, technology and electronic resources, lockers, furniture, and other equipment, with graffiti or by other means.
- Steal from students, staff, or the school.
- Commit or assist in a robbery or theft, even if it does not constitute a felony according to the Penal Code. (For felony robbery, aggravated robbery, and theft, see **DAEP— Placement and/or Expulsion for Certain Offenses** on page 25.)
- Enter, without authorization, district facilities that are not open for operations.

Possession of Prohibited Items

Students shall not possess or use:

- Fireworks of any kind, smoke or stink bombs, or any other pyrotechnic device;
- A razor, box cutter, chain, or any other object used in a way that threatens or inflicts bodily injury to another person;
- A “look-alike” weapon that is intended to be used as a weapon or could reasonably be perceived as a weapon;
- An air gun or BB gun;
- Ammunition;
- A hand instrument designed to cut or stab another by being thrown;
- A firearm silencer or suppressor;
- A location-restricted knife;
- A club;
- A firearm;
- A stun gun;
- Knuckles;
- A pocketknife or any other small knife;
- Mace or pepper spray;
- Pornographic material;
- Tobacco products, cigarettes, e-cigarettes, and any component, part, or accessory for an e-cigarette device;
- Matches or a lighter;
- A laser pointer, unless it is for an approved use; or
- Any articles not generally considered to be weapons, including school supplies, when the principal or designee determines that a danger exists.

*For weapons and firearms, see **DAEP—Placement and/or Expulsion for Certain Offenses** on page 25. In many circumstances, possession of these items is punishable by mandatory expulsion under federal or state law.

Possession of Telecommunications or Other Electronic Devices

Students shall not:

- Use a telecommunications device, including a cell phone, or other electronic device in violation of district and campus rules.

Illegal, Prescription, and Over-the-Counter Drugs

Students shall not:

- Possess, use, give, or sell alcohol or an illegal drug. (Also see **DAEP Placement** on page 17 and **Expulsion** on page 28 for mandatory and permissive consequences under state law.)
- Possess or sell seeds or pieces of marijuana in less than a usable amount.
- Possess, use, give, or sell paraphernalia related to any prohibited substance. (See **glossary** for “paraphernalia.”)
- Possess, use, abuse, or sell look-alike drugs or attempt to pass items off as drugs or contraband.
- Abuse the student’s own prescription drug, give a prescription drug to another student, or possess or be under the influence of another person’s prescription drug on school property or at a school-related event. (See **glossary** for “abuse.”)
- Abuse over-the-counter drugs. (See **glossary** for “abuse.”)
- Be under the influence of prescription or over-the-counter drugs that cause impairment to body or mind. (See **glossary** for “under the influence.”)
- Have or take prescription drugs or over-the-counter drugs at school other than as provided by district policy.

Misuse of Technology Resources and the Internet

Students shall not:

- Violate policies, rules, or agreements signed by the student or the student’s parent regarding the use of technology resources.
- Attempt to access or circumvent passwords or other security-related information of the district, students, or employees or upload or create computer viruses, including off school property if the conduct causes a substantial disruption to the educational environment.
- Attempt to alter, destroy, or disable district technology resources including, but not limited to, computers and related equipment, district data, the data of others, or other networks connected to the district’s system, including off school property if the conduct causes a substantial disruption to the educational environment.
- Use the internet or other electronic communications to threaten or harass district students, employees, board members, or volunteers, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.

General Conduct Violations

- Send, post, deliver, or possess electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal, including cyberbullying and "sexting," either on or off school property, if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.
- Use the internet or other electronic communication to engage in or encourage illegal behavior or threaten school safety, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.

Safety Transgressions

Students shall not:

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

Miscellaneous Offenses

Students shall not:

- Violate dress and grooming standards as communicated in the Student Handbook.
- Engage in academic dishonesty, which includes cheating or copying the work of another student, plagiarism, and unauthorized communication between students during an examination.
- Gamble.
- Falsify records, passes, or other school-related documents.
- Engage in actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Repeatedly violate other communicated campus or classroom standards of conduct.

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

Discipline Management Techniques

Discipline shall be designed to improve conduct and encourage students to be responsible members of the school community. Disciplinary action shall draw on the professional judgment of teachers and administrators and on a range of discipline management techniques, including restorative practices. Discipline shall be based on the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, the effect of the misconduct on the school environment, and statutory requirements.

Students with Disabilities

The discipline of students with disabilities is subject to applicable state and federal law in addition to the Code of Conduct. In the event of any conflict, the district shall comply with federal law. For more information regarding discipline of students with disabilities, see policy FOF(LEGAL).

In accordance with the Education Code, a student who receives special education services may not be disciplined for conduct meeting the definition of bullying, cyberbullying, harassment, or making hit lists (see **glossary**) until an Admission, Review, and Dismissal (ARD) committee meeting has been held to review the conduct.

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

Techniques

The following discipline management techniques may be used alone, in combination, or as part of progressive interventions for behavior prohibited by the Code of Conduct or by campus or classroom rules:

- Verbal correction, oral or written.
- Cooling-off time or a brief "time-out" period, in accordance with law.
- Seating changes within the classroom or vehicles owned or operated by the district.
- Temporary confiscation of items that disrupt the educational process.
- Rewards or demerits.
- Behavioral contracts.
- Counseling by teachers, school counselors, or administrative personnel.
- Parent-teacher conferences.
- Behavior coaching.
- Anger management classes.
- Mediation (victim-offender).
- Classroom circles.
- Family group conferencing.
- Grade reductions for cheating, plagiarism, and as otherwise permitted by policy.

Discipline Management Techniques

- Detention, including outside regular school hours.
- Sending the student to the office, another assigned area, or to in-school suspension (ISS).
- Assignment of school duties, such as cleaning or picking up litter.
- Withdrawal of privileges, such as participation in extracurricular activities, eligibility for seeking and holding honorary offices, or membership in school-sponsored clubs and organizations.
- Penalties identified in student organizations' extracurricular standards of behavior.
- Restriction or revocation of district transportation privileges.
- School-assessed and school-administered probation.
- Out-of-school suspension, as specified in **Out-of-School Suspension** on page 16.
- Placement in a DAEP, as specified in **DAEP** on page 17.
- Expulsion and/or placement in an alternative educational setting, as specified in **Placement and/or Expulsion for Certain Offenses** on page 25.
- Expulsion, as specified in **Expulsion** on page 28.
- Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the district.
- Other strategies and consequences as determined by school officials.

Prohibited Aversive Techniques

Aversive techniques are prohibited for use with students and are defined as techniques or interventions intended to reduce the reoccurrence of a behavior by intentionally inflicting significant physical or emotional discomfort or pain. Aversive techniques include:

- Using techniques designed or likely to cause physical pain, other than corporal punishment as permitted by district policy. [See policy FO(LOCAL).]
- Using techniques designed or likely to cause physical pain by electric shock or any procedure involving pressure points or joint locks.
- Directed release of noxious, toxic, or unpleasant spray, mist, or substance near a student's face.
- Denying adequate sleep, air, food, water, shelter, bedding, physical comfort, supervision, or access to a restroom facility.
- Ridiculing or demeaning a student in a manner that adversely affects or endangers the learning or mental health of the student or constitutes verbal abuse.
- Employing a device, material, or object that immobilizes all four of a student's extremities, including prone or supine floor restraint.
- Impairing the student's breathing, including applying pressure to the student's torso or neck or placing something in, on, or over the student's mouth or nose or covering the student's face.
- Restricting the student's circulation.
- Securing the student to a stationary object while the student is standing or sitting.

Discipline Management Techniques

- Inhibiting, reducing, or hindering the student's ability to communicate.
- Using chemical restraints.
- Using time-out in a manner that prevents the student from being able to be involved in and progress appropriately in the required curriculum or any applicable individualized education program (IEP) goals, including isolating the student using physical barriers.
- Depriving the student of one or more of the student's senses, unless the technique does not cause the student discomfort or complies with the student's IEP or behavior intervention plan (BIP).

Notification

The CBC shall promptly notify a student's parent by phone or in person of any violation that may result in in-school or out-of-school suspension, placement in a DAEP, placement in a JJAEP, or expulsion. The CBC shall also notify a student's parent if the student is taken into custody by a law enforcement officer under the disciplinary provisions of the Education Code.

A good-faith effort shall be made to provide written notice of the disciplinary action to the student, on the day the action was taken, for delivery to the student's parent. If the parent has not been reached by telephone or in person by 5:00 p.m. of the first business day after the day the disciplinary action was taken, the CBC shall send written notification by U.S. Mail. If the CBC is not able to provide notice to the parent, the principal or designee shall provide the notice.

Before the principal or appropriate administrator assigns a student under age 18 to detention outside regular school hours, notice shall be given to the student's parent to inform him or her of the reason for the detention and permit arrangements for necessary transportation.

Appeals

Questions from parents regarding disciplinary measures should be addressed to the teacher, campus administration, or CBC, as appropriate. Appeals or complaints regarding the use of specific discipline management techniques should be addressed in accordance with policy FNG(LOCAL). A copy of the policy may be obtained from the principal's office, or the central administration office or through Policy Online[®] at the following address www.canutillo-isd.org

The district shall not delay a disciplinary consequence while a student or parent pursues a grievance. In the instance of a student who is accused of conduct that meets the definition of sexual harassment as defined by Title IX, the district will comply with applicable federal law, including the Title IX formal complaint process. See policies FFH(LEGAL) and (LOCAL).

Removal from the School Bus

A bus driver may refer a student to the principal's office to maintain effective discipline on the bus. The principal must employ additional discipline management techniques, as appropriate, which can include restricting or revoking a student's bus riding privileges.

To transport students safely, the vehicle operator must focus on driving and not be distracted by student misbehavior. Therefore, when appropriate disciplinary management techniques fail to improve student behavior or when specific misconduct warrants immediate removal, the principal may restrict or revoke a student's transportation privileges, in accordance with law.

Removal from the Regular Educational Setting

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

Routine Referral

A routine referral occurs when a teacher sends a student to the CBC's office as a discipline management technique. The CBC shall employ alternative discipline management techniques, including progressive interventions. A teacher or administrator may remove a student from class for behavior that violates this Code of Conduct to maintain effective discipline in the classroom.

Formal Removal

A teacher may initiate a formal removal from class if:

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

Within three school days of the formal removal, the CBC or appropriate administrator shall schedule a conference with the student's parent, the student, the teacher who removed the student from class, and any other appropriate administrator.

At the conference, the CBC or appropriate administrator shall inform the student of the alleged misconduct and the proposed consequences. The student shall have an opportunity to respond to the allegations.

When a student is removed from the regular classroom by a teacher and a conference is pending, the CBC or other administrator may place the student in:

- Another appropriate classroom.
- ISS.
- Out-of-school suspension.
- DAEP.

A teacher or administrator must remove a student from class if the student engages in behavior that under the Education Code requires or permits the student to be placed in a DAEP or expelled. When removing for those reasons, the procedures in the subsequent sections on DAEP or expulsion shall be followed.

Returning a Student to the Classroom

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

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

Out-of-School Suspension

Misconduct

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

The district shall not use out-of-school suspension for students in grade 2 or below unless the conduct meets the requirements established in law.

A student below grade 3 or a student who is homeless shall not be placed in out-of-school suspension unless, while on school property or while attending a school-sponsored or school-related activity on or off school property, the student engages in:

- Conduct that contains the elements of a weapons offense, as provided in Penal Code sections 46.02 or 46.05;
- Conduct that contains the elements of assault, sexual assault, aggravated assault, or aggravated sexual assault, as provided by the Penal Code; or
- Selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of marijuana, an alcoholic beverage, or a controlled substance or dangerous drug as defined by federal or state law.

The district shall use a positive behavior program as a disciplinary alternative for students below grade 3 who commit general conduct violations instead of suspension or placement in a DAEP. The program shall meet the requirements of law.

Process

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

Before being suspended a student shall have an informal conference with the CBC or appropriate administrator, who shall inform the student of the alleged misconduct and give the student an opportunity to respond to the allegation before the administrator makes a decision.

The CBC shall determine the number of days of a student's suspension, not to exceed three school days.

In deciding whether to order out-of-school suspension, the CBC shall take into consideration:

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student's status as homeless.

The appropriate administrator shall determine any restrictions on participation in school-sponsored or school-related extracurricular and cocurricular activities.

Coursework During Suspension

The district shall ensure a student receives access to coursework for foundation curriculum courses while the student is placed in in-school or out-of-school suspension, including at least one method of receiving this coursework that doesn't require the use of the internet.

A student removed from the regular classroom to ISS or another setting, other than a DAEP, will have an opportunity before the beginning of the next school year to complete each course the student was enrolled in at the time of removal. The district may provide the opportunity by any method available, including a correspondence course, another distance learning option, or summer school. The district will not charge the student for any method of completion provided by the district.

Disciplinary Alternative Education Program (DAEP) Placement

Disciplinary Alternative Education Program (DAEP) Placement

The DAEP shall be provided in a setting other than the student's regular classroom. An elementary school student may not be placed in a DAEP with a student who is not an elementary school student.

For purposes of DAEP, elementary classification shall be kindergarten–grade 5 and secondary classification shall be grades 6–12.

Summer programs provided by the district shall serve students assigned to a DAEP in conjunction with other students.

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

In deciding whether to place a student in a DAEP, regardless of whether the action is mandatory or discretionary, the CBC shall take into consideration:

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student's status as homeless.

Discretionary Placement: Misconduct That May Result in DAEP Placement

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

Misconduct Identified in State Law

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

- Engaging in bullying that encourages a student to commit or attempt to commit suicide.
- Inciting violence against a student through group bullying.
- Releasing or threatening to release intimate visual material of a minor or of a student who is 18 years of age or older without the student's consent.
- Involvement in a public-school fraternity, sorority, or secret society, or gang including participating as a member or pledge, or soliciting another person to become a pledge or member of a public school fraternity, sorority, secret society, or gang. (See **glossary**.)
- Involvement in criminal street gang activity. (See **glossary**.)
- Any criminal mischief, including a felony.
- Assault (no bodily injury) with threat of imminent bodily injury.
- Assault by offensive or provocative physical contact.

Disciplinary Alternative Education Program (DAEP) Placement

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

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

Mandatory Placement: Misconduct That Requires DAEP Placement

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

- Engages in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school. (See **glossary**.)
- Commits the following offenses on school property, within 300 feet of school property as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
 - Engages in conduct punishable as a felony.
 - Commits an assault (see **glossary**) under Penal Code 22.01(a)(1).
 - Sells, gives, or delivers to another person or possesses, uses, or is under the influence of a controlled substance or dangerous drug in an amount not constituting a felony offense. (School-related felony drug offenses are addressed in **Expulsion** on page 28.) (See **glossary** for "under the influence", "controlled substance," and "dangerous drug.")
 - Sells, gives, or delivers to another person or possesses, uses, or is under the influence of marijuana or THC. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision.
 - Sells, gives, or delivers to another person an alcoholic beverage; commits a serious act or offense while under the influence of alcohol; or possesses, uses, or is under the influence of alcohol.
 - Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
 - Sells, gives, or delivers to another person or possesses or uses an e-cigarette.
 - Behaves in a manner that contains the elements of the offense of public lewdness or indecent exposure. (See **glossary**.)
 - Engages in conduct that contains the elements of an offense of harassment against an employee under Penal Code 42.07(a)(1), (2), (3), or (7).
- Engages in expellable conduct and is six to nine years of age.
- Commits a federal firearms violation and is younger than six years of age.
- Engages in conduct that contains the elements of the offense of retaliation against any school employee or volunteer on or off school property. (Committing retaliation in combination with another expellable offense is addressed in **Expulsion** on page 28.)

Disciplinary Alternative Education Program (DAEP) Placement

- Engages in conduct punishable as aggravated robbery or a felony listed under Title 5 (see **glossary**) of the Penal Code when the conduct occurs off school property and not at a school-sponsored or school-related event and:
 1. The student receives deferred prosecution (see **glossary**),
 2. A court or jury finds that the student has engaged in delinquent conduct (see **glossary**), or
 3. The superintendent or designee has a reasonable belief (see **glossary**) that the student engaged in the conduct.

Sexual Assault and Campus Assignments

A student shall be transferred to another campus if:

- The student has been convicted of continuous sexual abuse of a young child or disabled individual or convicted of or placed on deferred adjudication for sexual assault or aggravated sexual assault against another student on the same campus; and
- The victim's parent or another person with the authority to act on behalf of the victim requests that the board transfer the offending student to another campus.

If there is no other campus in the district serving the grade level of the offending student, the offending student shall be transferred to a DAEP.

Process

Removals to a DAEP shall be made by the CBC.

Conference

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

At the conference, the CBC or appropriate administrator shall provide the student:

- Information, orally or in writing, of the reasons for the removal;
- An explanation of the basis for the removal; and
- An opportunity to respond to the reasons for the removal.

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

Consideration of Mitigating Factors

In deciding whether to place a student in a DAEP, regardless of whether the action is mandatory or discretionary, the CBC shall take into consideration:

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,

Disciplinary Alternative Education Program (DAEP) Placement

5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student's status as homeless.

Placement Order

After the conference, if the student is placed in a DAEP, the CBC shall write a placement order. A copy of the DAEP placement order and information for the parent or person standing in parental relation to the student regarding the process for requesting a full individual and initial evaluation of the student for purposes of special education services shall be sent to the student and the student's parent.

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

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

DAEP at Capacity

If a DAEP is at capacity at the time the CBC is deciding placement for conduct related to marijuana, THC, an e-cigarette, alcohol, or an abusable volatile chemical, the student shall be placed in ISS then transferred to a DAEP for the remainder of the period if space becomes available before the expiration of the period of the placement.

If a DAEP is at capacity at the time the CBC is deciding placement for a student who engaged in violent conduct, a student placed in a DAEP for conduct related to marijuana, THC, an e-cigarette, alcohol, or an abusable volatile chemical may be placed in ISS to make a position in the DAEP available for the student who engaged in violent conduct. If a position becomes available in a DAEP before the expiration of the period of the placement for the student removed, the student shall be returned to a DAEP for the remainder of the period.

Coursework Notice

The parent or guardian of a student placed in DAEP shall be given written notice of the student's opportunity to complete, at no cost to the student, a foundation curriculum course in which the student was enrolled at the time of removal and which is required for graduation. The notice shall include information regarding all methods available for completing the coursework.

Length of Placement

The CBC shall determine the duration of a student's placement in a DAEP.

The duration of a student's placement shall be determined case by case based on the seriousness of the offense, the student's age and grade level, the frequency of misconduct, the student's attitude, and statutory requirements.

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

Unless otherwise specified in the placement order, days absent from a DAEP shall not count toward fulfilling the total number of days required in a student's DAEP placement order.

Disciplinary Alternative Education Program (DAEP) Placement

The district shall administer the required pre- and post-assessments for students assigned to DAEP for a period of 90 days or longer in accordance with established district administrative procedures for administering other diagnostic or benchmark assessments.

Exceeds One Year

Placement in a DAEP may exceed one year when a review by the district determines that the student is a threat to the safety of other students or to district employees.

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

Exceeds School Year

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

For placement in a DAEP to extend beyond the end of the school year, the CBC or the board's designee must determine that:

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

Exceeds 60 Days

For placement in a DAEP to extend beyond 60 days or the end of the next grading period, whichever is sooner, a student's parent shall be given notice and the opportunity to participate in a proceeding before the board or the board's designee.

Appeals

Questions from parents regarding disciplinary measures should be addressed to the campus administration.

Student or parent appeals regarding a student's placement in a DAEP should be addressed in accordance with policy FNG(LOCAL). A copy of this policy may be obtained from the principal's office, the CBC's office, the central administration office, or through Policy Online® at the following address: www.canutillo-isd.org

Appeals shall begin at Level One with the campus principal or CBC. Level Two appeals will be directed to Student Support Services Executive Director or the Associate Superintendent's office. If the student or parent did not receive the response requested at Level Two or if the time for a response has expired, the student or parent may appeal the decision to the Board at a Level Three.

The district shall not delay disciplinary consequences pending the outcome of an appeal. The decision to place a student in a DAEP cannot be appealed beyond the board.

Disciplinary Alternative Education Program (DAEP) Placement

Restrictions During Placement

The district does not permit a student who is placed in a DAEP to participate in any school-sponsored or school-related extracurricular or cocurricular activity, including seeking or holding honorary positions and/or membership in school-sponsored clubs and organizations.

A student placed in a DAEP shall not be provided transportation unless he or she is a student with a disability who is entitled to transportation in accordance with the student's IEP or Section 504 plan.

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

Placement Review

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

Additional Misconduct

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

Notice of Criminal Proceedings

When a student is placed in a DAEP for certain offenses, the office of the prosecuting attorney shall notify the district if:

1. Prosecution of a student's case was refused for lack of prosecutorial merit or insufficient evidence, and no formal proceedings, deferred adjudication (see **glossary**), or deferred prosecution will be initiated, or
2. The court or jury found a student not guilty or made a finding that the student did not engage in delinquent conduct or conduct indicating a need for supervision, and the case was dismissed with prejudice.

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

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

Disciplinary Alternative Education Program (DAEP) Placement

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

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

Withdrawal During Process

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

Newly Enrolled Students

The district shall decide on a case-by-case basis whether to continue the placement of a student who enrolls in the district and was assigned to a DAEP in an open-enrollment charter school or another district including a district in another state. The district may place the student in the district's DAEP or a regular classroom setting.

When a student enrolls in the district with a DAEP placement from a district in another state, the district has the right to place the student in DAEP to the same extent as any other newly enrolled student if the behavior committed is a reason for DAEP placement in the receiving district.

State law requires the district to reduce a placement imposed by a district in another state that exceeds one year so that the total placement does not exceed one year. After a review, however, the placement may be extended beyond a year if the district determines that the student is a threat to the safety of other students or employees or the extended placement is in the best interest of the student.

Emergency Placement Procedure

When an emergency placement is necessary because the student's behavior is so unruly, disruptive, or abusive that it seriously interferes with classroom or school operations, the student shall be given oral notice of the reason for the action. Not later than the tenth day after the date of the placement, the student shall be given the appropriate conference required for assignment to a DAEP.

Transition Services

In accordance with law and district procedures, campus staff shall provide transition services to a student returning to the regular classroom from an alternative education program, including a DAEP. See policy FOCA(LEGAL) for more information.

Placement and/or Expulsion for Certain Offenses

This section includes two categories of offenses for which the Education Code provides unique procedures and specific consequences.

Registered Sex Offenders

Upon receiving notification in accordance with state law that a student is currently required to register as a sex offender, the district must remove the student from the regular classroom and determine appropriate placement unless the court orders JJAEP placement.

If the student is under any form of court supervision, including probation, community supervision, or parole, the student shall be placed in either DAEP or JJAEP for at least one semester.

If the student is not under any form of court supervision, the student may be placed in DAEP or JJAEP for one semester or placed in a regular classroom. The student may not be placed in the regular classroom if the board or its designee determines that the student's presence:

1. Threatens the safety of other students or teachers,
2. Will be detrimental to the educational process, or
3. Is not in the best interests of the district's students.

Review Committee

At the end of the first semester of a student's placement in an alternative educational setting and before the beginning of each school year for which the student remains in an alternative placement, the district shall convene a committee, in accordance with state law, to review the student's placement. The committee shall recommend whether the student should return to the regular classroom or remain in the placement. Absent a special finding, the board or its designee must follow the committee's recommendation.

The placement review of a student with a disability who receives special education services must be made by the ARD committee.

Newly Enrolled Students

If a student enrolls in the district during a mandatory placement as a registered sex offender, the district may count any time already spent by the student in a placement or may require an additional semester in an alternative placement without conducting a review of the placement.

Appeal

A student or the student's parent may appeal the placement by requesting a conference between the board or its designee, the student, and the student's parent. The conference is limited to the factual question of whether the student is required to register as a sex offender. Any decision of the board or its designee under this section is final and may not be appealed.

Certain Felonies

Regardless of whether DAEP placement or expulsion is required or permitted by one of the reasons in the DAEP Placement or Expulsion sections, in accordance with Education Code 37.0081, a student may be expelled and placed in either DAEP or JJAEP if the board or CBC makes certain findings and the following circumstances exist in relation to aggravated robbery or a felony offense under Title 5 (see **glossary**) of the Penal Code. The student must have:

Placement and/or Expulsion for Certain Offenses

- Received deferred prosecution for conduct defined as aggravated robbery or a Title 5 felony offense;
- Been found by a court or jury to have engaged in delinquent conduct for conduct defined as aggravated robbery or a Title 5 felony offense;
- Been charged with engaging in conduct defined as aggravated robbery or a Title 5 felony offense;
- Been referred to a juvenile court for allegedly engaging in delinquent conduct for conduct defined as aggravated robbery or a Title 5 felony offense; or
- Received probation or deferred adjudication or have been arrested for, charged with, or convicted of aggravated robbery or a Title 5 felony offense.

The district may expel the student and order placement under these circumstances regardless of:

1. The date on which the student's conduct occurred,
2. The location at which the conduct occurred,
3. Whether the conduct occurred while the student was enrolled in the district, or
4. Whether the student has successfully completed any court disposition requirements imposed in connection with the conduct.

Hearing and Required Findings

The student must first have a hearing before the board or its designee, who must determine that in addition to the circumstances above that allow for the expulsion, the student's presence in the regular classroom:

1. Threatens the safety of other students or teachers,
2. Will be detrimental to the educational process, or
3. Is not in the best interest of the district's students.

Any decision of the board or the board's designee under this section is final and may not be appealed.

Length of Placement

The student is subject to the placement until:

1. The student graduates from high school,
2. The charges are dismissed or reduced to a misdemeanor offense, or
3. The student completes the term of the placement or is assigned to another program.

Placement Review

A student placed in a DAEP or JJAEP under this section is entitled to a review of his or her status, including academic status, by the CBC or board's designee at intervals not to exceed 120 days. In the case of a high school student, the student's progress toward graduation and the student's graduation plan shall also be reviewed. At the review, the student or the student's parent shall have the opportunity to present arguments for the student's return to the regular classroom or campus.

Placement and/or Expulsion for Certain Offenses

Newly Enrolled Students

A student who enrolls in the district before completing a placement under this section from another school district must complete the term of the placement.

Expulsion

In deciding whether to order expulsion, regardless of whether the action is mandatory or discretionary, the CBC shall take into consideration:

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student's status as homeless.

Discretionary Expulsion: Misconduct That May Result in Expulsion

Some of the following types of misconduct may result in mandatory placement in a DAEP, whether or not a student is expelled. (See **DAEP Placement** on page 17.)

Any Location

A student **may** be expelled for:

- Engaging in bullying that encourages a student to commit or attempt to commit suicide.
- Inciting violence against a student through group bullying.
- Releasing or threatening to release intimate visual material of a minor or of a student who is 18 years of age or older without the student's consent.
- Conduct that contains the elements of assault under Penal Code 22.01(a)(1) in retaliation against a school employee or volunteer.
- Criminal mischief, if punishable as a felony.
- Engaging in conduct that contains the elements of one of the following offenses against another student:
 - Aggravated assault.
 - Sexual assault.
 - Aggravated sexual assault.
 - Murder.
 - Capital murder.
 - Criminal attempt to commit murder or capital murder.
 - Aggravated robbery.
- Breach of computer security. (See **glossary**.)
- Engaging in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school.

At School, Within 300 Feet, or at a School Event

A student **may** be expelled for committing any of the following offenses on or within 300 feet of school property, as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:

- Selling, giving, or delivering to another person, or possessing, using, or being under the influence of any amount of marijuana, a controlled substance, or a dangerous drug, A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision. (See **glossary** for “under the influence.”)
- Selling, giving, or delivering another person, or possessing, using, or being under the influence of alcohol; or committing a serious act or offense while under the influence of alcohol.
- Engaging in conduct that contains the elements of an offense relating to abusable volatile chemicals.
- Engaging in conduct that contains the elements of assault under Penal Code 22.01(a)(1) against an employee or a volunteer.
- Engaging in deadly conduct. (See **glossary**.)

Within 300 Feet of School

A student **may** be expelled for engaging in the following conduct while within 300 feet of school property, as measured from any point on the school's real property boundary line:

- Aggravated assault, sexual assault, or aggravated sexual assault.
- Arson. (See **glossary**.)
- Murder, capital murder, or criminal attempt to commit murder or capital murder.
- Indecency with a child.
- Aggravated kidnapping.
- Manslaughter.
- Criminally negligent homicide.
- Aggravated robbery.
- Continuous sexual abuse of a young child or disabled individual.
- Felony controlled substance or dangerous drug offenses, not including THC.
- Unlawfully carrying on or about the student's person a handgun or a location-restricted knife, as these terms are defined by state law. (See **glossary**.)
- Possessing, manufacturing, transporting, repairing, or selling a prohibited weapon, as defined by state law. (See **glossary**.)
- Possession of a firearm, as defined by federal law. (See **glossary**.)

Property of Another District

A student **may** be expelled for committing any offense that is a state-mandated expellable offense if the offense is committed on the property of another district in Texas or while the

student is attending a school-sponsored or school-related activity of a school in another district in Texas.

While in a DAEP

A student may be expelled for engaging in documented serious misbehavior that violates the district's Code of Conduct, despite documented behavioral interventions while placed in a DAEP. For purposes of discretionary expulsion from a DAEP, serious misbehavior means:

1. Deliberate violent behavior that poses a direct threat to the health or safety of others;
2. Extortion, meaning the gaining of money or other property by force or threat;
3. Conduct that constitutes coercion, as defined by Penal Code 1.07; or
4. Conduct that constitutes the offense of:
 - a. Public lewdness under Penal Code 21.07;
 - b. Indecent exposure under Penal Code 21.08;
 - c. Criminal mischief under Penal Code 28.03;
 - d. Hazing under Education Code 37.152; or
 - e. Harassment under Penal Code 42.07(a)(1) of a student or district employee.

Mandatory Expulsion: Misconduct That Requires Expulsion

A student **must** be expelled under federal or state law for any of the following offenses that occur on school property or while attending a school-sponsored or school-related activity on or off school property:

Under Federal Law

- Bringing to school or possessing at school, including any setting that is under the district's control or supervision for the purpose of a school activity, a firearm, as defined by federal law. (See **glossary**.)

Note: Mandatory expulsion under the federal Gun Free Schools Act does not apply to a firearm that is lawfully stored inside a locked vehicle or to firearms used in activities approved and authorized by the district when the district has adopted appropriate safeguards to ensure student safety.

Under the Penal Code

- Unlawfully carrying on or about the student's person the following, in the manner prohibited by Penal Code 46.02:
 - A handgun, defined by state law as any firearm designed, made, or adapted to be used with one hand. (See **glossary**.) *Note:* A student may not be expelled solely on the basis of the student's use, exhibition, or possession of a firearm that occurs at an approved target range facility that is not located on a school campus; while participating in or preparing for a school-sponsored, shooting sports competition or a shooting sports educational activity that is sponsored or supported by the Parks and Wildlife Department; or a shooting sports sanctioning organization working with the department. [See policy FNCG(LEGAL).]
 - A location-restricted knife, as defined by state law. (See **glossary**.)

- Possessing, manufacturing, transporting, repairing, or selling a prohibited weapon, as defined in state law. (See **glossary**.)
- Behaving in a manner that contains elements of the following offenses under the Penal Code:
 - Aggravated assault, sexual assault, or aggravated sexual assault.
 - Arson. (See **glossary**.)
 - Murder, capital murder, or criminal attempt to commit murder or capital murder.
 - Indecency with a child.
 - Aggravated kidnapping.
 - Aggravated robbery.
 - Manslaughter.
 - Criminally negligent homicide.
 - Continuous sexual abuse of a young child or disabled individual.
 - Behavior punishable as a felony that involves selling, giving, or delivering to another person or possessing, using, or being under the influence of a controlled substance or a dangerous drug.
- Engaging in retaliation against a school employee or volunteer combined with one of the above-listed mandatory expulsion offenses.

Under Age Ten

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

Process

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

Until a hearing can be held, the CBC or other administrator may place the student in:

- Another appropriate classroom.
- ISS.
- Out-of-school suspension.
- DAEP.

Hearing

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

1. Representation by the student's parent or another adult who can provide guidance to the student and who is not an employee of the district,

2. An opportunity to testify and to present evidence and witnesses in the student's defense, and
3. An opportunity to question the witnesses called by the district at the hearing.

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

The board of trustees delegates to the Superintendent's designee the authority to conduct hearings and expel students.

Board Review of Expulsion

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

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

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

Expulsion Order

Before ordering the expulsion, the board or CBC shall take into consideration:

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student's status as homeless.

If the student is expelled, the board or its designee shall deliver to the student and the student's parent a copy of the order expelling the student.

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

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

Length of Expulsion

The length of an expulsion shall be based on the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, and statutory requirements.

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

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

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

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

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

Withdrawal During Process

When a student's conduct requires or permits expulsion from the district and the student withdraws from the district before the expulsion hearing takes place, the district may conduct the hearing after sending written notice to the parent and student.

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

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

Additional Misconduct

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

Restrictions During Expulsion

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

No district academic credit shall be earned for work missed during the period of expulsion unless the student is enrolled in a JJAEP or another district-approved program.

Newly Enrolled Students

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

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

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

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

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

Emergency Expulsion Procedures

When an emergency expulsion is necessary to protect persons or property from imminent harm, the student shall be given verbal notice of the reason for the action. Within ten days after the date of the emergency expulsion, the student shall be given appropriate due process required for a student facing expulsion.

DAEP Placement of Expelled Students

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

Transition Services

In accordance with law and district procedures, campus staff shall provide transition services for a student returning to the regular classroom from placement in an alternative education program, including a DAEP or JJAEP. See policies FOCA(LEGAL) and FODA(LEGAL) for more information.

Glossary

Abuse is improper or excessive use.

Aggravated robbery is defined in part by Penal Code 29.03(a) as when a person commits robbery and:

1. Causes serious bodily injury to another;
2. Uses or exhibits a deadly weapon; or
3. Causes bodily injury to another person or threatens or places another person in fear of imminent bodily injury or death, if the other person is:
 - a. 65 years of age or older, or
 - b. A disabled person.

Armor-piercing ammunition is defined by Penal Code 46.01 as handgun ammunition used in pistols and revolvers and designed primarily for the purpose of penetrating metal or body armor.

Arson is defined in part by Penal Code 28.02 as a crime that involves:

1. Starting a fire or causing an explosion with intent to destroy or damage:
 - a. Any vegetation, fence, or structure on open-space land; or
 - b. Any building, habitation, or vehicle:
 - (1) Knowing that it is within the limits of an incorporated city or town,
 - (2) Knowing that it is insured against damage or destruction,
 - (3) Knowing that it is subject to a mortgage or other security interest,
 - (4) Knowing that it is located on property belonging to another,
 - (5) Knowing that it has located within it property belonging to another, or
 - (6) When the person starting the fire is reckless about whether the burning or explosion will endanger the life of some individual or the safety of the property of another.
2. Recklessly starting a fire or causing an explosion while manufacturing or attempting to manufacture a controlled substance if the fire or explosion damages any building, habitation, or vehicle; or
3. Intentionally starting a fire or causing an explosion and in so doing:
 - a. Recklessly damaging or destroying a building belonging to another, or
 - b. Recklessly causing another person to suffer bodily injury or death.

Assault is defined in part by Penal Code 22.01 as intentionally, knowingly, or recklessly causing bodily injury to another; intentionally or knowingly threatening another with imminent bodily injury; or intentionally or knowingly causing physical contact with another that can reasonably be regarded as offensive or provocative.

Breach of computer security includes knowingly accessing a computer, computer network, or computer system without the effective consent of the owner as defined in Penal Code 33.02, if the conduct involves accessing a computer, computer network, or computer system owned by or operated on behalf of a school district and the student knowingly alters, damages, or deletes

school district property or information or commits a breach of any other computer, computer network, or computer system.

Bullying is defined as a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that:

1. Has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or damage to the student's property;
2. Is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student;
3. Materially and substantially disrupts the educational process or the orderly operation of a classroom or school; or
4. Infringes on the rights of the victim at school.

Bullying includes cyberbullying. (See below.) This state law on bullying prevention applies to:

1. Bullying that occurs on or is delivered to school property or to the site of a school-sponsored or school-related activity on or off school property;
2. Bullying that occurs on a publicly or privately owned school bus or vehicle being used for transportation of students to or from school or a school-sponsored or school-related activity; and
3. Cyberbullying that occurs off school property or outside of a school-sponsored or school-related activity if the cyberbullying interferes with a student's educational opportunities or substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity.

Chemical dispensing device is defined by Penal Code 46.01 as a device designed, made, or adapted for the purpose of dispensing a substance capable of causing an adverse psychological or physiological effect on a human being. A small chemical dispenser sold commercially for personal protection is not in this category.

Club is defined by Penal Code 46.01 as an instrument, specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with the instrument, and includes but is not limited to a blackjack, nightstick, mace, and tomahawk.

Controlled substance means a substance, including a drug, an adulterant, and a dilutant, listed in Schedules I through V or Penalty Group 1, 1-A, 1-B, 2, 2-A, 3, or 4 of the Texas Controlled Substances Act. The term includes the aggregate weight of any mixture, solution, or other substance containing a controlled substance. The term does not include hemp, as defined by Agriculture Code 121.001, or the tetrahydrocannabinols (THC) in hemp.

Criminal street gang is defined by Penal Code 71.01 as three or more persons having a common identifying sign or symbol or an identifiable leadership who continuously or regularly associate in the commission of criminal activities.

Cyberbullying is defined by Education Code 37.0832 as bullying that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an internet website, or any other internet-based communication tool.

Dangerous drug is defined by Health and Safety Code 483.001 as a device or a drug that is unsafe for self-medication and that is not included in Schedules I through V or Penalty Groups 1 through 4 of the Texas Controlled Substances Act. The term includes a device or drug that federal law prohibits dispensing without prescription or restricts to use by or on the order of a licensed veterinarian.

Dating violence occurs when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control another person in the relationship. Dating violence also occurs when a person commits these acts against a person in a marriage or dating relationship with the individual who is or was once in a marriage or dating relationship with the person committing the offense, as defined by Section 71.0021 of the Family Code.

Deadly conduct under Penal Code 22.05 occurs when a person recklessly engages in conduct that places another in imminent danger of serious bodily injury, such as knowingly discharging a firearm in the direction of an individual, habitation, building, or vehicle.

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

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

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

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

E-cigarette means an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device or a consumable liquid solution or other material aerosolized or vaporized during the use of an electronic cigarette or other device described by this provision. The term includes any device that is manufactured, distributed, or sold as an e-cigarette, e-cigar, or e-pipe or under another product name or description and a component, part, or accessory for the device, regardless of whether the component, part, or accessory is sold separately from the device.

Explosive weapon is defined by Penal Code 46.01 as any explosive or incendiary bomb, grenade, rocket, or mine and its delivery mechanism that is designed, made, or adapted for the purpose of inflicting serious bodily injury, death, or substantial property damage, or for the principal purpose of causing such a loud report as to cause undue public alarm or terror.

False alarm or report under Penal Code 42.06 occurs when a person knowingly initiates, communicates, or circulates a report of a present, past, or future bombing, fire, offense, or other emergency that he or she knows is false or baseless and that would ordinarily:

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

Firearm is defined by federal law (18 U.S.C. 921(a)) as:

1. Any weapon (including a starter gun) that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive;
2. The frame or receiver of any such weapon;
3. Any firearm muffler or firearm silencer, defined as any device for silencing, muffling, or diminishing the report of a portable [firearm](#); or
4. Any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade.

Such term does not include an antique firearm.

Graffiti includes markings with paint, an indelible pen or marker, or an etching or engraving device on tangible property without the effective consent of the owner. The markings may include inscriptions, slogans, drawings, or paintings.

Handgun is defined by Penal Code 46.01 as any firearm that is designed, made, or adapted to be fired with one hand.

Harassment includes:

1. Conduct that meets the definition established in district policies DIA(LOCAL) and FFH(LOCAL);
2. Conduct that threatens to cause harm or bodily injury to another person, including a district student, employee, board member, or volunteer; is sexually intimidating; causes physical damage to the property of another student; subjects another student to physical confinement or restraint; or maliciously and substantially harms another student's physical or emotional health or safety, as defined in Education Code 37.001(b)(2); or
3. Conduct that is punishable as a crime under Penal Code 42.07, including the following types of conduct if carried out with the intent to harass, annoy, alarm, abuse, torment, or embarrass another:
 - a. Initiating communication and, in the course of the communication, making a comment, request, suggestion, or proposal that is obscene, as defined by law;
 - b. Threatening, in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the person, a member of the person's family or household, or the person's property;
 - c. Conveying, in a manner reasonably likely to alarm the person receiving the report, a false report, which is known by the conveyor to be false, that another person has suffered death or serious bodily injury;
 - d. Causing the telephone of another to ring repeatedly or making repeated telephone communications anonymously or in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another;
 - e. Making a telephone call and intentionally failing to hang up or disengage the connection;
 - f. Knowingly permitting a telephone under the person's control to be used by another to commit an offense under this section;
 - g. Sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another;

- h. Publishing on an internet website, including a social media platform, repeated electronic communications in a manner reasonably likely to cause emotional distress, abuse, or torment to another person, unless the communications are made in connection with a matter of public concern, as defined by law; or
- i. Making obscene, intimidating, or threatening telephone calls or other electronic communications from a temporary or disposable telephone number provided by an internet application or other technological means.

Hazing is defined by Education Code 37.151 as an intentional, knowing, or reckless act, on or off campus, by one person alone or acting with others, directed against a student for the purpose of pledging, initiation into, affiliation with, holding office in, or maintaining membership in a student organization if the act meets the elements in Education Code 37.151, including:

1. Any type of physical brutality;
2. An activity that subjects the student to an unreasonable risk of harm or that adversely affects the student's mental or physical health, such as sleep deprivation, exposure to the elements, confinement to small spaces, calisthenics, or consumption of food, liquids, drugs, or other substances;
3. An activity that induces, causes, or requires the student to perform a duty or task that violates the Penal Code; or
4. Coercing a student to consume a drug or alcoholic beverage in an amount that would lead a reasonable person to believe the student is intoxicated. **Hit list** is defined in Education Code 37.001(b)(3) as a list of people targeted to be harmed, using a firearm, a knife, or any other object to be used with intent to cause bodily harm.

Improvised explosive device is defined by Penal Code 46.01 as a completed and operational bomb designed to cause serious bodily injury, death, or substantial property damage that is fabricated in an improvised manner using nonmilitary components.

Indecent exposure is defined by Penal Code 21.08 as an offense that occurs when a person exposes the person's anus or any part of the person's genitals with intent to arouse or gratify the sexual desire of any person and is reckless about whether another is present who will be offended or alarmed by the act.

Intimate visual material is defined by Civil Practices and Remedies Code 98B.001 and Penal Code 21.16 as visual material that depicts a person with the person's intimate parts exposed or engaged in sexual conduct. "Visual material" means any film, photograph, video tape, negative, or slide of any photographic reproduction or any other physical medium that allows an image to be displayed on a computer or other video screen and any image transmitted to a computer or other video screen.

Location-restricted knife is defined by Penal Code 46.01 as a knife with a blade over five and one-half inches.

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

Look-alike weapon means an item that resembles a weapon but is not intended to be used to cause serious bodily injury.

Machine gun as defined by Penal Code 46.01 is any firearm that is capable of shooting more than two shots automatically, without manual reloading, by a single function of the trigger.

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

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

Possession means to have an item on one's person or in one's personal property, including, but not limited to:

1. Clothing, purse, or backpack;
2. A private vehicle used for transportation to or from school or school-related activities, including, but not limited to, an automobile, truck, motorcycle, or bicycle;
3. Telecommunications or electronic devices; or
4. Any school property used by the student, including, but not limited to, a locker or desk.

Prohibited weapon under Penal Code 46.05(a) means:

1. The following items, unless registered with the U.S. Bureau of Alcohol, Tobacco, Firearms, and Explosives or otherwise not subject to that registration requirement or unless the item is classified as a curio or relic by the U.S. Department of Justice: An explosive weapon;
 - a. A machine gun;
 - b. A short-barrel firearm;
2. Armor-piercing ammunition;
3. A chemical dispensing device;
4. A zip gun;
5. A tire deflation device; or
6. An improvised explosive device.

Public Lewdness is defined by Penal Code 21.07 as an offense that occurs when a person knowingly engages in an act of sexual intercourse, deviate sexual intercourse, or sexual contact in a public place or, if not in a public place, when the person is reckless about whether another is present who will be offended or alarmed by the act.

Public school fraternity, sorority, secret society, or gang means an organization composed wholly or in part of students that seeks to perpetuate itself by taking additional members from the students enrolled in school based on a decision of its membership rather than on the free choice of a qualified student. Educational organizations listed in Education Code 37.121(d) are excepted from this definition.

Reasonable belief is that which an ordinary person of average intelligence and sound mind would believe. Chapter 37 requires certain disciplinary decisions when the superintendent or designee has a reasonable belief that a student engaged in conduct punishable as a felony offense. In forming such a reasonable belief, the superintendent or designee may use all available information and must consider the information furnished in the notice of a student's arrest under Code of Criminal Procedure Article 15.27.

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

Serious misbehavior means:

1. Deliberate violent behavior that poses a direct threat to the health or safety of others;
2. Extortion, meaning the gaining of money or other property by force or threat;
3. Conduct that constitutes coercion, as defined by Section 1.07, Penal Code; or
4. Conduct that constitutes the offense of:
 - a. Public lewdness under Penal Code 21.07;
 - b. Indecent exposure under Penal Code 21.08;
 - c. Criminal mischief under Penal Code 28.03;
 - d. Hazing under Education Code 37.152; or
 - e. Harassment under Penal Code 42.07(a)(1) of a student or district employee.

Serious or persistent misbehavior includes, but is not limited to:

- Behavior that is grounds for permissible expulsion or mandatory DAEP placement.
- Behavior identified by the district as grounds for discretionary DAEP placement.
- Actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Refusal to attempt or complete schoolwork as assigned.
- Insubordination.
- Profanity, vulgar language, or obscene gestures.
- Leaving school grounds without permission.
- Falsification of records, passes, or other school-related documents.
- Refusal to accept discipline assigned by the teacher or principal.

Short-barrel firearm is defined by Penal Code 46.01 as a rifle with a barrel length of less than 16 inches or a shotgun with a barrel length of less than 18 inches, or any weapon made from a rifle or shotgun that, as altered, has an overall length of less than 26 inches.

Terroristic threat is defined by Penal Code 22.07 as a threat of violence to any person or property with intent to:

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

Tire deflation device is defined in part by Penal Code 46.01 as a device, including a caltrop or spike strip, that, when driven over, impedes or stops the movement of a wheeled vehicle by puncturing one or more of the vehicle's tires.

Title 5 felonies are those crimes listed in Title 5 of the Penal Code that typically involve injury to a person and may include:

- Murder, manslaughter, or homicide under Sections 19.02–.05;
- Kidnapping under Section 20.03;
- Trafficking of persons under Section 20A.02;
- Smuggling or continuous smuggling of persons under Sections 20.05–.06;
- Assault under Section 22.01;
- Aggravated assault under Section 22.02;
- Sexual assault under Section 22.011;
- Aggravated sexual assault under Section 22.021;
- Unlawful restraint under Section 20.02;
- Continuous sexual abuse of a young child or disabled individual under Section 21.02;
- Bestiality under Section 21.09;
- Improper relationship between educator and student under Section 21.12;
- Voyeurism under Section 21.17;
- Indecency with a child under Section 21.11;
- Invasive visual recording under Section 21.15;
- Disclosure or promotion of intimate visual material under Section 21.16;
- Sexual coercion under Section 21.18;
- Injury to a child, an elderly person, or a disabled person of any age under Section 22.04;
- Abandoning or endangering a child under Section 22.041;
- Deadly conduct under Section 22.05;
- Terroristic threat under Section 22.07;
- Aiding a person to commit suicide under Section 22.08; and
- Tampering with a consumer product under Section 22.09.

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

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

Zip gun is defined by Penal Code 46.01 as a device or combination of devices that was not originally a firearm and is adapted to expel a projectile through a smooth-bore or rifled-bore barrel by using the energy generated by an explosion or burning substance.

#BestSmallDistrictinTexas



2024-2025 CÓDIGO DE CONDUCTA ESTUDIANTIL

7965 Artcraft | El Paso, TX 79932
915.877.7400 | www.canutillo-isd.org
Follow us on:   



Si Ud. tiene dificultad acceder la información en este documento a causa de discapacidad, favor de contactar la Oficina de Información Pública al (915) 877-7401.



Armando Rodriguez
President



Lucy Borrego
Vice President



Cindy Zuñiga
Secretary



Breanne Barnes
Trustee



Patricia Mendoza
Trustee



Bobby Simental
Trustee



Blanca Trout
Trustee



Dr. Pedro Galaviz
Superintendent of Schools

Tabla de Contenidos

Código de Conducta Estudiantil del Distrito Escolar Independiente de Canutillo.....	iii
Código de Conducta Estudiantil.....	1
Accesibilidad	1
Propósito	1
Autoridad y jurisdicción del distrito escolar.....	2
Coordinador de conducta del campus	2
Equipo escolar de evaluación de amenazas y de seguridad y apoyo	2
Registros	2
Denuncia de delitos	3
Personal de seguridad.....	3
Definición de “padre”	3
Participación en actividades de graduación	3
Personas no autorizadas	4
Estándares de conducta estudiantil.....	5
Infracciones generales de conducta	6
Desobediencia a la autoridad	6
Maltrato a otras personas	6
Infracciones a la propiedad.....	7
Posesión de artículos prohibidos	7
Posesión de dispositivos de telecomunicaciones u otros dispositivos electrónicos	8
Drogas ilegales, medicamentos recetados y de venta libre	8
Mal uso de recursos de tecnología e internet	8
Transgresiones de seguridad	9
Infracciones varias.....	9
Técnicas de administración disciplinaria	11
Estudiantes con discapacidades.....	11
Técnicas	11
Técnicas aversivas prohibidas.....	12
Notificación.....	13
Apelaciones.....	13
Remoción del autobús escolar	14
Remoción del entorno educativo regular.....	15
Derivación de rutina.....	15
Remoción formal	15
Regresar a un estudiante al salón de clase	15
Suspensión fuera de la escuela.....	17

Mala conducta	17
Proceso	17
Trabajo de clase durante la suspensión.....	18
Asignación al Programa Disciplinario de Educación Alternativa (DAEP).....	19
Asignación discrecional: Mala conducta que puede dar como resultado la asignación a un DAEP	19
Asignación obligatoria: Mala conducta que requiere asignación a un DAEP....	20
Agresión sexual y asignaciones de campus	21
Proceso	21
Duración de una asignación	23
Apelaciones.....	23
Restricciones durante la asignación	24
Revisión de asignación.....	24
Mala conducta adicional	24
Aviso de actuaciones penales	24
Baja durante el proceso.....	25
Estudiantes recién matriculados	25
Procedimiento de asignación de emergencia	26
Servicios de transición.....	26
Asignación y/o expulsión por ciertas infracciones	27
Delincuentes sexuales registrados	27
Determinados delitos mayores	28
Expulsión	30
Expulsión discrecional: Mala conducta que puede dar como resultado la expulsión	30
Expulsión obligatoria: Mala conducta que requiere expulsión	32
Menos de diez años	33
Proceso	33
Duración de la expulsión	35
Baja durante el proceso.....	35
Mala conducta adicional	35
Restricciones durante la expulsión	36
Estudiantes recién matriculados	36
Procedimientos de expulsión de emergencia.....	36
Asignación a un DAEP de estudiantes expulsados.....	36
Servicios de transición.....	36
Glosario	37

Código de Conducta Estudiantil del Distrito Escolar Independiente de Canutillo

Año escolar 2024-2025

Si tiene dificultad para acceder a la información de este documento debido a una discapacidad, comuníquese con pio@canutillo-isd.org o al (915) 877-7401.

Código de Conducta Estudiantil

Accesibilidad

Si tiene dificultad para acceder a la información en este documento debido a una discapacidad, comuníquese con pio@canutillo-isd.org o al (915) 877-7401.

Propósito

El Código de Conducta Estudiantil (“Código de Conducta”), como lo requiere el Capítulo 37 del Código de Educación de Texas, provee métodos y opciones para manejar la conducta de los estudiantes, prevenir e intervenir en los problemas de disciplina de los estudiantes e imponer disciplina.

La ley exige que el distrito defina la mala conducta que pueda, o deba, dar como resultado consecuencias disciplinarias específicas, incluida la remoción de un salón de clase regular o de la escuela, suspensión fuera de la escuela, asignación a un programa disciplinario de educación alternativa (DAEP), asignación en un programa de educación alternativa de la justicia juvenil (JJAEP), o expulsión de la escuela.

Este Código de Conducta ha sido adoptado por la Mesa Directiva del Distrito Escolar Independiente de Canutillo y desarrollado con el asesoramiento del comité de planificación y toma de decisiones a nivel del distrito. Provee información a padres y estudiantes referente a las normas de conducta, consecuencias de la mala conducta y procedimientos para administrar disciplina. Este Código de Conducta continúa en efecto durante la escuela de verano y en todos los eventos y actividades relacionados con la escuela fuera del año escolar hasta que la Mesa Directiva adopte una versión actualizada para el siguiente año escolar.

En conformidad con la ley estatal, el Código de Conducta se publicará en cada campus escolar o estará disponible para revisión en la oficina del director de la escuela. Adicionalmente, el Código de Conducta estará disponible en la oficina del coordinador de conducta del campus y se publicará en el sitio web del distrito. Bajo el Capítulo 37 del Código de Educación, se notificará a los padres sobre cualquier infracción de conducta que pueda dar como resultado la suspensión de un estudiante, asignación a un DAEP o JJAEP, expulsión o arresto por un oficial de la ley.

Dado que la Mesa Directiva escolar del distrito adoptó el Código de Conducta, éste tiene la fuerza del reglamento. En caso de que haya conflicto entre el Código de Conducta y el Manual para Estudiantes, el Código de Conducta prevalecerá.

Advierta que: La disciplina de los estudiantes discapacitados que reúnen los requisitos para recibir servicios bajo la ley federal (Ley de Educación de Estudiantes Discapacitados y la Sección 504 de la Ley de Rehabilitación de 1973) está sujeta a las disposiciones de esas leyes.

Autoridad y jurisdicción del distrito escolar

Las reglas de la escuela y la autoridad del distrito para administrar disciplina se aplican siempre que haya interés del distrito, dentro o fuera de la propiedad escolar, junto o independientemente de las clases y actividades patrocinadas por la escuela.

El distrito tiene autoridad disciplinaria sobre un estudiante:

1. Durante el día escolar regular;
2. Mientras el estudiante viaja en transporte del distrito;
3. Durante los periodos de almuerzo cuando un estudiante tenga permitido salir del campus;
4. En cualquier actividad relacionada con la escuela, sin importar la hora o el lugar;
5. Por cualquier mala conducta relacionada con la escuela, sin importar la hora o el lugar;
6. Cuando ocurra una represalia o amenaza en contra de un empleado de la escuela, miembro de la Mesa Directiva o voluntario, sin importar la hora o el lugar;
7. Cuando un estudiante participe en intimidación cibernética (acoso cibernético), como se define en el Código de Educación 37.0832;
8. Cuando se cometa mala conducta delictiva dentro o fuera de la propiedad escolar o en un evento relacionado con la escuela;
9. Por ciertas infracciones cometidas dentro de 300 pies desde la propiedad escolar según lo medido desde cualquier punto del límite del inmueble escolar;
10. Por ciertas infracciones cometidas en la propiedad escolar o mientras asiste a una actividad patrocinada por la escuela o relacionada con la escuela de otro distrito en Texas;
11. Cuando el estudiante cometa un delito mayor, de acuerdo al Código de Educación 37.006 o 37.0081; y
12. Cuando el estudiante deba registrarse como delincuente sexual.

Coordinador de conducta del campus

En conformidad con la ley, se debe designar a una persona en cada escuela que tenga la función de coordinador de conducta del campus (CBC). La persona designada puede ser el director del campus u otro administrador seleccionado por el director. El CBC es el principal responsable de mantener la disciplina de los estudiantes. El distrito publicará en su sitio web y en el Manual para Estudiantes, para cada campus, la dirección de correo electrónico y el número de teléfono de la persona que actúa como CBC. La información de contacto se encuentra en www.canutillo-isd.org

Equipo escolar de evaluación de amenazas y de seguridad y apoyo

El CBC u otro administrador adecuado trabajará estrechamente con el equipo escolar de evaluación de amenazas y de seguridad y apoyo del campus para implementar el reglamento y los procedimientos de evaluación de amenazas del distrito, según lo requerido por la ley, y tomará la medida disciplinaria adecuada en conformidad con el Código de Conducta.

Registros

Los oficiales del distrito pueden realizar registros de estudiantes, sus pertenencias y sus vehículos en conformidad con la ley estatal y federal y el reglamento del distrito. Los registros

Autoridad y jurisdicción del distrito escolar

de estudiantes serán realizados en una manera razonable y no discriminatoria. Para obtener más información sobre investigaciones y registros, ver los reglamentos del distrito en FNF(LEGAL) y FNF(LOCAL).

El distrito tiene el derecho de registrar un vehículo conducido a la escuela por un estudiante y estacionado en la propiedad escolar siempre que exista una sospecha razonable para creer que contiene artículos o materiales prohibidos por el distrito.

Los escritorios, los casilleros, la tecnología provista por el distrito y artículos similares son propiedad del distrito y se proveen para uso del estudiante a efectos de la comodidad. La propiedad del distrito está sujeta a registro o inspección en cualquier momento sin previo aviso.

Denuncia de delitos

El director de la escuela u otros administradores escolares, según corresponda, denunciarán delitos de acuerdo con lo que exige la ley y llamarán a la policía cuando un administrador sospeche que se ha cometido un crimen en el campus.

Personal de seguridad

La Mesa Directiva utiliza policías o personal de seguridad para garantizar la seguridad y protección de los estudiantes, el personal y la propiedad. En conformidad con la ley, la Mesa Directiva se ha puesto de acuerdo con el CBC y otros empleados del distrito para garantizar la asignación de funciones de orden público adecuadas a estas personas. Las disposiciones que abordan los diversos tipos de personal de seguridad se pueden encontrar en la serie de reglamentos CKE.

Las responsabilidades del personal de seguridad del distrito son: ayudar con la supervisión de los alumnos, del tráfico, seguridad y protección de cada campus, entrenamiento del personal y otras responsabilidades que están bajo el rango legal para el cumplimiento de la ley.

Definición de “padre”

En todo el Código de Conducta y reglamentos de disciplina relacionados, el término “padre” incluye padre, madre, tutor legal u otra persona que tiene control legal del menor.

Participación en actividades de graduación

El distrito tiene derecho de limitar la participación de un estudiante en actividades de graduación por violar el Código de Conducta del distrito.

La participación podría incluir una función de orador, de acuerdo a lo establecido por el reglamento y los procedimientos del distrito.

Los estudiantes que cumplen con los requisitos de elegibilidad para dar los comentarios de apertura y cierre en la graduación serán notificados por el director del campus. No obstante, cualquier otro requisito de elegibilidad, para ser considerado elegible, el estudiante no debe haber sido partícipe en ninguna mala conducta que dé como resultado haya obtenido una suspensión fuera de la escuela, la remoción a un DAEP o expulsión durante el semestre inmediatamente anterior a la graduación.

El valedictorian y el salutatorian también pueden tener la oportunidad de ser el orador en la graduación. Ningún estudiante será elegible para tener un rol de orador si participó en una mala conducta que resultó en una suspensión fuera de la escuela, la remoción a un DAEP o expulsión durante el semestre inmediatamente anterior a la graduación.

Autoridad y jurisdicción del distrito escolar

Personas no autorizadas

En conformidad con el Código de Educación 37.105, un administrador escolar, SRO, u oficial de policía del distrito tendrán autoridad de negar la entrada o sacar a una persona de la propiedad del distrito si la persona se niega a salir pacíficamente cuando se le pide y:

1. La persona plantea un riesgo sustancial de daño a alguna persona, o
2. La persona se comporta de una manera inapropiada para el entorno escolar y continúa con dicha conducta después de que se le ha advertido verbalmente que la conducta es inapropiada y puede ocasionar que se le deniegue la entrada o que se le pida que se retire.

En conformidad con los reglamentos FNG(LOCAL) o GF(LOCAL), se pueden presentar apelaciones referentes a la negativa de entrada o peticiones de abandonar la propiedad escolar, según corresponda. Sin embargo, los plazos para los procedimientos de queja del distrito serán ajustados según sea necesario para permitirle a la persona dirigirse a la Mesa Directiva en persona dentro de los 90 días calendario, a menos que la queja se resuelva antes de una audiencia con la Mesa Directiva.

Ver DAEP – Restricciones durante la asignación en la página 24, para obtener información referente a un estudiante asignado a un DAEP al momento de la graduación.

Estándares de conducta estudiantil

Se espera que cada estudiante:

- Demuestre cortesía, incluso cuando otros no la demuestran.
- Se comporte de una manera responsable.
- Ejercer autodisciplina.
- Asista a todas las clases, con regularidad y puntualmente.
- Permanecer en la escuela asignada durante todo el día de instrucción. No se permite el traspaso de alumnos a otras escuelas.
- Lleve los materiales adecuados y las tareas a clase.
- Cumpla las normas de aseo y vestimenta del distrito y de la escuela.
- Obedezca todas las reglas de la escuela y del salón de clase.
- Respete los derechos y privilegios de los estudiantes, maestros y otro personal y voluntarios del distrito.
- Respete las pertenencias de los demás, incluida la propiedad e instalaciones del distrito.
- Coopere y asista al personal de la escuela para mantener la seguridad, el orden y la disciplina.
- Cumpla con los requisitos del Código de Conducta Estudiantil.

Infracciones generales de conducta

Las categorías de conducta a continuación están prohibidas en la escuela, en vehículos que sean propiedad del distrito u operados por el distrito, y en todas las actividades relacionadas con la escuela, pero la lista no incluye las infracciones más graves. En las secciones subsiguientes de **Suspensión fuera de la escuela** en la página 17, **Asignación a un DAEP** en la página 19, **Asignación y/o expulsión por ciertas infracciones** en la página 27, y **Expulsión** en la página 30, se incluyen esas infracciones que requieren o permiten consecuencias específicas. Sin embargo, cualquier infracción puede ser lo suficientemente grave para dar como resultado la **Remoción del entorno educativo regular** según se detalla en la página 15.

Desobediencia a la autoridad

Los estudiantes no deben:

- Incumplir las instrucciones dadas por el personal de la escuela.
- Abandonar el terreno escolar ni los eventos patrocinados por la escuela sin autorización.
- Desobedecer las reglas de conducta en los vehículos del distrito.
- Negarse a aceptar la disciplina o consecuencia asignada por un maestro o director.

Maltrato a otras personas

Los estudiantes no deben:

- Usar lenguaje profano o vulgar ni hacer gestos obscenos.
- Pelearse o reñir. (Para agresiones, ver **Asignación a un DAEP y/o expulsión por ciertas infracciones** en la página 27).
- Amenazar a un estudiante, empleado o voluntario del distrito, incluso fuera de la propiedad escolar, si la conducta da como resultado una interrupción considerable al entorno educativo.
- Participar en intimidación escolar (acoso), intimidación cibernética (acoso cibernético), acoso o hacer listas negras. (Ver los cuatro términos en el **glosario**).
- Publicar o amenazar con publicar material visual íntimo de un menor o de un estudiante de 18 años de edad o mayor sin el consentimiento del estudiante.
- Participar en acoso sexual o acoso basado en género, o abuso sexual, ya sea mediante palabras, gestos, o cualquier otra conducta, dirigida a otra persona, incluido un estudiante, empleado, miembro de la Mesa Directiva o voluntario del distrito.
- Participar en conducta que constituya violencia en la pareja. (Ver **glosario**).
- Exponer inadecuada o indecentemente las partes íntimas del cuerpo.
- Participar en novatadas maliciosas (hazing). (Ver **glosario**).
- Coaccionar a un individuo para que actúe mediante el uso o la amenaza de fuerza.
- Cometer extorsión o chantaje.
- Participar en una conducta inadecuada de naturaleza verbal, física o sexual dirigida a otra persona, incluido un estudiante, empleado o voluntario del distrito.

Infracciones generales de conducta

- Grabar la voz o imagen de otros sin el consentimiento previo de los individuos que se graban o que interrumpa el entorno educativo o invada la privacidad de otros.

Infracciones a la propiedad

Los estudiantes no deben:

- Dañar ni destruir pertenencias de otros. (Para delitos criminales mayores, ver **Asignación a un DAEP y/o expulsión por ciertas infracciones** en la página 27).
- Desfigurar o dañar la propiedad escolar, incluidos libros de texto, tecnología y recursos electrónicos, casilleros, muebles y otro equipo, con grafiti u otros medios.
- Robar objetos de estudiantes, del personal o de la escuela.
- Cometer o asistir en un hurto o robo, incluso si no constituye un delito mayor en conformidad con el Código Penal. (Para delito de robo mayor, robo agravado y hurto, ver **Asignación a un DAEP y/o expulsión por ciertas infracciones** en la página 27).
- Ingresar, sin autorización, a las instalaciones del distrito que no estén abiertas para las operaciones.

Poseción de artículos prohibidos

Los estudiantes no deben poseer ni usar:

- Armas de fuego de ningún tipo, bombas de humo o fétidas, ni ningún otro artefacto pirotécnico;
- Rastrillo, navaja para cortar cajas, cadena ni ningún otro objeto usado de alguna manera que amenace o cause lesiones físicas a otra persona;
- Un arma de “imitación” con la intención de ser usada como un arma o que se podría percibir como un arma;
- Una pistola de aire o de postas;
- Munición;
- Un instrumento manual diseñado para cortar o penetrar a otra persona al ser lanzado;
- Un silenciador o supresor de arma de fuego;
- *Una navaja restringida en la ubicación;
- *Un garrote;
- *Un arma de fuego;
- Un arma paralizante;
- Manoplas;
- Una navaja de bolsillo u otro tipo de navaja pequeña;
- Spray de pimienta o macis (mace);
- Material pornográfico;
- Productos de tabaco, cigarrillos, cigarrillos electrónicos, y cualquier componente, pieza o accesorio para un dispositivo de cigarrillo electrónico;

Infracciones generales de conducta

- Fósforos o un encendedor;
- Apuntador láser, a menos que sea para uso aprobado; o
- Cualquier artículo que generalmente no se considera armas, incluidos artículos escolares, cuando el director o su representante determina que existe un peligro.

*Para armas y armas de fuego, ver **Asignación a un DAEP y/o expulsión por ciertas infracciones** en la página 27. En muchas circunstancias, la posesión de estos artículos es sancionable mediante expulsión obligatoria bajo la ley federal o estatal.

Poseción de dispositivos de telecomunicaciones u otros dispositivos electrónicos

Los estudiantes no deben:

- Usar un dispositivo de telecomunicaciones, incluido un teléfono celular u otro dispositivo electrónico, que infrinja las reglas del distrito y de la escuela.

Drogas ilegales, medicamentos recetados y de venta libre

Los estudiantes no deben:

- Poseer, usar, regalar ni vender alcohol o drogas ilegales. (Ver también en **Asignación a un DAEP** en la página 19 y en **Expulsión** en la página 30 las consecuencias obligatorias y permisibles bajo la ley estatal).
- Poseer ni vender semillas ni piezas de marihuana en cantidad menor a la utilizable.
- Poseer, usar, dar o vender parafernalia relacionada con cualquier sustancia prohibida. (Ver “parafernalia” en el **glosario**).
- Poseer, usar, abusar o vender sustancias parecidas a las drogas o intentar pasar artículos como drogas o contrabando.
- Abusar de un medicamento recetado propio, dar un medicamento recetado a otro estudiante, o poseer o estar bajo los efectos del medicamento recetado de otra persona en la propiedad escolar o en un evento relacionado con la escuela. (Ver “abuso” en el **glosario**).
- Abusar de medicamentos de venta libre. (Ver “abuso” en el **glosario**).
- Estar bajo los efectos de medicamentos recetados o de venta libre que causen trastorno corporal o mental. (Ver “bajo los efectos” en el **glosario**).
- Tener o tomar medicamentos recetados o de venta libre en la escuela fuera de lo permitido por el reglamento del distrito.

Mal uso de recursos de tecnología e internet

Los estudiantes no deben:

- Violar los reglamentos, reglas o acuerdos firmados por el estudiante o el padre del estudiante referentes al uso de los recursos de tecnología.
- Intentar acceder o evadir contraseñas u otra información relacionada con seguridad del distrito, estudiantes o empleados, o subir o crear virus computacionales, incluso fuera de la propiedad escolar si la conducta causa una interrupción importante al entorno educativo.

Infracciones generales de conducta

- Intentar alterar, destruir o deshabilitar recursos tecnológicos del distrito, incluidos, entre otros, computadoras y equipo relacionado, datos del distrito, datos de otras personas u otras redes conectadas al sistema del distrito, incluso fuera de la propiedad escolar si la conducta causa una interrupción importante al entorno educativo.
- Usar el internet u otras comunicaciones electrónicas para amenazar o acosar a los estudiantes, empleados, miembros de la Mesa Directiva o voluntarios del distrito, incluso fuera de la propiedad escolar si la conducta causa una interrupción importante al entorno educativo o infringe los derechos de otro estudiante en la escuela.
- Enviar, publicar o poseer mensajes electrónicos abusivos, obscenos, orientados sexualmente, amenazadores, acosadores, que dañen la reputación de una persona, o ilegales, como intimidación cibernética y “sexting”, dentro o fuera de la propiedad escolar, si la conducta causa una interrupción importante al entorno educativo o infringe los derechos de otro estudiante en la escuela.
- Usar el internet u otras comunicaciones electrónicas para participar o fomentar una conducta ilegal o amenazar la seguridad de la escuela, incluso fuera de la propiedad escolar si la conducta causa una interrupción importante al entorno educativo o infringe los derechos de otro estudiante en la escuela.

Transgresiones de seguridad

Los estudiantes no deben:

- Poseer material publicado o electrónico que está diseñado para promover o estimular una conducta ilegal o que podría amenazar la seguridad de la escuela.
- Participar en intercambios verbales (orales o escritos) que amenacen la seguridad de otro estudiante, un empleado de la escuela o la propiedad escolar.
- Hacer acusaciones falsas o engaños respecto de la seguridad de la escuela.
- Participar en cualquier conducta que los directivos de la escuela consideren de manera razonable que interrumpirá sustancialmente el programa escolar o incitará a la violencia.
- Arrojar objetos que puedan causar lesiones físicas o daños a la propiedad.
- Activar un extintor de fuego sin una razón válida.

Infracciones varias

Los estudiantes no deben:

- Violar las normas de vestimenta y aseo que se indican en el Manual para Estudiantes.
- Incurrir en deshonestidad académica, lo que incluye hacer trampa o copiar el trabajo de otro estudiante, el plagio y la comunicación no autorizada entre estudiantes durante un examen.
- Hacer trampa o copiar el trabajo de otra persona.
- Participar en juegos de azar.
- Falsificar registros, pases u otros documentos relacionados con la escuela.
- Participar en acciones o demostraciones que interrumpan sustancialmente o interfieran materialmente con las actividades escolares.
- Infringir reiteradamente las normas de conducta de otras escuelas o salones de clase.

Infracciones generales de conducta

El distrito puede imponer reglas del campus o salón de clase además de las que se encuentran en el Código de Conducta. Estas reglas pueden publicarse en los salones de clase o entregarse al estudiante, y pueden o no constituir violaciones del Código de Conducta.

Técnicas de administración disciplinaria

Se diseñará la disciplina de manera que mejore la conducta y aliente a los estudiantes a ser miembros responsables de la comunidad escolar. La medida disciplinaria será a consideración profesional de maestros y administradores y mediante una variedad de técnicas de administración disciplinaria, incluidas las prácticas restaurativas. La disciplina debe basarse en la gravedad de la infracción, edad y nivel de grado del estudiante, frecuencia de la mala conducta, actitud del estudiante, efecto de la mala conducta en el ámbito escolar y requisitos estatutarios.

Estudiantes con discapacidades

La disciplina de los estudiantes con discapacidades está sujeta a la ley federal y estatal aplicable además del Código de Conducta. En caso de algún conflicto, el distrito cumplirá con la ley federal. Para obtener más información respecto de la disciplina de estudiantes con discapacidades, ver el reglamento FOF(LEGAL).

En conformidad con el Código de Educación, un estudiante que reciba servicios de educación especial no puede ser disciplinado por conductas que sean parte de la definición de intimidación escolar, intimidación cibernética, acoso o hacer listas negras (ver **glosario**) hasta que un comité de admisión, revisión y retiro (ARD) se reúna y revise la conducta.

Para decidir si se ordenará la suspensión, asignación a un DAEP o expulsión, sin importar si la medida es obligatoria o discrecional, el distrito tomará en cuenta una discapacidad que imposibilite considerablemente la capacidad del estudiante para distinguir la ilicitud de la conducta del estudiante.

Técnicas

Se pueden usar las siguientes técnicas de administración de disciplina por sí solas, en combinación o como parte de intervenciones progresivas a causa de conductas prohibidas por el Código de Conducta o por las reglas del campus o del salón de clase:

- Corrección verbal, oral o escrita.
- Tiempo para tranquilizarse o un breve periodo de reflexión, en conformidad con la ley.
- Cambio de asiento en el salón de clase o vehículos operados por o pertenecientes al distrito.
- Confiscación temporal de artículos que interrumpan el proceso de instrucción.
- Recompensas o deméritos.
- Contratos de conducta.
- Consejería por parte de maestros, consejeros escolares o personal administrativo.
- Reuniones de padres y maestros.
- Asesoría en conducta.
- Clases de control del enojo.
- Meditación (víctima-ofensor).
- Círculos en el salón de clase.
- Conferencias de grupos familiares.

Técnicas de administración disciplinaria

- Reducciones de calificación por hacer trampa, plagio y de otra manera permitida por la ley.
- Detención, incluso fuera del horario escolar.
- Enviar al estudiante a la dirección, a otra área asignada, o a en suspensión escolar (ISS).
- Asignación de labores escolares, como limpiar o recoger basura.
- Retiro de privilegios, como participación en actividades extracurriculares, elegibilidad para postularse y ocupar cargos honorarios, o membresía en clubes y organizaciones patrocinados por la escuela.
- Sanciones identificadas en las normas de conducta de las actividades extracurriculares de organizaciones estudiantiles.
- Restricción o revocación de privilegios de transporte del distrito.
- Periodo de prueba evaluado y administrado por la escuela.
- Suspensión fuera de la escuela, de acuerdo a lo especificado en **Suspensión fuera de la escuela** en la página 17.
- Asignación a un DAEP, de acuerdo a lo especificado en **DAEP** en la página 19.
- Expulsión y/o asignación a un entorno educativo alternativo, de acuerdo a lo especificado en **Asignación y/o expulsión por ciertas infracciones** en la página 27.
- Expulsión, de acuerdo a lo especificado en **Expulsión** en la página 30.
- Traslado a una agencia externa o autoridad legal para proceso penal además de medidas disciplinarias impuestas por el distrito.
- Otras estrategias y consecuencias de acuerdo a lo determinado por los directivos de la escuela.

Técnicas aversivas prohibidas

Está prohibido el uso de técnicas aversivas con estudiantes y se definen como técnicas o intervenciones con el propósito de reducir la repetición de una conducta a través de infligir intencionalmente considerable molestia o dolor físico o emocional. Las técnicas aversivas incluyen:

- Usar técnicas diseñadas para causar dolor físico o que probablemente lo causen. [Ver el reglamento FO(LOCAL).]
- Usar técnicas diseñadas para causar dolor físico o que probablemente lo causen a través del electrochoque o cualquier procedimiento que incluye puntos de presión o inmovilización de articulaciones.
- Liberación dirigida de un espray, rocío o sustancia nocivo, tóxico o desagradable cerca del rostro de un estudiante.
- Privar de sueño adecuado, aire, alimentos, agua, albergue, cama, comodidad física, supervisión o acceso a un baño.
- Ridiculizar o denigrar a un estudiante de manera que perjudique o ponga en peligro el aprendizaje o la salud mental del estudiante o constituya abuso verbal.
- Emplear un dispositivo, material u objeto que inmovilice todas las cuatro extremidades de un estudiante, incluso sujeción en el suelo en posición prona o supina.

Técnicas de administración disciplinaria

- Alterar la respiración de un estudiante, incluyendo la aplicación de presión sobre el torso o cuello del estudiante o colocar algo dentro, sobre o encima de la boca o nariz del estudiante o tapan la cara del estudiante.
- Restringir la circulación del estudiante.
- Sujetar al estudiante a un objeto inmóvil mientras el estudiante está de pie o sentado.
- Inhibir, reducir o entorpecer la capacidad del estudiante para comunicarse.
- Usar sujeciones químicas.
- Usar el tiempo de reflexión de una manera que evite que el estudiante pueda participar y avanzar como corresponde en el currículo requerido o en cualesquier metas programa de educación individualizada (IEP) que correspondan, incluso aislando al estudiante usando barreras físicas.
- Privar al estudiante de uno o más de los sentidos del estudiante, a menos que la técnica no cause incomodidad al estudiante o cumpla con el plan de intervención conductual (BIP) o IEP del estudiante.

Notificación

El CBC notificará inmediatamente al padre del estudiante por teléfono o en persona cualquier violación que pueda dar como resultado suspensión en la escuela o fuera de la escuela, asignación a un DAEP, asignación a un JJAEP, o expulsión. El CBC también notificará al padre del estudiante si el estudiante ha sido detenido por un oficial de la policía bajo las disposiciones disciplinarias del Código de Educación.

Se hará un esfuerzo de buena fe para proporcionar una notificación escrita de la medida disciplinaria al estudiante, el día en que se tomó la medida, para entregarla al padre del estudiante. Si se contacta al padre por teléfono o en persona antes de las 5:00 p.m. del primer día hábil después de que se haya seguido la medida disciplinaria, el CBC enviará una notificación escrita por correo postal de EE.UU. Si el CBC no puede informar al padre, el director o su representante le darán el aviso.

Antes de que el director o administrador adecuado asigne a un estudiante menor de 18 años a detención fuera del horario escolar regular, se informará al padre del estudiante el motivo de la detención y se permitirán arreglos para el transporte necesario.

Apelaciones

Las preguntas de los padres acerca de las medidas disciplinarias deberían dirigirse al maestro, a la administración del campus o al CBC, según corresponda. Las apelaciones o reclamos con respecto al uso de técnicas específicas de administración de disciplina se deben dirigir en conformidad con el reglamento FNG(LOCAL). Se puede obtener una copia del reglamento en la oficina del director, la oficina del CBC, o en la oficina de administración central o a través de Policy Online® en la siguiente dirección: www.canutillo-isd.org

El distrito no demorará una consecuencia disciplinaria mientras un estudiante o padre tramita una queja. En el caso de que se acuse a un estudiante de haber tenido una conducta que coincida con la definición de acoso sexual según se define en el Título IX, el distrito cumplirá con la ley federal correspondiente, que incluye el proceso de quejas formales del Título IX. Vea los reglamentos FFH(LEGAL) y (LOCAL).

Remoción del autobús escolar

Un conductor de autobús puede referir a un estudiante a la oficina del director para mantener una disciplina efectiva en el autobús. El director debe emplear técnicas adicionales de administración de disciplina, según corresponda, las cuales pueden incluir la restricción o revocación de los privilegios de viajar en autobús de un estudiante.

Para transportar a los estudiantes de manera segura, el operador del vehículo debe concentrarse en conducir y no distraerse con la mala conducta de algún estudiante. Por lo tanto, cuando las técnicas apropiadas de administración de disciplina no mejoran la conducta del estudiante o cuando una mala conducta específica justifica la remoción inmediata, el director puede restringir o revocar los privilegios de transporte del estudiante, en conformidad con la ley.

Remoción del entorno educativo regular

Además de otras técnicas de administración de disciplina, la mala conducta puede dar como resultado la remoción del entorno educativo regular mediante un traslado de rutina o una remoción formal.

Derivación de rutina

Una derivación de rutina ocurre cuando un maestro envía a un estudiante a la oficina del CBC como técnica de administración de disciplina. El CBC empleará técnicas alternativas de administración de disciplina, incluyendo intervenciones progresivas. Un maestro o administrador puede remover a un estudiante de la clase por una conducta que infrinja este Código de Conducta para mantener una buena disciplina en el salón de clase.

Remoción formal

Un maestro puede iniciar una remoción formal de la clase si:

1. El maestro ha documentado que la conducta de un estudiante interfiere repetidamente con la capacidad del maestro de enseñar la clase o con la capacidad de aprender de otros estudiantes; o
2. La conducta es tan rebelde, perturbadora o abusiva que el maestro no puede enseñar y los estudiantes del salón de clase no pueden aprender.

En un plazo de tres días escolares de la remoción formal, el CBC o el administrador correspondiente programará una reunión con el padre del estudiante, el estudiante, el maestro que retiró al estudiante de la clase y cualquier otro administrador que corresponda.

En la reunión, el CBC o el administrador correspondiente informará al estudiante la supuesta mala conducta y las consecuencias propuestas. El estudiante tendrá una oportunidad para responder a las acusaciones.

Cuando un maestro remueva a un estudiante del salón de clase regular y esté pendiente una reunión, el CBC u otro administrador puede asignar al estudiante a:

- Otro salón de clase adecuado.
- ISS.
- Suspensión fuera de la escuela.
- DAEP.

Un maestro o administrador debe remover a un estudiante de la clase si el estudiante tiene una conducta que bajo el Código de Educación requiera o permita que el estudiante sea asignado a un DAEP o expulsado. Al ser removido por esos motivos, se seguirán los procedimientos de las secciones subsiguientes sobre DAEP o expulsión.

Regresar a un estudiante al salón de clase

Un estudiante que haya sido retirado formalmente de la clase por un maestro por conducta en contra del maestro que contenga elementos de agresión, agresión agravada, agresión sexual, o agresión sexual agravada no puede regresar a la clase el maestro sin el consentimiento del maestro.

Remoción del entorno educativo regular

Un estudiante que haya sido retirado formalmente por un maestro por alguna otra conducta puede regresar a la clase del maestro sin el consentimiento del maestro si el comité de revisión de asignaciones determina que la clase el maestro es la mejor alternativa o la única alternativa disponible.

Suspensión fuera de la escuela

Mala conducta

Se puede suspender a los estudiantes por conducta incluida en el Código de Conducta como infracción general de conducta, infracción de DAEP o infracción que amerita expulsión.

El distrito no utilizará la suspensión fuera de la escuela para los estudiantes en el segundo grado o inferior a menos que la conducta cumpla con los requisitos establecidos por la ley.

Un estudiante en un grado inferior al tercer grado o un estudiante que no tiene hogar no será suspendido fuera de la escuela a menos que, mientras se encuentre en la propiedad escolar o mientras asista a una actividad patrocinada por la escuela o relacionada con la escuela dentro o fuera de la propiedad escolar, el estudiante:

- Participe en una conducta que incluya los elementos de una infracción con armas, en conformidad con la Sección 46.02 o 46.05 del Código Penal.
- Participe en una conducta que incluya los elementos de agresión, agresión sexual, agresión agravada o agresión sexual agravada, según lo dispuesto por el Código Penal; o
- Vende, da o entrega a otra persona, o posee, usa o está bajo los efectos de cualquier cantidad de marihuana, una bebida alcohólica o una sustancia controlada o una droga peligrosa, según lo definido por la ley federal o estatal.

El distrito utilizará un programa de conducta positiva como alternativa disciplinaria para los estudiantes en grados inferiores al tercer grado que cometan violaciones de conducta general en lugar de suspensión o asignación a un DAEP. El programa deberá cumplir con los requisitos de la ley.

Proceso

La ley estatal permite que un estudiante sea suspendido un máximo de tres días escolares por violación de conducta, sin límite del número de veces que puede ser suspendido en un semestre o año escolar.

Antes de ser suspendido, un estudiante tendrá una reunión informal con el CBC o el administrador correspondiente, quien informará al estudiante la supuesta mala conducta.

El CBC determinará el número de días de la suspensión de un estudiante, pero no excederá tres días escolares.

Para decidir si se debe ordenar suspensión fuera de la escuela, el CBC considerará:

1. Defensa propia (ver **glosario**),
2. Intención o falta de intención al momento en el que el estudiante participó en la conducta,
3. El historial disciplinario del estudiante,
4. Una discapacidad que imposibilite de manera significativa la capacidad del estudiante para distinguir la ilicitud de su conducta,
5. La situación de un estudiante bajo tutela del Departamento de Familia y Servicios de Protección (cuidado tutelar), o
6. La situación de no tener hogar de un estudiante.

Suspensión fuera de la escuela

El administrador correspondiente determinará las restricciones de la participación en actividades extracurriculares y paralelas patrocinadas por la escuela o relacionadas con la escuela.

Trabajo de clase durante la suspensión

El distrito se asegurará de que un estudiante reciba acceso al trabajo de la clase de los cursos del currículo básico mientras el estudiante está en suspensión dentro o fuera de la escuela, incluso al menos un método de recepción de este trabajo de clase que no requiera del uso de internet.

Un estudiante que se traslade del salón de clase regular a ISS u otro programa de educación, además de DAEP, tendrá una oportunidad, antes del inicio del siguiente año escolar, de completar un curso básico del plan de estudio en el cual el estudiante estaba matriculado al momento de la remoción. El distrito puede dar la oportunidad a través de cualquier método disponible, incluido un curso por correspondencia, otra opción de aprendizaje a distancia o la escuela de verano. El distrito no hará ningún cargo al estudiante por el método para completar el trabajo provisto por el distrito.

Asignación al Programa Disciplinario de Educación Alternativa (DAEP)

Asignación al Programa Disciplinario de Educación Alternativa (DAEP)

El DAEP se ofrecerá en un entorno diferente del distinto al salón de clase regular del estudiante. Un estudiante de primaria no puede ser asignado a un DAEP con un estudiante que no sea un estudiante de primaria.

Para propósitos del DAEP, la clasificación de primaria será de kinder a 5o. grado y la clasificación de secundaria será de 6o. a 12o. grado.

Los programas de verano provistos por el distrito darán servicio a los estudiantes asignados a un DAEP en conjunto con otros estudiantes.

Un estudiante expulsado por una infracción que de otra manera habría dado como resultado la asignación a un DAEP no tiene que asignarse a un DAEP además de la expulsión.

Para decidir si se debe asignar a un estudiante a un DAEP, sin importar si la acción es obligatoria o discrecional, el CBC considerará:

1. Defensa propia (ver **glosario**),
2. Intención o falta de intención al momento en el que el estudiante participó en la conducta,
3. El historial disciplinario del estudiante,
4. Una discapacidad que imposibilite de manera significativa la capacidad del estudiante para distinguir la ilicitud de su conducta,
5. La situación de un estudiante bajo tutela del Departamento de Familia y Servicios de Protección (cuidado tutelar), o
6. La situación de no tener hogar de un estudiante.

Asignación discrecional: Mala conducta que puede dar como resultado la asignación a un DAEP

Se puede asignar a un estudiante a un DAEP por conductas prohibidas en la sección de Violaciones generales de conducta de este Código de Conducta.

Mala conducta identificada en la ley estatal

En conformidad con la ley estatal, **se puede** asignar a un estudiante a un DAEP por alguna de las siguientes infracciones:

- Participación en intimidación escolar que anime a un estudiante a cometer o intentar cometer suicidio.
- Incitación de violencia en contra de un estudiante a través de intimidación escolar grupal.
- Publicación o amenaza de publicación de material visual íntimo de un menor o de un estudiante de 18 años de edad o mayor sin el consentimiento del estudiante.
- Participación en una fraternidad, hermandad, sociedad secreta o pandilla de una escuela pública, incluida la participación como miembro o bajo juramento, o solicitar a otra persona que tome juramento o sea miembro de una fraternidad, hermandad, sociedad secreta o pandilla de una escuela pública. (Ver **glosario**).
- Participación en una actividad delictiva de pandilla callejera. (Ver **glosario**).

Asignación al Programa Disciplinario de Educación Alternativa (DAEP)

- Cualquier comportamiento delictivo, incluido un delito.
- Agresión (sin lesión corporal) con amenaza de lesión corporal inminente.
- Agresión mediante contacto físico ofensivo o provocativo.

En conformidad con la ley estatal, se **puede** asignar a un estudiante a un DAEP si el superintendente o su representante cree de manera razonable (ver **glosario**) que el estudiante participó en una conducta sancionable como delito mayor, además de robo agravado o aquellos delitos descritos como ofensas con lesión a una persona en el Título 5 (ver **glosario**) del Código Penal, que ocurra fuera de la propiedad escolar y no en un evento patrocinado por la escuela o relacionado con la escuela, si la presencia del estudiante en el salón de clase regular amenaza la seguridad de otros estudiantes o maestros, o se considera peligroso para el proceso educativo.

El CBC **puede** asignar a un estudiante a un DAEP por conducta fuera de la escuela para la cual la ley estatal exija la asignación a un DAEP si el administrador no tiene conocimiento de la conducta antes del primer aniversario de la fecha en que ocurrió la conducta.

Asignación obligatoria: Mala conducta que requiere asignación a un DAEP

Se **debe** asignar a un estudiante a un DAEP si:

- Participa en una conducta relacionada con una falsa alarma o informe (incluida una amenaza de bomba) o una amenaza terrorista que incluya una escuela pública. (Ver **glosario**).
- Comete las siguientes infracciones en propiedad de la escuela, dentro de 300 pies de la propiedad escolar según lo medido desde cualquier punto del límite de la propiedad escolar, o mientras asiste a una actividad patrocinada por la escuela o relacionada con la escuela dentro o fuera de la propiedad escolar:
 - Participa en una conducta sancionable como delito mayor.
 - Comete una agresión (ver **glosario**) bajo el Código Penal 22.01(a)(1).
 - Vende, da o entrega a otra persona, o posee, usa o está bajo los efectos de una sustancia controlada o droga peligrosa en una cantidad que no constituya un delito mayor. (Las infracciones de drogas consideradas delito mayor relacionadas con la escuela se incluyen en **Expulsión** en la página 30). (Ver en el **glosario** “bajo los efectos”, “sustancia controlada” y “droga peligrosa”).
 - Vende, da o entrega a otra persona, o posee, usa o está bajo los efectos de la marihuana o THC. Un estudiante con una receta válida de cannabis de bajo THC según lo autorizado por el Capítulo 487 del Código de Salud y Seguridad no infringe esta disposición.
 - Vende, da o entrega a otra persona una bebida alcohólica; comete una infracción grave mientras está bajo los efectos del alcohol; o posee, usa o está bajo los efectos del alcohol.
 - Se comporta de tal manera que sus actos contienen los elementos de una infracción relacionada con abuso de sustancias químicas volátiles.
 - Vende, da o entrega a otra persona o posee o utiliza un cigarrillo electrónico.
 - Se comporta de tal manera que sus actos contienen los elementos de lascivia o exhibicionismo público. (Ver **glosario**).

Asignación al Programa Disciplinario de Educación Alternativa (DAEP)

- Participa en una conducta que contiene los elementos de una infracción de acoso contra un empleado bajo 42.07(a)(1), (2), (3) o (7) del Código Penal.
- Participa en una conducta que amerita expulsión y tiene de seis a nueve años de edad.
- Comete una violación federal con armas de fuego y es menor de seis años.
- Participa en una conducta que contiene los elementos de la infracción de represalia contra algún empleado o voluntario de la escuela dentro o fuera de la propiedad escolar. (Cometer represalia en combinación con otra infracción que amerite expulsión se incluye en **Expulsión** en la página 30).
- Participar en una conducta sancionable como robo agravado o un delito mayor bajo el Título 5 (ver **glosario**) del Código Penal cuando la conducta ocurre fuera de la propiedad escolar y en un evento no patrocinado por la escuela ni relacionado con la escuela y:
 1. El estudiante recibe enjuiciamiento diferido (ver **glosario**),
 2. Un tribunal o jurado determina que el estudiante ha participado en una conducta delictiva (ver **glosario**), o
 3. El superintendente o su representante cree de manera razonable (ver **glosario**) que el estudiante participó en la conducta.

Agresión sexual y asignaciones de campus

Se transferirá a un estudiante a otro campus si:

- El estudiante ha sido convicto de abuso sexual continuo de un niño pequeño o de una persona discapacitada, o convicto o asignado a una adjudicación diferida por agresión sexual o agresión sexual agravada en contra de otro estudiante de la misma escuela; y
- El padre de la víctima u otra persona con autoridad de actuar en nombre de la víctima solicita que la Mesa Directiva transfiera al estudiante ofensor a otro campus.

Si no hay otra escuela en el distrito que brinde servicio al nivel de grado del estudiante ofensor, entonces se transferirá a un DAEP.

Proceso

Las remociones a un DAEP las debe hacer el CBC.

Reunión

Cuando se remueve a un estudiante de una clase por una infracción de DAEP, el CBC o el administrador correspondiente programará una reunión dentro de tres días escolares con el padre del estudiante, el estudiante y, en caso de la remoción por un maestro, el maestro.

En la reunión, el CBC o el administrador correspondiente brindará al estudiante:

- Información, oral o escrita, de las razones de la remoción;
- Una explicación de las bases de la remoción; y
- Una oportunidad para responder a las razones de la remoción.

Después de intentos válidos de pedir la asistencia, el distrito puede detener la reunión y tomar una decisión de la asignación sin importar si el estudiante o los padres del estudiante asisten a la reunión.

Asignación al Programa Disciplinario de Educación Alternativa (DAEP)

Consideración de factores de mitigación

Para decidir si se debe asignar a un estudiante a un DAEP, sin importar si la acción es obligatoria o discrecional, el CBC considerará:

1. Defensa propia (ver **glosario**),
2. Intención o falta de intención al momento en el que el estudiante participó en la conducta,
3. El historial disciplinario del estudiante,
4. Una discapacidad que imposibilite de manera significativa la capacidad del estudiante para distinguir la ilicitud de su conducta,
5. La situación de un estudiante bajo tutela del Departamento de Familia y Servicios de Protección (cuidado tutelar), o
6. La situación de no tener hogar de un estudiante.

Orden de asignación

Después de la reunión, si se asigna al estudiante a un DAEP, el CBC escribirá una orden de asignación. Se enviará una copia de la orden de asignación a un DAEP e información para el padre o la persona designada en la relación de padre con el estudiante sobre el proceso de solicitar una evaluación individual e inicial completa del estudiante para propósitos de servicios de educación especial al estudiante y al padre del estudiante.

A más tardar el segundo día hábil después de la reunión, el representante de la Mesa Directiva entregará al tribunal de menores una copia de la orden de asignación y toda la información requerida por la Sección 52.04 del Código de Familia.

Si se asigna al estudiante a un DAEP y el periodo de asignación no coincide con las pautas incluidas en este Código de Conducta, la orden de asignación dará aviso de la incoherencia.

DAEP con cupo lleno

Si un DAEP tiene cupo lleno al momento que el CBC decide la asignación por una conducta relacionada con marihuana, THC, un cigarrillo electrónico, alcohol o una sustancia química volátil, se asignará al estudiante a ISS y luego se le transferirá a un DAEP por el resto del período cuando haya cupo disponible antes del vencimiento del período de asignación.

Si un DAEP tiene cupo lleno al momento en que el CBC está decidiendo la asignación de un estudiante que participó en una conducta violenta, un estudiante asignado en un DAEP por una conducta relacionada con marihuana, THC, un cigarrillo electrónico, alcohol o una sustancia química volátil se puede asignar a ISS para disponer de espacio en el DAEP para el estudiante que participó en una conducta violenta. Si hay un lugar disponible en un DAEP antes del vencimiento del período de la asignación para el estudiante sacado de la escuela, el estudiante deberá regresar a un DAEP por el resto del período.

Aviso del trabajo del curso

Se dará un aviso escrito al padre o tutor de un estudiante asignado a un DAEP sobre la oportunidad del estudiante de completar, sin costo para el estudiante, un curso base del plan de estudios en el que el estudiante estaba matriculado al momento de la remoción y que se requiere para graduación. El aviso incluirá información referente a todos los métodos disponibles para completar el trabajo del curso.

Asignación al Programa Disciplinario de Educación Alternativa (DAEP)

Duración de una asignación

El CBC determinará la duración de la asignación de un estudiante a un DAEP.

La duración de la asignación de un estudiante será determinada según cada caso en base a la gravedad de la infracción, la edad y nivel de grado del estudiante, la frecuencia de la mala conducta, la actitud del estudiante y los requisitos legales.

El periodo máximo de la asignación a un DAEP será de un año calendario, salvo lo estipulado a continuación.

A menos que se especifique de otra manera en la orden de asignación, los días ausentes de un DAEP no deberán contar para completar el número de días requeridos en la orden de asignación a un DAEP de un estudiante.

El distrito administrará las evaluaciones previas y posteriores requeridas para los estudiantes asignados a un DAEP durante un periodo de 90 días o más en conformidad con los procedimientos administrativos establecidos del distrito para administrar otras evaluaciones de diagnóstico o de punto de referencia.

Excede un año

La asignación a un DAEP puede exceder un año cuando una revisión del distrito determina que el estudiante es una amenaza para la seguridad de otros estudiantes o empleados del distrito.

Las limitaciones estatutarias sobre el periodo de una asignación a un DAEP no se aplican a la asignación resultante de la decisión de la Mesa Directiva para asignar a un estudiante que participó en una agresión sexual de otro estudiante para que no se asigne a los estudiantes al mismo campus.

Excede el año escolar

A los estudiantes que cometen infracciones que requieren la asignación a un DAEP al final del año escolar se les puede exigir que continúen en esa asignación al inicio del siguiente año escolar para completar el término de la asignación.

Para una asignación a un DAEP que se extienda más allá del final del año escolar, el CBC o el representante de la Mesa Directiva debe determinar que:

1. La presencia del estudiante en el salón de clase regular o escuela presenta un peligro de daño físico para el estudiante o los demás, o
2. El estudiante ha participado en una mala conducta grave o persistente (ver **glosario**) que viola el Código de Conducta del distrito.

Excede 60 días

Para la asignación a un DAEP de más de 60 días o del final del siguiente periodo de calificaciones, lo que ocurra primero, se dará aviso al padre del estudiante y la oportunidad de participar en un proceso ante la Mesa Directiva o el representante de la Mesa Directiva.

Apelaciones

Las preguntas de los padres acerca de las medidas disciplinarias se deben dirigir a la administración escolar.

Las apelaciones de un estudiante o padre de la asignación a un DAEP se gestionarán en conformidad con el reglamento FNG(LOCAL). Se puede obtener una copia de este reglamento

Asignación al Programa Disciplinario de Educación Alternativa (DAEP)

en la oficina del director, la oficina del CBC, la oficina de administración central o a través de Policy Online®™ en la siguiente dirección: www.canutillo-isd.org

Las apelaciones comenzarán en el primer nivel con el/la director(a). Las apelaciones del segundo nivel se dirigirán a servicios estudiantiles o la oficina del superintendente asociado. Si el alumno o el padre no recibió la respuesta deseada en el Segundo nivel o si el tiempo para responder ha caducado, el alumno o el padre podrán apelar la decisión a la Mesa Directiva al Tercer nivel.

El distrito no demorará consecuencias disciplinarias en espera del resultado de una apelación. La decisión de asignar a un estudiante a un DAEP no se puede apelar más allá de la Mesa Directiva.

Restricciones durante la asignación

El distrito no permite a ningún estudiante asignado a un DAEP participar en ninguna actividad extracurricular o paralela patrocinada por la escuela o relacionada con la escuela, incluyendo postularse para un cargo honorario y/o membresía en un club u organización patrocinado por la escuela.

A un estudiante asignado a un DAEP no se le proveerá transporte, a menos que el estudiante sea un estudiante con una discapacidad que tenga derecho a transporte en conformidad con el IEP del estudiante o el plan de la Sección 504.

Para los estudiantes de doceavo grado que reúnen los requisitos para graduarse y se asignan a un DAEP al momento de la graduación, el último día de la asignación en el programa será el último día de instrucción y se permitirá al estudiante participar en la ceremonia de graduación y en las actividades relacionadas con la graduación, a menos que se especifique de otra manera en la orden de asignación a DAEP.

Revisión de asignación

El CBC o el representante de la Mesa Directiva proveerá a un estudiante asignado a un DAEP una revisión de su estatus, incluido el estatus académico, a intervalos que no excedan 120 días. En el caso de un estudiante de preparatoria, también se revisará el progreso del estudiante hacia la graduación y el plan de graduación del estudiante. En la revisión, se dará la oportunidad al estudiante o al padre del estudiante de presentar argumentos para el regreso del estudiante al salón de clase o campus regular. El estudiante no puede regresar al salón de clase regular de un maestro que haya removido al estudiante sin consentimiento de ese maestro.

Mala conducta adicional

Si durante el plazo de la asignación a un DAEP el estudiante participa en mala conducta adicional para la cual se requiere o permite la asignación a un DAEP o expulsión, se pueden llevar a cabo procesos adicionales y el CBC puede hacer una orden disciplinaria adicional como resultado de esos procesos.

Aviso de actuaciones penales

Cuando un estudiante se asigne a un DAEP por ciertas infracciones, la oficina del fiscal notificará al distrito si:

Asignación al Programa Disciplinario de Educación Alternativa (DAEP)

1. Se negó el enjuiciamiento del caso del estudiante por falta de mérito de acusación o evidencias insuficientes y no se iniciará ningún proceso formal, adjudicación diferida (ver **glosario**) ni enjuiciamiento diferido; o
2. El tribunal o jurado determinó que el estudiante no es culpable, o descubrió que el estudiante no participó en una conducta delictiva o conducta que indique una necesidad de supervisión, y el caso se desestimó con prejuicio.

Si se asignó a un estudiante a un DAEP por dicha conducta, al recibir el aviso del fiscal, el superintendente o su representante revisará la asignación del estudiante y programará una revisión con el padre del estudiante a más tardar el tercer día después de que el superintendente o su representante reciba aviso del fiscal. El estudiante no puede regresar al salón de clase regular hasta que se lleve a cabo la revisión.

Después de revisar el aviso y recibir información del padre del estudiante, el superintendente o su representante puede continuar la asignación del estudiante si hay motivos para pensar que la presencia del estudiante en el salón de clase regular amenaza la seguridad de los demás estudiantes o del maestro.

El estudiante o padre del estudiante puede apelar la decisión del superintendente a la Mesa Directiva. El estudiante no puede regresar al salón de clase regular hasta que se lleve a cabo la apelación. En caso de una apelación, la Mesa Directiva, en la siguiente reunión programada, revisará el aviso del fiscal y recibirá información del estudiante, el padre del estudiante y el superintendente o su representante, y confirmará o invertirá la decisión del superintendente o su representante. La Mesa Directiva hará un informe de los procesos.

Si la Mesa Directiva confirma la decisión del superintendente o su representante, el estudiante y el padre del estudiante pueden apelar ante el Comisionado de Educación. El estudiante no puede regresar al salón de clase regular hasta que se lleve a cabo la apelación.

Baja durante el proceso

Cuando un estudiante viole el Código de Conducta del distrito de una manera que requiera o permita que el estudiante se asigne a un DAEP y el estudiante se da de baja del distrito antes de completar la orden de la asignación, el CBC puede completar los procesos y emitir una orden de asignación. Si el estudiante se matricula nuevamente en el distrito durante el mismo año escolar o el subsiguiente, el distrito puede ejecutar la orden en ese momento, menos cualquier periodo que el estudiante haya cumplido la asignación durante su matrícula en otro distrito. Si el CBC o la Mesa Directiva no emite una orden de asignación después de la baja del estudiante, el siguiente distrito en el cual se matricule el estudiante puede completar los procesos y emitir una orden de asignación.

Estudiantes recién matriculados

Con base en cada caso, el distrito decidirá si continuará la asignación de un estudiante que se matricule en el distrito y haya sido asignado a un DAEP en una escuela autónoma (charter) de inscripción abierta u otro distrito, incluido un distrito en otro estado. El distrito puede asignar al estudiante al DAEP del distrito o a un salón de clase regular.

Cuando un estudiante se matricula en el distrito con una asignación a un DAEP de un distrito de otro estado, el distrito tiene el derecho de asignar al estudiante en un DAEP de la misma manera que a cualquier otro estudiante recién matriculado si la conducta cometida es una razón de asignación a un DAEP en el distrito que recibe al estudiante.

Asignación al Programa Disciplinario de Educación Alternativa (DAEP)

La ley estatal requiere que el distrito reduzca una asignación impuesta por un distrito en otro estado que exceda un año de manera que la asignación total no exceda un año. Sin embargo, después de una revisión, la asignación se puede extender a más de un año si el distrito determina que el estudiante es una amenaza para la seguridad de otros estudiantes o empleados, o si la asignación extendida es para el mejor interés del estudiante.

Procedimiento de asignación de emergencia

Cuando sea necesaria una asignación de emergencia debido a la conducta indebida, perturbadora o abusiva que interfiera seriamente con las operaciones del salón de clase o de la escuela, se dará al estudiante un aviso oral de la razón de la acción. A más tardar el décimo día después de la fecha de asignación, se dará la oportunidad al estudiante de tener una reunión apropiada requerida para la asignación a un DAEP.

Servicios de transición

En conformidad con la ley y los procedimientos del distrito, el personal del campus proveerá servicios de transición a un estudiante que regresa al salón de clase regular de un programa alternativo de educación, incluso de un DAEP. Para obtener más información, ver el reglamento FOCA(LLEGAL).

Asignación y/o expulsión por ciertas infracciones

Esta sección incluye dos categorías de infracciones para las cuales el Código de Educación estipula procesos únicos y consecuencias específicas.

Delinquentes sexuales registrados

En conformidad con la ley estatal, al recibir una notificación de que un estudiante debe registrarse actualmente como ofensor sexual, el distrito debe remover al estudiante del salón de clase regular y determinar la asignación apropiada, a menos que el tribunal ordene la asignación a JJAEP.

Si el estudiante está bajo alguna forma de supervisión de la corte, incluida libertad condicional, supervisión de la comunidad, libertad provisional, el estudiante se asignará a DAEP o JJAEP por lo menos un semestre.

Si el estudiante no está bajo ninguna forma de supervisión de la corte, el estudiante puede ser asignado a DAEP o JJAEP por un semestre o puede ser asignado a un salón de clase regular. El estudiante no puede ser asignado al salón de clase regular si la Mesa Directiva o su representante determina que la presencia del estudiante:

1. Amenaza la seguridad de otros estudiantes o maestros,
2. Será perjudicial para el proceso de instrucción, o
3. No es para el mejor interés de los estudiantes del distrito.

Comité de revisión

Al final del primer semestre de la asignación de un estudiante a un entorno educativo alternativo y antes del inicio de cada año escolar para el cual el estudiante permanezca en una asignación alternativa, en conformidad con la ley estatal, el distrito formará un comité para revisar la asignación del estudiante. El comité recomendará si el estudiante debiera regresar al salón de clase regular o permanecer en la asignación. Sin tener ningún hallazgo especial, la Mesa Directiva o su representante debe seguir la recomendación del comité.

La revisión de la asignación de un estudiante discapacitado que recibe servicios de educación especial debe hacerla el comité de ARD.

Estudiante recién matriculado

Si un estudiante se matricula en el distrito durante una asignación obligatoria como ofensor sexual registrado, el distrito puede tomar en cuenta el tiempo que el estudiante ya pasó en una asignación, o puede exigir un semestre adicional en una asignación alternativa sin llevar a cabo una revisión de la asignación.

Apelación

Un estudiante o padre de un estudiante puede apelar la asignación solicitando una reunión entre la Mesa Directiva o su representante, el estudiante y el padre del estudiante. La reunión se limita a la pregunta factual sobre si el estudiante se debe registrar como ofensor sexual. Cualquier decisión de la Mesa Directiva o su representante bajo esta sección es definitiva y no se puede apelar.

Asignación y/o expulsión por ciertas infracciones

Determinados delitos mayores

Sin importar si la asignación a DAEP o expulsión es requerida o permitida por una de las razones en las secciones de Asignación a DAEP o Expulsión, en conformidad con el Código de Educación 37.0081, un estudiante puede ser expulsado y asignado a DAEP o JJAEP si la Mesa Directiva o el CBC hace ciertos hallazgos y existen las siguientes circunstancias en relación con robo agravado o un delito mayor bajo el Título 5 (ver **glosario**) del Código Penal. El estudiante debe haber:

- Recibido enjuiciamiento diferido por una conducta definida como robo agravado o un delito mayor bajo el Título 5;
- Sido encontrado por un tribunal o jurado que ha participado en una conducta delictiva por una conducta definida como robo agravado o un delito mayor bajo el Título 5;
- Recibido cargos de participar en una conducta definida como robo agravado o un delito mayor bajo el Título 5;
- Sido remitido a un tribunal de menores por presunta participación en una conducta delictiva definida como robo agravado o un delito mayor bajo el Título 5;
- Recibido libertad provisional o adjudicación diferida, o haber sido arrestado, acusado o convicto de robo agravado o un delito mayor bajo el Título 5.

El distrito puede expulsar al estudiante y ordenar otra asignación bajo estas circunstancias sin importar:

1. La fecha en la que ocurrió la conducta del estudiante,
2. El lugar donde ocurrió la conducta,
3. Si la conducta ocurrió mientras el estudiante estaba matriculado en el distrito, o
4. Si el estudiante completó satisfactoriamente los requisitos de alguna disposición del tribunal impuestos en relación con la conducta.

Audiencia y hallazgos requeridos

El estudiante debe tener primeramente una audiencia ante la Mesa Directiva o su representante, quien debe determinar que además de las circunstancias anteriores que permiten la expulsión, la presencia del estudiante en el salón de clase regular:

1. Amenaza la seguridad de otros estudiantes o maestros,
2. Será perjudicial para el proceso de instrucción, o
3. No es para el mejor interés de los estudiantes del distrito.

Cualquier decisión de la Mesa Directiva o su representante bajo esta sección es definitiva y no se puede apelar.

Duración de asignación

El estudiante está sujeto a la asignación hasta que:

1. El estudiante se gradúa de la escuela preparatoria,
2. Se levantan los cargos o se reducen a una infracción menor, o
3. El estudiante completa el término de la asignación o se le asigna a otro programa.

Asignación y/o expulsión por ciertas infracciones

Revisión de asignación

Un estudiante asignado a un DAEP o JJAEP bajo esta sección tiene derecho a una revisión de su situación, incluido el estatus académico, por parte del CBC o el representante de la Mesa Directiva en intervalos que no excedan los 120 días. En el caso de un estudiante de preparatoria, también se revisará el progreso del estudiante hacia la graduación y el plan de graduación del estudiante. En la revisión, el estudiante o su padre tendrá la oportunidad de presentar argumentos para el regreso del estudiante al salón de clase o escuela regular.

Estudiantes recién matriculados

Un estudiante que se inscriba en el distrito antes de completar una asignación bajo esta sección de otro distrito escolar debe completar el término de la asignación.

Expulsión

Para decidir si se debe ordenar la expulsión, sin importar si la acción es obligatoria o discrecional, el CBC considerará:

1. Defensa propia (ver **glosario**),
2. Intención o falta de intención al momento en el que el estudiante participó en la conducta,
3. El historial disciplinario del estudiante,
4. Una discapacidad que imposibilite de manera significativa la capacidad del estudiante para distinguir la ilicitud de su conducta,
5. La situación de un estudiante bajo tutela del Departamento de Familia y Servicios de Protección (cuidado tutelar), o
6. La situación de no tener hogar de un estudiante.

Expulsión discrecional: Mala conducta que puede dar como resultado la expulsión

Algunos de los siguientes tipos de mala conducta pueden dar como resultado una asignación obligatoria a un DAEP, sin importar si se expulsa o no al estudiante. (Ver **Asignación a un DAEP** en la página 19).

Cualquier sitio

Un estudiante **puede** ser expulsado por:

- Participación en intimidación escolar que anime a un estudiante a cometer o intentar cometer suicidio.
- Incitación de violencia en contra de un estudiante a través de intimidación escolar grupal.
- Publicación o amenaza de publicación de material visual íntimo de un menor o de un estudiante de 18 años de edad o mayor sin el consentimiento del estudiante.
- Conducta que contiene los elementos de agresión bajo el Código Penal 22.01(a)(1) en represalia contra un empleado o voluntario de la escuela.
- Mala conducta delictiva, si es sancionable como delito mayor.
- Participación en una conducta que contenga los elementos de una de las siguientes infracciones en contra de otro estudiante:
 - Agresión agravada.
 - Agresión sexual.
 - Agresión sexual agravada.
 - Homicidio.
 - Homicidio en primer grado.
 - Tentativa de homicidio u homicidio en primer grado.
 - Robo agravado.
- Quebrantamiento de seguridad informática. (Ver **glosario**).

- Participación en una conducta relacionada con una falsa alarma o informe (incluida una amenaza de bomba) o una amenaza terrorista que incluya una escuela pública.

En la escuela, a 300 pies o en un evento escolar

Un estudiante **puede** ser expulsado por cometer cualquiera de las siguientes infracciones en la escuela o dentro de 300 pies de la propiedad escolar según lo medido desde cualquier punto del límite de la propiedad escolar, o mientras asista a una actividad patrocinada por la escuela o relacionada con la escuela dentro o fuera de la propiedad escolar:

- Vende, da o entrega a otra persona, o posee, usa o está bajo los efectos de cualquier cantidad de marihuana, una sustancia controlada o una droga peligrosa. Un estudiante con una receta válida de cannabis de bajo THC según lo autorizado por el Capítulo 487 del Código de Salud y Seguridad no infringe esta disposición. (Ver “bajo los efectos” en el **glosario**).
- Vende, da o entrega a otra persona, o posee, usa o está bajo los efectos de una bebida alcohólica; comete una infracción grave mientras está bajo los efectos del alcohol.
- Se comporta de tal manera que su conducta contiene los elementos de una infracción relacionada con abuso de químicos volátiles.
- Se comporta de tal manera que su conducta contiene los elementos de agresión bajo 22.01(a)(1) del Código Penal contra un empleado o un voluntario.
- Participa en una conducta mortal. (Ver **glosario**).

Dentro de 300 pies de la escuela

Un estudiante **puede** ser expulsado por participar en las siguientes conductas mientras se encuentra a 300 pies de la propiedad escolar según lo medido desde cualquier punto del límite de la propiedad escolar:

- Agresión agravada, agresión sexual o agresión sexual agravada.
- Incendio premeditado. (Ver **glosario**).
- Homicidio, asesinato capital o intento criminal de cometer homicidio o asesinato capital.
- Indecencia con un menor.
- Secuestro agravado.
- Homicidio no premeditado.
- Homicidio criminal negligente.
- Robo agravado.
- Abuso sexual continuo de un niño pequeño o de una persona discapacitada.
- Delito mayor por ofensas de una sustancia controlada o droga peligrosa, sin incluir THC.
- Portar ilegalmente sobre la persona del estudiante una pistola o una navaja restringida en el sitio, según la definición de estos términos en la ley estatal. (Ver **glosario**).
- Poseer, fabricar, transportar, reparar o vender un arma prohibida, de acuerdo a lo definido por la ley estatal. (Ver **glosario**).
- Posesión de un arma de fuego, de acuerdo a lo definido por la ley federal. (Ver **glosario**).

Propiedad de otro distrito

Un estudiante **puede** ser expulsado por cometer una infracción que el estado considere infracción con expulsión obligatoria si la infracción se comete en la propiedad de otro distrito en Texas o mientras el estudiante asiste a una actividad patrocinada por la escuela o relacionada con la escuela de otro distrito en Texas.

En un DAEP

Un estudiante puede ser expulsado por participar en mala conducta grave documentada que viole el Código de Conducta del distrito, a pesar de las intervenciones de conducta documentadas mientras está asignado a un DAEP. Para propósitos de expulsión discrecional de un DAEP, mala conducta grave significa:

1. Conducta violenta deliberada que imponga una amenaza directa a la salud o seguridad de los demás;
2. Extorción, que significa la obtención de dinero u otra propiedad por fuerza o amenaza;
3. Conducta que constituya coerción, según lo definido por el Código Penal 1.07; o
4. Conducta que constituya la infracción de:
 - a. Lascivia pública bajo el Código Penal 21.07;
 - b. Exhibicionismo bajo el Código Penal 21.08;
 - c. Mala conducta delictiva bajo el Código Penal 28.03;
 - d. Novatadas maliciosas bajo el Código de Educación 37.152; o
 - e. Acoso bajo el Código Penal 42.07(a)(1) de un estudiante o empleado del distrito.

Expulsión obligatoria: Mala conducta que requiere expulsión

Un estudiante **debe** ser expulsado bajo la ley federal o estatal por cualquiera de las siguientes infracciones que ocurran en la propiedad escolar o mientras asista a una actividad patrocinada por la escuela o relacionada con la escuela dentro o fuera de la propiedad escolar:

Bajo la ley federal

- Llevar o poseer en la escuela, incluido cualquier lugar que esté bajo control o supervisión del distrito para propósitos de una actividad escolar, un arma de fuego, según lo definido por la ley federal. (Ver **glosario**).

Nota: La expulsión obligatoria bajo la Ley Federal de Escuelas sin Armas no se aplica a un arma de fuego que esté legalmente guardada dentro de un vehículo con seguro, o a armas de fuego usadas en actividades aprobadas y autorizadas por el distrito cuando el distrito ha adoptado medidas de resguardo apropiadas para garantizar la seguridad del estudiante.

Bajo el Código Penal

- Portar ilegalmente sobre la persona del estudiante lo siguiente, de manera prohibida por el Código Penal 46.02:
 - Una pistola, definida por la ley estatal como un arma de fuego diseñada, hecha o adaptada para usarse con una mano. (Ver **glosario**). Nota: Un estudiante no puede ser expulsado únicamente con base en el uso, exhibición, o posesión del estudiante de un arma de fuego que ocurra en unas instalaciones de tiro al blanco que no estén ubicadas en un campus escolar, al participar o prepararse para participar en una competencia

deportiva de tiro patrocinada por la escuela o en una actividad deportiva de tiro patrocinada o apoyada por el Departamento de Parques y Vida Silvestre, o una organización deportiva de tiro trabajando con el departamento. [Ver el reglamento FNCG (LEGAL)].

- Una navaja restringida en el sitio, de acuerdo a lo definido por la ley estatal. (Ver **glosario**).
- Poseer, fabricar, transportar, reparar o vender un arma prohibida, de acuerdo a lo definido por la ley estatal. (Ver **glosario**).
- Comportarse de una manera en la cual la conducta contenga elementos de las siguientes infracciones bajo el Código Penal:
 - Agresión agravada, agresión sexual o agresión sexual agravada.
 - Incendio premeditado. (Ver **glosario**).
 - Homicidio, asesinato capital o intento criminal de cometer homicidio o asesinato capital.
 - Indecencia con un menor.
 - Secuestro agravado.
 - Robo agravado.
 - Homicidio no premeditado.
 - Homicidio criminal negligente.
 - Abuso sexual continuo de un niño pequeño o de una persona discapacitada.
 - Conducta sancionable como delito mayor que incluye vender, dar o entregar a otra persona, o poseer, usar, o estar bajo los efectos de una sustancia controlada o una droga peligrosa.
- Participar en represalias contra un empleado o voluntario de la escuela en combinación con una de las infracciones de expulsión obligatoria indicadas previamente.

Menos de diez años

Cuando un estudiante menor de diez años participa en una conducta que se castiga con expulsión, el estudiante no será expulsado, sino que se le asignará a un DAEP. Un estudiante menor de seis años no se debe asignar a un DAEP a menos que haya cometido una infracción federal con armas de fuego.

Proceso

Si se piensa que un estudiante ha cometido una infracción cuyo castigo es la expulsión, el CBC u otro administrador apropiado programará una audiencia dentro de un periodo razonable. Se invitará al padre del estudiante por escrito para que asista a la audiencia.

Hasta que se pueda llevar a cabo una audiencia, el CBC u otro administrador puede asignar al estudiante a:

- Otro salón de clase adecuado.
- ISS.
- Suspensión fuera de la escuela.

- DAEP.

Audiencia

Se dará a un estudiante que se enfrente a la expulsión una audiencia con el debido proceso. El estudiante tiene derecho a:

1. Representación por el padre del estudiante u otro adulto que pueda proveer guía al estudiante y que no sea empleado del distrito,
2. Una oportunidad de testificar y presentar evidencias y testigos en su defensa, y
3. Una oportunidad de hacer preguntas a los testigos convocados por el distrito para la audiencia.

Después de dar aviso al estudiante y su padre sobre la audiencia, el distrito puede tener la audiencia, aunque el estudiante o los padres del estudiante asistan o no.

La Mesa Directiva delega al personal delegado por el Superintendente la autoridad de llevar a cabo audiencias y expulsar a estudiantes.

Revisión de la expulsión por parte de la Mesa Directiva

Después del debido proceso de la audiencia, el estudiante expulsado puede solicitar que la Mesa Directiva revise las decisiones de expulsión. El estudiante o padre debe presentar una solicitud escrita al superintendente en un plazo de siete días después de recibir la decisión escrita. El superintendente debe dar al estudiante o padre un aviso por escrito de la fecha, la hora y el lugar de la reunión en la cual la Mesa Directiva revisará la decisión.

La Mesa Directiva revisará el informe de la audiencia de expulsión en una reunión privada, a menos que el padre solicite por escrito que el asunto se puede llevar a cabo en una reunión pública. La Mesa Directiva también puede escuchar una declaración del estudiante o padre o del representante de la Mesa Directiva.

La Mesa Directiva considerará y basará su decisión en evidencias reflejadas en el informe y en cualquier declaración hecha por las partes en la revisión. La Mesa Directiva hará y comunicará su decisión verbalmente al concluir la presentación. Las consecuencias no se postpondrán pendiente el resultado de la audiencia.

Orden de expulsión

Antes de ordenar la expulsión, la Mesa Directiva o el CBC considerará:

1. Defensa propia (ver **glosario**),
2. Intención o falta de intención al momento en el que el estudiante participó en la conducta,
3. El historial disciplinario del estudiante,
4. Una discapacidad que imposibilite de manera significativa la capacidad del estudiante para distinguir la ilicitud de su conducta,
5. La situación de un estudiante bajo tutela del Departamento de Familia y Servicios de Protección (cuidado tutelar), o
6. La situación de no tener hogar de un estudiante.

Si el estudiante es expulsado, la Mesa Directiva o su representante darán al estudiante y al padre del estudiante una copia de la orden de expulsión del estudiante.

A más tardar el segundo día hábil después de la audiencia, el director de la escuela o la persona asignada entregará al tribunal de menores una copia de la orden de expulsión y toda la información requerida por la Sección 52.04 del Código de Familia.

Si el periodo de expulsión no coincide con las pautas incluidas en el Código de Código de Conducta, la orden de expulsión dará aviso de la incoherencia.

Duración de la expulsión

La duración de la expulsión se basará en la gravedad de la infracción, la edad y nivel de grado del estudiante, la frecuencia de la mala conducta, la actitud del estudiante y los requisitos estatutarios.

La duración de la expulsión de un estudiante se determinará con base en cada caso. El periodo máximo de la expulsión es un año calendario, salvo lo estipulado a continuación.

Una expulsión no puede exceder un año, a menos que, después de la revisión, el distrito determine que:

1. El estudiante es una amenaza para la seguridad de otros estudiantes o empleados del distrito, o
2. La expulsión prolongada es para el mejor interés del estudiante.

La ley federal y estatal exige que un estudiante se expulse del salón de clase regular durante un periodo de por lo menos un año calendario por llevar a la escuela un arma de fuego, de acuerdo a lo definido por la ley federal. Sin embargo, el superintendente puede modificar la duración de la expulsión con base en cada caso.

A los estudiantes que cometen infracciones que requieren la expulsión al final del año escolar se les puede expulsar incluso después de iniciar el siguiente año escolar para completar el término de la expulsión.

Baja durante el proceso

Cuando la conducta de un estudiante requiera o permita la expulsión del distrito y el estudiante se da de baja del distrito antes de que se lleve a cabo la audiencia de la expulsión, el distrito puede llevar a cabo una audiencia después de enviar aviso escrito al padre o al estudiante.

Si el estudiante se matricula nuevamente en el distrito durante el mismo año escolar o el subsiguiente, el distrito puede ejecutar la orden de expulsión en ese momento, menos cualquier periodo que el estudiante haya cumplido el periodo de expulsión durante su matrícula en otro distrito.

Si el CBC o la Mesa Directiva no emite una orden de expulsión después de la baja del estudiante, el siguiente distrito en el cual se matricule el estudiante puede completar los procesos.

Mala conducta adicional

Si durante la expulsión el estudiante participa en mala conducta adicional para la cual se requiere o permite la asignación a un DAEP o expulsión, se pueden llevar a cabo procesos adicionales y el CBC puede emitir una orden disciplinaria adicional como resultado de esos procesos.

Restricciones durante la expulsión

Los estudiantes expulsados tienen prohibido estar en la propiedad escolar o asistir a actividades patrocinadas por la escuela o relacionadas con la escuela durante el periodo de expulsión.

No se obtendrá ningún crédito académico por el trabajo perdido durante el periodo de expulsión a menos que el estudiante esté matriculado en un JJAEP u otro programa aprobado por el distrito.

Estudiantes recién matriculados

El distrito continuará la expulsión de cualquier estudiante recién matriculado expulsado de otro distrito o de una escuela autónoma (charter) de inscripción abierta hasta que se complete el periodo de expulsión.

Si un estudiante expulsado de otro estado se matricula en el distrito, el distrito puede continuar la expulsión bajo los términos de la orden de expulsión, puede asignar a un estudiante a un DAEP durante el periodo especificado en la orden, o puede permitir que el estudiante asista a clases regulares si:

1. El distrito del otro estado provee al distrito una copia de la orden de expulsión, y
2. La infracción que causó la expulsión es también una infracción con motivo de expulsión en el distrito en el cual el estudiante se está matriculando.

Si un distrito escolar de otro estado expulsó al estudiante por un periodo que exceda un año y el distrito continúa la expulsión o asigna al estudiante a un DAEP, el distrito reducirá el periodo de expulsión o asignación a un DAEP de manera que el periodo no exceda un año, a menos que después de una revisión se determine que:

1. El estudiante es una amenaza para la seguridad de otros estudiantes o empleados del distrito, o
2. La asignación prolongada es para el mejor interés del estudiante.

Procedimientos de expulsión de emergencia

Cuando sea necesaria una expulsión de emergencia para proteger a personas o propiedad de un daño inminente, se dará al estudiante un aviso verbal de la razón de la acción. Dentro de diez días después de la fecha de la expulsión de emergencia, se dará al estudiante el debido proceso requerido para un estudiante que se enfrenta a una expulsión.

Asignación a un DAEP de estudiantes expulsados

El distrito puede proveer servicios de instrucción a cualquier estudiante expulsado en un DAEP. Sin embargo, servicios de instrucción en el DAEP deben proveerse si el estudiante tiene menos de diez años de edad.

Servicios de transición

En conformidad con la ley y los procedimientos del distrito, el personal del campus proveerá servicios de transición para un estudiante que regresa al salón de clase regular de una asignación a un programa alternativo de educación, incluso de un DAEP o JJAEP. Para obtener más información, ver los reglamentos FOCA(LEGAL) y FODA(LEGAL).

Glosario

Abuso es el uso inapropiado o excesivo.

Acoso incluye:

1. Conducta que cumple con la definición establecida en los reglamentos del distrito DIA(LOCAL) y FFH(LOCAL);
2. Conducta que amenaza causar daños o lesiones corporales a otra persona, incluido un estudiante del distrito, empleado, miembro de la Mesa Directiva, o voluntario; es sexualmente intimidante; causa daños físicos a las pertenencias de otro estudiante; sujeta a otro estudiante a restricción física; o daña maliciosa y considerablemente la salud o seguridad física o emocional de otro estudiante, de acuerdo a lo definido en el Código de Educación 37.001(b)(2); o
3. Conducta que es sancionable como delito bajo el Código Penal 42.07, incluso los siguientes tipos de conducta si se llevan a cabo con la intención de acosar, molestar, alarmar, abusar, atormentar o avergonzar a otro:
 - a. Iniciar comunicación y, en el transcurso de la comunicación, realizar un comentario, solicitud, sugerencia o propuesta que es obsceno, según lo definido por la ley;
 - b. Amenazar, en una forma que es razonablemente probable que alarme a la persona que recibe la amenaza, de que se va a infligir daño físico a la persona o a cometer un delito mayor en contra de la persona, un integrante de la familia o grupo familiar de la persona o los bienes de la persona;
 - c. Expresar, en una forma que es razonablemente probable que alarme a la persona que recibe el informe, un informe falso, que el emisor sabe que es falso, que diga que otra persona ha fallecido o sufrido lesión física grave;
 - d. Hacer que el teléfono u otro dispositivo timbre reiteradamente, o hacer comunicaciones telefónicas repetitivas de modo anónimo, o que de una manera razonable tenga la posibilidad de acosar, molestar, alarmar, abusar, atormentar, avergonzar u ofender a otra persona;
 - e. Hacer una llamada telefónica e intencionalmente no colgar o desconectar la llamada;
 - f. Permitir a sabiendas el uso de un teléfono bajo control de la persona por otra persona para cometer un delito bajo esta sección;
 - g. Enviar comunicaciones electrónicas reiteradas en una forma que es razonable que produzca acoso, molestia, alarma, abuso, tormento, vergüenza u ofensa a otro; y
 - h. Publicar en un sitio web de Internet, incluidas las plataformas de redes sociales, comunicaciones electrónicas repetidas de manera tal que sea razonablemente probable que causen angustia, abuso o tormento a otra persona, a menos que las comunicaciones se hagan en relación con un asunto de interés público, tal como lo define la ley; o
 - i. Hacer llamadas telefónicas obscenas, intimidantes o amenazadoras o a través de otra comunicación electrónica de un número de teléfono temporal o desechable provisto por una aplicación de Internet u otro medio de tecnología.

Adjudicación diferida es una alternativa a la búsqueda de convicción en el tribunal que se puede ofrecer a un menor por una conducta delictiva o conducta que indique una necesidad de supervisión.

Agresión se define en parte en el Código Penal 22.01 como causar intencionalmente, a sabiendas o imprudentemente lesión corporal a otra persona; amenazar intencionalmente o a sabiendas a otra persona con lesión corporal inminente; o causar intencionalmente o a sabiendas contacto físico con otra persona que pueda considerarse de manera razonable como ofensivo o provocador.

Amenaza terrorista, definida por el Código Penal 22.07, es una amenaza de violencia a alguna persona o propiedad con la intención de:

1. Causar una reacción de cualquier tipo de alguna agencia oficial o voluntaria organizada para lidiar con emergencias;
2. Atemorizar a una persona de una lesión corporal grave e inminente;
3. Impedir o interrumpir la ocupación o uso de un edificio; habitación, lugar de reunión o lugar de acceso público; lugar de empleo u ocupación; avión, automóvil, u otro medio de transporte; u otro lugar público;
4. Impedir o interrumpir las comunicaciones públicas; el transporte público; suministro de agua, gas o electricidad pública; u otro servicio público;
5. Atemorizar al público o a un grupo público de una lesión corporal grave; o
6. Influir la conducta o actividades de una dependencia o agencia del gobierno federal, el estado, o una subdivisión política del estado (incluido el distrito).

Ametralladora, definida por el Código Penal 46.01, es cualquier arma de fuego que es capaz de disparar más de dos tiros automáticamente, sin recargo manual, con un solo apretón del gatillo.

Arma de cañón corto se define en el Código Penal 46.01 como un rifle con cañón de menos de 16 pulgadas de largo o una escopeta con cañón de menos de 18 pulgadas, o cualquier arma hecha de un rifle o escopeta que, al alterarse, tenga una longitud total de menos de 26 pulgadas.

Arma de fuego se define en la ley federal (18 U.S.C. 921(a)) como:

1. Cualquier arma (incluyendo una pistola de salva) que se convertirá, está diseñada para convertirse o se puede convertir en un dispositivo que lanza un proyectil mediante la acción de un explosivo;
2. El marco o receptor de cualquier tipo de arma;
3. Cualquier amortiguador de sonido de arma de fuego o silenciador de arma de fuego, que se define como cualquier dispositivo para silenciar, amortiguar o reducir la explosión de un arma de fuego portátil; o
4. Cualquier dispositivo destructivo, como un explosivo, bomba incendiaria o de gas venenoso, o granada.

Dicho término no incluye un arma de fuego considerada antigüedad.

Arma de imitación significa un objeto que se parece a un arma pero que no está destinado a causar lesiones corporales graves.

Arma explosiva, definida en el Código Penal 46.01, es un explosivo o bomba incendiaria, granada, cohete, o mina y su mecanismo de ejecución que está diseñado, hecho o adaptado para el propósito de infligir una lesión corporal grave, la muerte o daños considerables a la

propiedad, o para el propósito principal de causar un ruido muy fuerte que cause alarma o terror al público.

Arma improvisada, definida por el Código Penal 46.01, es un dispositivo, o combinación de dispositivos, que originalmente no son un arma de fuego, pero que se adaptan para disparar un proyectil a través de un cañón de ánima lisa o rayada usando la energía generada por una explosión o sustancia ardiente.

Arma prohibida bajo el Código Penal 46.05(a) significa:

1. Los siguientes artículos, a menos que estén registrados con la Agencia de Alcohol, Tabaco, Armas de Fuego y Explosivos de EE.UU., o que no estén sujetos de otra manera al requisito de registro, o a menos que el artículo esté clasificado como curiosidad o reliquia por el Departamento de Justicia de EE.UU.:
 - a. Un arma explosiva;
 - b. Una ametralladora;
 - c. Un arma de cañón corto;
2. Munición perforante;
3. Dispositivo dispensador de químicos;
4. Un arma improvisada;
5. Un dispositivo para desinflar neumáticos; o
6. Un dispositivo de explosivo improvisado.

Autodefensa es el uso de fuerza contra otra persona hasta el grado que una persona piensa de manera razonable que es inmediatamente necesaria para protegerse a sí misma.

Bajo los efectos significa la falta del uso normal de las facultades físicas o mentales. El deterioro de las facultades físicas o mentales de una persona puede detectarse por un patrón de conducta anormal o errática, la presencia de síntomas físicos de uso de alcohol o drogas, o admitiéndolo. Un estudiante que esté “bajo los efectos” no tiene que estar intoxicado legalmente para causar una medida disciplinaria.

Cigarrillo electrónico significa un cigarrillo electrónico u otro dispositivo que simula el fumar usando un elemento de calentamiento mecánico, pila o circuito electrónico para dispensar nicotina u otras sustancias a la persona que inhala del dispositivo, o una solución líquida consumible u otro material aerosol izado o vaporizado durante el uso de un cigarrillo electrónico u otro dispositivo descrito en esta disposición. El término incluye cualquier dispositivo que es fabricado, distribuido o vendido como un cigarrillo electrónico, puro electrónico o pipa electrónica, o bajo otro nombre o descripción de producto y un componente, pieza o accesorio para el dispositivo, sin importar si el componente, pieza o accesorio se vende por separado del dispositivo.

Conducta delictiva es una conducta que viola la ley federal o estatal y que sea sancionable mediante prisión o encarcelamiento. Incluye la conducta que viole ciertas órdenes del tribunal de menores, incluyendo órdenes de libertad condicional, pero no incluye violaciones a las leyes de tránsito.

Conducta mortal bajo el Código Penal 22.05 ocurre cuando una persona participa imprudentemente en una conducta que plantea a otro un peligro inminente de lesión física

grave, como disparar un arma de fuego conscientemente en dirección a una persona, habitación, edificio o vehículo.

Creencia razonable es aquella que una persona común de inteligencia promedio y lucidez mental creería. El Capítulo 37 exige que el superintendente o su representante tome determinadas decisiones disciplinarias cuando tenga una creencia razonable de que el estudiante participó en una conducta sancionable como delito mayor. En la formación de una creencia razonable de ese tipo, el superintendente o su representante puede utilizar toda la información disponible y debe considerar la información provista en el aviso de la detención de un estudiante bajo el Código de Procedimientos Penales, Artículo 15.27.

Delitos mayores del Título 5 son los delitos mayores incluidos en el Título 5 del Código Penal que generalmente involucran lesión a una persona y pueden incluir:

- Asesinato, homicidio no premeditado u homicidio bajo las Secciones 19.02 - .05;
- Secuestro bajo la Sección 20.03;
- Trata de personas bajo la Sección 20A.02;
- Tráfico ilícito o continuo de personas bajo las Secciones 20.05 - .06;
- Agresión bajo la Sección 22.01;
- Agresión agravada bajo la Sección 22.02;
- Agresión sexual bajo la Sección 22.011;
- Agresión sexual agravada bajo la Sección 22.021;
- Privación ilegal de la libertad bajo la Sección 20.02;
- Abuso sexual continuo de un niño pequeño o de una persona discapacitada bajo la Sección 21.02;
- Bestialidad/bestialismo bajo la Sección 21.09;
- Relación inapropiada entre el educador y el estudiante bajo la Sección 21.12;
- Voyerismo bajo la Sección 21.17;
- Indecencia con un menor bajo la Sección 21.11;
- Grabación visual invasiva bajo la Sección 21.15;
- Revelación o promoción de material visual íntimo bajo la Sección 21.16;
- Coerción sexual bajo la Sección 21.18;
- Lesión a un menor, un anciano o una persona discapacitada de cualquier edad bajo la Sección 22.04;
- Abandono o puesta en peligro de un menor bajo la Sección 22.041;
- Conducta mortal bajo la Sección 22.05;
- Amenaza terrorista bajo la Sección 22.07;
- Ayuda a una persona a suicidarse bajo la Sección 22.08; y
- Manipulación de un producto de consumo bajo la Sección 22.09;

Discrecional significa que algo se deja o regula por un tomador de decisiones local.

Dispositivo dispensador de químicos, definido por el Código Penal 46.01, es un dispositivo diseñado, hecho o adaptado para el propósito de dispensar una sustancia capaz de causar un efecto psicológico o fisiológico adverso en un ser humano. Un dispensador de químicos pequeño que se vende comercialmente para protección personal no está dentro de esta categoría.

Dispositivo para desinflar neumáticos se define en parte por el Código Penal 46.01 como un dispositivo, incluyendo un abrojo o ponchallantas que, cuando se conduce por encima, impide o detiene el movimiento de un vehículo de ruedas perforando uno o más neumáticos del vehículo.

Droga peligrosa se define en el Código de Salud y Seguridad 483.001 como un dispositivo o una droga que no es segura para automedicación y que no está incluida en los Anexos I a V o en los Grupos 1 a 4 de Sanción de la Ley de sustancias controladas de Texas. El término incluye un dispositivo o una droga que la ley federal prohíbe dispensar sin receta o que restringe para uso de un veterinario habilitado o por orden del mismo.

Enjuiciamiento diferido se puede ofrecer a un menor como una alternativa a la búsqueda de convicción en el tribunal por una conducta delictiva o conducta que indique una necesidad de supervisión.

Exhibicionismo, definido por el Código Penal 21.08, es una ofensa que ocurre cuando una persona expone el ano de la persona o alguna parte de los genitales de la persona con la intención de despertar o gratificar los deseos sexuales de una persona, y al exhibidor no le importa si la otra persona presente se ofenderá o alarmará a causa de la acción.

Explosivo improvisado, definido por el Código Penal 46.01, es una bomba completa y funcional diseñada para causar lesiones corporales graves, la muerte o daños considerables a la propiedad, que se fabrica de una manera improvisada con el uso de componentes no militares.

Falsa alarma o informe bajo el Código Penal 42.06 ocurre cuando una persona deliberadamente inicia, comunica o distribuye un informe de una bomba, incendio, infracción u otra emergencia presente, pasada o futura que sabe que es falsa o sin fundamentos y que generalmente:

1. Causaría la acción de la policía o agencia voluntaria organizada para lidiar con emergencias;
2. Atemorizaría a una persona de una lesión corporal grave e inminente; o
3. Impediría o interrumpiría la ocupación de un edificio, habitación o lugar de reunión.

Fraternidad, hermandad, sociedad secreta o pandilla de una escuela pública significa una organización compuesta en su totalidad o en parte por estudiantes que buscan perpetuarse a sí mismos aceptando miembros adicionales de entre los estudiantes matriculados en la escuela con base a una membresía en lugar de la libre elección de un estudiante calificado. Las organizaciones educativas incluidas en el Código de Educación 37.121(d) son excepciones de esta definición.

Grafiti incluye marcas con pintura, pluma o marcador indeleble, o dispositivo de grabación en bienes tangibles sin el consentimiento del propietario. Las marcas pueden incluir inscripciones, eslogan, dibujos o pinturas.

Incendio premeditado se define en parte en el Código Penal 28.02 como un delito que incluye:

1. Crear un incendio o causar una explosión con la intención de destruir o hacer daños:
 - a. De vegetación, cerca o estructura en un terreno abierto; o
 - b. A cualquier edificio, habitación o vehículo:
 - (1) Sabiendo que está dentro de los límites de una ciudad o poblado incorporado,
 - (2) Sabiendo que está asegurado contra daños o destrucción,
 - (3) Sabiendo que está sujeto a una hipoteca u otro interés de garantía,
 - (4) Sabiendo que está ubicado en la propiedad de otra persona,
 - (5) Sabiendo que está ubicado dentro de la propiedad de otra persona, o
 - (6) Cuando la persona que inicia el incendio no considera que el incendio o la explosión pondrá en peligro la vida de alguna persona o la seguridad de la propiedad de una persona.
2. Crear un incendio o explosión de manera imprudente mientras se fabrique o intente fabricar una sustancia controlada si el incendio o la explosión daña algún edificio, habitación o vehículo; o
3. Crear un incendio o causar una explosión de manera intencional y esto causa:
 - a. Dañar o destruir de manera imprudente un edificio que pertenece a otra persona, o
 - b. Causar de manera imprudente que otra persona sufra lesiones corporales o la muerte.

Intimidación cibernética (cyberbullying), como se define en el Código de Educación 37.0832, es intimidación a través del uso de algún dispositivo de comunicación electrónica, incluso a través del uso de un teléfono celular u otro tipo de teléfono, una computadora, una cámara, correo electrónico, mensajes instantáneos, mensajes de texto, una aplicación de redes sociales, un sitio web de internet o cualquier otra herramienta de comunicación por internet.

Intimidación escolar (bullying) se define como una acción o un patrón de acciones significativas por parte de uno o más estudiantes dirigidas a otro estudiante que aprovecha un desequilibrio de poder, e implica participar en la expresión verbal o escrita, en la expresión a través de medios electrónicos o en conducta física que:

1. Tiene el efecto o tendrá el efecto de lastimar físicamente a un estudiante, dañar las pertenencias de un estudiante o imponer en un estudiante un temor razonable de daño a su persona o daño a sus pertenencias;
2. Es tan grave, persistente e intensa que la acción o amenaza crea un entorno educativo que es intimidante, amenazador o abusivo para un estudiante;
3. Perturba de manera sustancial y considerable el proceso de instrucción o el funcionamiento ordenado de un salón de clase o escuela, o
4. Infringe los derechos de la víctima en la escuela.

La intimidación escolar incluye la intimidación cibernética (cyberbullying). (Ver a continuación) Las leyes de este estado sobre la intimidación escolar se aplican a:

1. Intimidación escolar que ocurre en la propiedad escolar, se dirige deliberadamente a la propiedad escolar o al sitio de una actividad patrocinada o relacionada con la escuela, dentro o fuera de la propiedad escolar;

2. Intimidación escolar que ocurre en un autobús o vehículo escolar público o privado que se utiliza para transportar estudiantes de ida o vuelta a la escuela o a una actividad patrocinada o relacionada con la escuela; y
3. Intimidación cibernética que ocurre fuera de la propiedad escolar o fuera de una actividad patrocinada o relacionada con la escuela si dicha intimidación interfiere con las oportunidades educativas de un estudiante o interrumpe considerablemente la operación ordenada de un salón de clase, escuela o actividad patrocinada o relacionada con la escuela.

Lascivia pública, definida por el Código Penal 21.07, es una ofensa que ocurre cuando una persona participa deliberadamente en el coito sexual, coito sexual desviado o contacto sexual en un lugar público o, si no es un lugar público, lo hace sin importar si otras personas presentes se ofenderán o alarmarán a causa de la acción.

Mala conducta grave significa:

1. Conducta violenta deliberada que imponga una amenaza directa a la salud o seguridad de los demás;
2. Extorción, que significa la obtención de dinero u otra propiedad por fuerza o amenaza;
3. Conducta que constituya coerción, según lo definido por el Código Penal 1.07; o
4. Conducta que constituya la infracción de:
 - a. Lascivia pública bajo el Código Penal 21.07;
 - b. Exhibicionismo bajo el Código Penal 21.08;
 - c. Mala conducta delictiva bajo el Código Penal 28.03;
 - d. Novatadas maliciosas bajo el Código de Educación 37.152; o
 - e. Acoso bajo el Código Penal 42.07(a)(1) de un estudiante o empleado del distrito.

Mala conducta grave o persistente incluye, entre otras cosas:

- Conducta que es causa de expulsión permisible o asignación obligatoria a un DAEP.
- Conducta identificada por el distrito como causa de asignación discrecional a un DAEP.
- Acciones o demostraciones que interrumpan de manera considerable o interfieran materialmente con las actividades escolares.
- Negarse a tratar de hacer o completar el trabajo escolar asignado.
- Insubordinación.
- Usar lenguaje profano o vulgar, o hacer gestos obscenos.
- Salir de la propiedad escolar sin permiso.
- Falsificar registros, pases u otros documentos relacionados con la escuela.
- Negarse a aceptar medidas disciplinarias asignadas por un maestro o director.

Manoplas significa cualquier instrumento que consiste de anillos o cubiertas hechas de una sustancia dura y diseñado o adaptado para causar lesiones corporales graves o la muerte golpeando a una persona con el puño apretando los nudillos.

Material visual íntimo, definido por el Código Civil de Prácticas y Remedios 98B.001 y el Código Penal 21.16, es un material visual que representa a una persona con sus partes íntimas expuestas o participando en una conducta sexual. “Material visual” significa cualquier película, fotografía, cinta de video, negativo o diapositiva de cualquier reproducción fotográfica o cualquier otro medio físico que permite que una imagen se presente en una computadora u otra pantalla de video y cualquier imagen transmitida a una computadora u otra pantalla visual.

Munición perforante se define en el Código Penal 46.01 como munición de pistola usada en pistolas y revólveres y diseñada principalmente para penetrar metal o blindaje personal.

Navaja restringida en el sitio, definida por el Código Penal 46.01, es una navaja con una cuchilla de más de cinco pulgadas y media.

Novatada maliciosa (hazing) se define en el Código de Educación 37.151 como un acto intencional, consciente o imprudente, en el campus o fuera de él, hecho por una persona sola o que actúa con otras, dirigido a un estudiante con el propósito de comprometer, iniciar, afiliarse, tener un cargo o mantener la membresía en una organización estudiantil si el acto contiene los elementos del Código de Educación 37.151, entre ellos:

1. Cualquier tipo de brutalidad física;
2. Una actividad que someta al estudiante a un riesgo irrazonable de daño o que perjudique la salud física o mental del estudiante, como privación de sueño, exposición a factores meteorológicos, encierro en espacios reducidos, calistenia o consumo de alimentos, líquidos, drogas u otras sustancias;
3. Una actividad que induzca, cause o exija que el estudiante realice una función o tarea que infrinja el Código Penal; o
4. Forzar a un estudiante a consumir una droga o bebida alcohólica en una cantidad que llevaría a una persona razonable a creer que el estudiante está intoxicado. **Lista negra (lista de víctimas)**, definida en el Código de Educación 37.001(b)(3), es una lista de gente a la que se desea lastimar, usando un arma de fuego, una navaja o cualquier otro objeto con la intención de causar lesiones corporales.

Obligatorio significa que algo es obligatorio o requerido por una autoridad.

Pandilla callejera delincuente se define en el Código Penal 71.01 como tres o más personas que tienen una señal o símbolo de identificación común o un liderazgo identificable que se relaciona continua o regularmente con la perpetración de actividades delictivas.

Parafernalia son dispositivos que se pueden usar para inhalar, ingerir, inyectar o de otra manera introducir una sustancia controlada en el cuerpo humano.

Pistola, definida por el Código Penal 46.01, es cualquier arma de fuego que esté diseñada, hecha o adaptada para dispararse con una mano.

Porra (club), como se define en el Código Penal 46.01, es un instrumento especialmente diseñado, hecho o adaptado para el propósito de infligir una lesión corporal grave o la muerte al golpear a una persona con el instrumento, e incluye, entre otros, cachiporra, porra de policía, maza, y hacha.

Poseción significa tener un artículo en su persona o en la propiedad personal, que incluye, entre otros:

1. Ropa, bolso o mochila;

2. Un vehículo privado usado para transportarse hacia o desde la escuela o actividades relacionadas con la escuela, incluyendo, entre otros, un automóvil, camioneta, motocicleta o bicicleta;
3. Dispositivos de telecomunicaciones o electrónicos; o
4. Cualquier propiedad escolar usada por el estudiante, incluyendo, entre otros, un casillero o escritorio.

Quebrantamiento de seguridad informática incluye acceder deliberadamente a una computadora, red o sistema computacional sin el consentimiento efectivo del propietario de acuerdo a lo definido por el Código Penal 33.02, si la conducta incluye acceder a una computadora, red o sistema computacional que es propiedad de un distrito escolar u operado a nombre del distrito y el estudiante deliberadamente altera, daña o borra propiedad o información del distrito escolar o comete un quebrantamiento de alguna otra computadora, red o sistema computacional.

Robo agravado se define en parte en el Código Penal 29.03(a) como cuando una persona comete un robo y:

1. Causa lesiones físicas graves a otra persona;
2. Usa o enseña un arma mortal; o
3. Causa lesiones físicas a otra persona o amenaza o atemoriza a otra persona de una lesión física inminente o muerte, si la otra persona es:
 - a. Mayor de 65 años, o
 - b. Una persona discapacitada.

Sustancia controlada significa una sustancia, incluso un fármaco, un adulterante y un diluyente, enumerados en los Anexos I a V o Grupo 1, 1-A, 1-B, 2, 2-A, 3 o 4 de Sanción de la Ley de sustancias controladas de Texas. El término incluye el peso total de cualquier mezcla, solución u otra sustancia que contenga una sustancia controlada. El término no incluye cáñamo, según se define en el Código de Agricultura 121.001, o el tetrahidrocannabinol (THC) en el cáñamo.

Uso significa introducción voluntaria al propio cuerpo, por cualquier medio, de una sustancia prohibida.

Violencia en la pareja ocurre cuando una persona en una relación de pareja actual o pasada utiliza el abuso físico, sexual, verbal o emocional para dañar, amenazar, intimidar o controlar a la otra persona en la relación. La violencia en la pareja también ocurre cuando una persona comete estos actos contra una persona en una relación de matrimonio o de pareja con la persona que está o estuvo casada o en una relación de pareja con la persona que comete la ofensa, de acuerdo a lo definido en la Sección 710021 del Código de Familia.



OFFICE OF THE ASSOCIATE SUPERINTENDENT

#BestSmallDistrictinTexas

MEMORANDUM

TO: BOARD OF TRUSTEES AND SUPERINTENDENT GALAVIZ
FROM: DR. DEBRA Y. KERNEY, ASSOCIATE SUPERINTENDENT
SUBJECT: FACILITY REQUEST FORM: CHILD EVANGELISM FELLOWSHIP OF WEST TEXAS
DATE: AUGUST 8, 2024

Canutillo ISD has received a facilities request form from the Child Evangelism Fellowship of West Texas-Rio Grande Chapter requesting use of a room at Garcia Elementary School for after school Good News Club, grades 1-5. As stated in GKD (Regulation) *Requests for use by individuals, groups, or organizations to use facilities or equipment for financial profit, partisan political reasons, religious purposes, or serving the individual or group's self-interest shall be approved by the Board.*

Street Address:
7965 Artcraft Rd,
El Paso, TX 79932

Mailing Address:
P.O. Box 100
Canutillo, TX 79835

P: (915) 877-7481
F: (915) 877-7522
canutillo-isd.org



Texas Education Agency A-Rated Three Years in a Row.

Canutillo Independent School District does not discriminate on the basis of race, color, religion, gender, sex, national origin, age, disability, military status, genetic information, or any other basis prohibited by law in its employment practices or in providing education services, activities, and programs, including career and technical education (vocational programs).

For additional information regarding Canutillo Independent School District's policy of nondiscrimination contact the Human Resources Division:
(915) 877-7423 | 7965 Artcraft Dr. | El Paso, TX 79932



CANUTILLO INDEPENDENT SCHOOL DISTRICT FACILITIES REQUEST FORM REQUIRING BOARD APPROVAL

Name: Sheryl Maxson, Ph.D
 Address: 533 La Cantera Dr, 79912 Email: smaxson@elp.tx.com
 Telephone #: 915-544-2744 Date of Application: 7-30-24
 Organization: Child Evangelism Fellowship, Rio Grande Chapter
 Address: PO Box 973016, El Paso, TX 79997-3016
 Position of Applicant: Board Vice Chair

Indicate length of time you are planning to use facilities:

Date(s): 9-5-24 - EDY Time: From 3:15 pm To 4:45 pm

Type of facility requested: SPED Classroom Location/campus: Gonzalo e Sofia Garcia Elem

Purpose for use of facilities: Good News Club

Number of Participants: 15-20 Food be sold during the event: (circle one) Yes No

If selling food during the event, a City of El Paso Public Food Establishment Permit must be provided to the associate superintendent's office five (5) business days prior to the event.

I have read the Rules and Regulations for use of Canutillo ISD building facilities and I will abide by these rules and regulations. I further assure responsibility for the proper care of these facilities.

Sheryl Maxson, Ph.D Board Vice Chair 7-30-24
 Applicant signature Title Date

Approved by Principal or Designee <u>Maria Aleman</u>	Title <u>Principal</u>	Date <u>7/30/2024</u>
--	---------------------------	--------------------------

Custodial Services Required:	

Facilities & Transportation Division - Lead Custodian Signature	Date

Associate Superintendent's Approval <u>[Signature]</u>	Date <u>8/6/24</u>
---	-----------------------

Board Approved: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Date



OFFICE OF THE ASSOCIATE SUPERINTENDENT

#BestSmallDistrictinTexas

MEMORANDUM

TO: BOARD OF TRUSTEES AND SUPERINTENDENT GALAVIZ
FROM: DR. DEBRA Y. KERNEY, ASSOCIATE SUPERINTENDENT
SUBJECT: FACILITY REQUEST FORM: CHILD EVANGELISM FELLOWSHIP OF WEST TEXAS
DATE: AUGUST 8, 2024

Canutillo ISD has received a facilities request form from the Child Evangelism Fellowship of West Texas-Rio Grande Chapter requesting use of a room at Canutillo Elementary School for after school Good News Club, grades 1-5. As stated in GKD (Regulation) *Requests for use by individuals, groups, or organizations to use facilities or equipment for financial profit, partisan political reasons, religious purposes, or serving the individual or group's self-interest shall be approved by the Board.*

Street Address:
7965 Artercraft Rd.
El Paso, TX 79932

Mailing Address:
P.O. Box 100
Canutillo, TX 79835

P: (915) 877-7481
F: (915) 877-7522
canutillo-isd.org



Texas Education Agency A-Rated Three Years in a Row.

Canutillo Independent School District does not discriminate on the basis of race, color, religion, gender, sex, national origin, age, disability, military status, genetic information, or any other basis prohibited by law in its employment practices or in providing education services, activities, and programs, including career and technical education (vocational programs).

For additional information regarding Canutillo Independent School District's policy of nondiscrimination contact the Human Resources Division:
(915) 877-7423 | 7965 Artercraft Dr. | El Paso TX 79932



CANUTILLO INDEPENDENT SCHOOL DISTRICT FACILITIES REQUEST FORM REQUIRING BOARD APPROVAL

Name: Sheryl Maxson, PhD
 Address: 533 La Cantera Dr, 79912 Email: smaxson@episd.net
 Telephone #: 915-549-2794 Date of Application: 7-30-24
 Organization: Child Evangelism Fellowship, Rio Grande Chapter
 Address: PO Box 973016, El Paso, TX 79997-3016
 Position of Applicant: Board Vice Chair

Indicate length of time you are planning to use facilities:

Date(s): 9-3-24 - EBY Time: From 3:15 pm To 4:45 pm

Type of facility requested: SPEE Classroom Location/campus: Canutillo Elem.

Purpose for use of facilities: GODD NEWS CLUB

Number of Participants: 15-20 Food be sold during the event: (circle one) Yes No

If selling food during the event, a City of El Paso Public Food Establishment Permit must be provided to the associate superintendent's office five (5) business days prior to the event.

I have read the Rules and Regulations for use of Canutillo ISD building facilities and I will abide by these rules and regulations. I further assure responsibility for the proper care of these facilities.

Sheryl Maxson, PhD RISC Board Vice Chair 7-30-24
 Applicant Signature Title Date

Approved by Principal or Designee <u>Andrea Espinoza</u>	Title PRINCIPAL	Date 7-31-24
---	--------------------	-----------------

Custodial Services Required:

Facilities & Transportation Division - Lead Custodian Signature	Date

Associate Superintendent's Approval <u>Debra Kruce</u>	Date 7/31/24
---	-----------------

Board Approved: Yes No	Date



OFFICE OF THE ASSOCIATE SUPERINTENDENT

#BestSmallDistrictinTexas

MEMORANDUM

TO: BOARD OF TRUSTEES AND SUPERINTENDENT GALAVIZ
FROM: DR. DEBRA Y. KERNEY, ASSOCIATE SUPERINTENDENT
SUBJECT: FACILITY REQUEST FORM: CHILD EVANGELISM FELLOWSHIP OF WEST TEXAS
DATE: AUGUST 8, 2024

Canutillo ISD has received a facilities request form from the Child Evangelism Fellowship of West Texas-Rio Grande Chapter requesting use of a room at Bill Childress Elementary School for after school Good News Club, grades 1-5. As stated in GKD (Regulation) *Requests for use by individuals, groups, or organizations to use facilities or equipment for financial profit, partisan political reasons, religious purposes, or serving the individual or group's self-interest shall be approved by the Board.*

Street Address:
7965 Artercraft Rd.
El Paso, TX 79932

Mailing Address:
P.O. Box 100
Canutillo, TX 79835

P: (915) 877-7481
F: (915) 877-7522
canutillo-isd.org



Texas Education Agency A-Rated Three Years in a Row.

Canutillo Independent School District does not discriminate on the basis of race, color, religion, gender, sex, national origin, age, disability, military status, genetic information, or any other basis prohibited by law in its employment practices or in providing education services, activities, and programs, including career and technical education (vocational programs).

For additional information regarding Canutillo Independent School District's policy of nondiscrimination contact the Human Resources Division (915) 877-7473 | 7965 Artercraft Dr. | El Paso, TX 79932



CANUTILLO INDEPENDENT SCHOOL DISTRICT
FACILITIES REQUEST FORM
REQUIRING BOARD APPROVAL

Name: Sheryl Maxsom, PhD
Address: 533 La Canterera Dr, 79912 Email: smaxsom@isprr.com
Telephone #: 915-549-2794 Date of Application: 7-30-24
Organization: Child Evangelism Fellowship, Rio Grande Chapter
Address: PO Box 973016, El Paso, TX 79997-3016
Position of Applicant: Board Vice Chair

Indicate length of time you are planning to use facilities:

Date(s): 9-5-24 - EOY Time: From 3:15 pm To 4:45 pm

Type of facility requested: SPED Room Location/campus: Bill Childress Elem

Purpose for use of facilities: Good News Club

Number of Participants: 15-20 Food be sold during the event: (circle one) Yes NO

If selling food during the event, a City of El Paso Public Food Establishment Permit must be provided to the associate superintendent's office five (5) business days prior to the event.

I have read the Rules and Regulations for use of Canutillo ISD building facilities and I will abide by these rules and regulations. I further assure responsibility for the proper care of these facilities.

Sheryl Maxsom, PhD RGE Board Vice Chair 7-30-24
Applicant signature Title Date

Approved by Principal or Designee Title Principal Date 8-6-24

Custodial Services Required:

Facilities & Transportation Division - Lead Custodian Signature Date

Associate Superintendent's Approval Date 8/8/24

Board Approved: Yes No Date

District Personnel Request August 2024

DEPARTMENT	CURRENT POSITION	CHANGE TYPE	FUND	QTY	PROPOSED POSITION	EST. ADDTL DAILY COST	Days	EST Base Salary	EST Fringes	EST Total	
Instructional:											
1	Canutillo High School/SPED	Special Education Aide	New FTE (IS 4)	199	2	Special Education Aides	\$272.00	181	\$49,232.00	\$2,560.00	\$51,792.00
2	Bill Childress Elemenary	Special Education Aide	New FTE (IS 4)	199	1	Special Education Aide	\$136.00	181	\$24,616.00	\$1,280.00	\$25,896.00
3	Canutillo Middle School	Special Education Aide	New FTE (IS 3)	199	1	Special Education Aide	\$130.00	181	\$23,530.00	\$1,225.00	\$24,755.00
4	Jose Damian Elementary	Pre K Aide	New FTE (IS 2)	199	1	Pre K Aide	\$124.00	181	\$22,444.00	\$1,168.00	\$23,612.00
5	Canutillo Elementary	Pre K Aide	New FTE (IS 2)	199	1	Pre K Aide	\$124.00	181	\$22,444.00	\$1,168.00	\$23,612.00
6	Bill Childress Elementary	Pre K Aide	New FTE (IS 2)	199	1	Pre K Aide	\$124.00	181	\$22,444.00	\$1,168.00	\$23,612.00
7	Deanna Davenport Elementary	Monolingual Kinder Teacher	New FTE (TEACHER SCALE)	199	1	Monolingual Kinder Teacher	\$320.86	187	\$60,000.00	\$3,119.00	\$63,119.00
8	Canutillo High School	ROTC Instructor	New FTE (TEACHER SCALE)	199	1	ROTC Instructor	\$265.49	226	\$60,000.00	\$3,127.00	\$63,127.00
NOTES:											
(#1)- Teacher Position at Canutillo High School PCN 1036 is closed; savings from that salary in the amount of \$62,720.00 will fund 2 Special Education Aide positions.											
(#9)- In the NJROTC (Naval Junior Reserve Officer Training Corps) high school program, the Navy funds 50% of the salaries and benefits of the instructors, while the host school or school district is responsible for the remaining 50%. This cost-sharing arrangement allows schools to maintain a robust NJROTC program with the financial support of the Navy, ensuring that qualified retired military personnel can serve as instructors.											
Fund Legend:											
199- General Fund											
*ESTIMATIONS/PROJECTIONS MAY BE SUBJECT TO CHANGE											
										\$299,525.00	