

# Agenda of Regular Meeting

## The Board of Trustees Seguin ISD

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A Regular Meeting of the Board of Trustees of Seguin ISD will be held August 24, 2021, beginning at 6:30 PM in the Board Room, 1221 E Kingsbury, Seguin, TX 78155.

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. **Call to Order**
  - A. Announcement that this meeting of the Seguin Independent School District has been duly called and that notice of this meeting has been posted in accordance with the Texas Open Meetings Act, Section 551.043 of the Texas Government Code.
  - B. Pledges to the United States Flag and Texas Flag. Moment of silence.
  - C. Superintendent Announcements
2. **Recognition/Campus Presentations**
  - A. Student/Staff/Board/Community Recognition 4
3. **Reports/Information Items:**
  - A. COVID-19 Protocols Update 5
4. **Audience with the Board**

The Seguin ISD Board of Trustees designates a time for audience participation at the beginning of each meeting to hear persons who desire to make comments. In accordance with Board Policy BED(Local):

  - A. those wishing to speak shall sign up before the meeting begins stating the concern or noting the agenda item they wish to address; audience participation is limited to five minutes; the Board shall not deliberate any subject that is not on the posted agenda.
5. **Closed Session:** Board will adjourn into closed session pursuant to the following sections of the Texas Open Meetings Act
  - A. Pursuant to Texas Government Code Section §§§ 551.071, 551.074, 551.129 - Consultation with legal counsel including possible telephone consultation with legal counsel, as necessary, to address legal concerns, implications, and answer any legal questions regarding posted agenda items.
  - B. Pursuant to Texas Government Code Section § 551.074 - Discuss personnel matters, including appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a employee(s).
6. **Reconvene to Open Meeting,** the Board will take appropriate action on items, if necessary, as discussed in Closed Session
  - A. Possible action on professional personnel, including appointment, employment, evaluation, assignment, duties, discipline or dismissal of a public employee(s).

7. **Consent Agenda Items - Consider and Possible Approval as Applicable**

Policy BE (Local) states that the consent agenda shall include items of a routine and/or recurring nature grouped together under one action item. All such items shall be acted upon by one vote without separate discussion, unless a Board Member requests that an item be withdrawn for individual consideration. The remaining items shall be adopted under a single motion and vote as applicable.

A. Approval of Board Minutes of Regular Meeting - July 27, 2021 and Board Retreat - August 14, 2021.	42
B. Approval of Tax Collection Reports for July 2021	54
C. Approval of Donations Received July 2021	55
D. Approval of District-Wide Facilities Maintenance, Electrical Equipment, Parts, And Services (RFP #: 21-04)	57
E. Approval of District-Wide Special Education Services (RFP #: 21-05)	59
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K. Information Regarding the Purchase of Produce for Seguin ISD from Hardie's Fresh Foods Through the Texas 20 Purchasing Cooperative	107
L. Information Regarding the Purchase of Chromebooks for Seguin ISD from GTS Technology Solutions, Inc Through the DIR Purchasing Cooperative	108
M. Information Regarding the Purchase of Paper and Plastic Products for Seguin ISD from Gulf Coast Paper Company, Inc. Through the Texas 20 Purchasing Cooperative	109
N. Information Regarding the Purchase of Bread Products for Seguin ISD from Kurz & CO Through the Texas 20 Purchasing Cooperative	110
O. Information Regarding the Purchase of iPads and iMacs for Seguin ISD from Apple Through the DIR Purchasing Cooperative	111
P. Information Regarding the Purchase of Hotspots for Seguin ISD from CDWG Through the Omnia Partners Purchasing Cooperative	112
Q. Information Regarding the Purchase of Staple Food Products for Seguin ISD from Labatt Food Service, LLC Through the Texas 20 Purchasing Cooperative	113
R. Information Regarding the Purchase of Milk Products for Seguin ISD from New Dairy Holdco, LLC Through the Texas 20 Purchasing Cooperative	114
S. Information Regarding the Purchase of the Munis Financial and Human Resource System Software as a Service (SaaS) for the Seguin Independent School District from Tyler Technologies Through the Sourcewell Purchasing Cooperative	115

T.	Information Regarding the Purchase of Professional Development for Seguin ISD from Houghton Mifflin Harcourt Through the 2013 Purchasing Cooperative	116
U.	Information Regarding the Purchase of a Copier Lease and Maintenance Agreement for Seguin ISD from Toshiba Business Solutions Through the DIR Purchasing Cooperative	119
V.	Information Regarding the Purchase of a Panorama Platform License for District wide use from Panorama Education, Inc. Through the Choice Partners Purchasing Cooperative	120
W.	Personnel Action Professional Employees	122
X.	Acknowledge Public Information Act Requests July-Aug. 2021	124
8.	<b>Action Items</b>	
A.	CONSIDERATION AND APPROVAL OF A RESOLUTION BY THE BOARD OF TRUSTEES OF THE SEGUIN INDEPENDENT SCHOOL DISTRICT PROVIDING FOR THE DEFEASANCE AND CALLING FOR REDEMPTION CERTAIN CURRENTLY OUTSTANDING DISTRICT OBLIGATIONS; DIRECTING THE BOARD SECRETARY, OR A DESIGNEE THEREOF, TO EFFECTUATE THE REDEMPTION OF THESE OBLIGATIONS; AUTHORIZING THE EXECUTION OF AN ESCROW AGREEMENT; DELEGATING TO CERTAIN DISTRICT OFFICIALS AND STAFF THE AUTHORITY TO EFFECTUATE MATTERS HEREIN RESOLVED; AND OTHER MATTERS IN CONNECTION THEREWITH	127
B.	Adoption of Order Setting the Tax Rate for 2021	132
C.	Adopt the Resolution for the Assignment of Fund Balance	134
D.	Consideration and Approval of Design Services for a Seguin ISD Baseball and Softball Complex	136
E.	Consideration and Possible Action, Including Adoption of a Resolution Approving the Negotiation of the Sale of Real Property and Improvements Located at 418 W. Mountain St., Seguin, Texas 78155, Commonly Known as the Saegert Middle School Tennis Courts and Maintenance Buildings	137
F.	Designate Official Voting Delegate and Alternate to the 2021 TASB Delegate Assembly in Dallas, Texas September 24th – 26th, 2021	141
9.	<b>Board Comments and Request</b>	
10.	<b>Adjourn</b>	

**RECOGNITION ITEM:     Student/Staff/Board/Community Recognition**

**RECOMMENDATION:**     That the Board of Trustees recognizes positive student- and staff-based accomplishments, as well as those of community partners and trustees, during a board meeting setting in order to be apprised of the many successes that contribute to a nurturing, academic environment in Seguin ISD schools.

- **Superintendent’s Apple Award**

**RATIONALE:**             The purpose of this presentation is to recognize the performance and effort put forth daily by Seguin ISD students, trustees, staff, campus administrators and community partners.

**REFERENCE and COMPLIANCE:**     BJA (LOCAL) 1. h. Encourage, oversee, and participate in activities for recognition of student efforts and accomplishments.

BJA (LOCAL) 2. m. Encourage, oversee, and participate in staff recognition and support activities.

**PAPERWORK IMPACT:**             None

**BUDGET IMPACT/ INFORMATION:**     None

**EXHIBITS:**                     None

**RESOURCE PERSONNEL:**             Dr. Matthew Gutierrez, Superintendent  
Sean Hoffmann, Chief Communications Officer

Submitted by: Matthew Gutierrez                     Date Submitted: 08/24/21  
(Signature) \_\_\_\_\_  
(Name) Dr. Matthew Gutierrez, Superintendent  
(Address) 1221 E. Kingsbury St., Seguin, TX 78155  
(Telephone) (830) 401-8614

**INFORMATION ITEM:**

**COVID-19 Protocols Update**

**RECOMMENDATION:**

That the Board of Trustees receive information regarding the District COVID-19 Protocols.

**RATIONALE:**

The purpose of this update is to share information on the current COVID-19 Protocols for 21-22 school year.

**REFERENCE and COMPLIANCE:**

CK (LOCAL) Safety Program/Risk Management, Seguin ISD Safe Return To In Person Instruction and Continuity of Service 2021-22 Plan

**PAPERWORK IMPACT:**

Minimal

**BUDGET IMPACT INFORMATION:**

None

**EXHIBITS:**

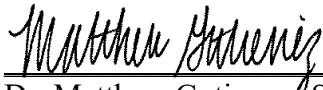
Seguin ISD Safe Return to In-person Instruction and Continuity of Service Plan 2021-22

**RESOURCE PERSONNEL:**

Nikki Elaine Bittings, Chief Student Services Officer

Submitted by:

(Signature)



Date Submitted: 08/24/21

(Name)

Dr. Matthew Gutierrez, Superintendent

(Address)

1221 E. Kingsbury St., Seguin, TX 78155

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Seguin Independent School District

# BACK TO SCHOOL

**Seguin ISD Safe Return to  
In-person Instruction  
and Continuity of Service Plan**

**2021-22**



**#1Heart1Seguin**



**Seguin ISD Board of Trustees**

Cinde Thomas-Jimenez, President, District 3    Carl Jenkins, Vice President, District 1  
Glenda Moreno, Secretary, District 7    Alejandro Guerra, Trustee, District 2  
Linda Duncan, Trustee, District 4    Denise Crettenden, Trustee, District 5  
Ben Amador, Trustee, District 6

Dr. Matthew Gutierrez, Superintendent of Schools



## INTRODUCTION AND DISTRICT PRIORITIES

The Seguin ISD board of trustees, administration and team of educators look forward to welcoming students back to school on August 16, 2021.

Despite the challenges with COVID-19, our district will continue to provide excellent education to our students in an in-person (face-to-face) learning environment. We have been planning for the opening of the 2021-22 school year with a focus on the health, safety and well-being of our staff, students and community.

Our plan follows recommendations for school opening and operations provided by the Centers for Disease Control and Prevention (CDC), the Texas Education Agency (TEA), and state and local health officials.

If and when situations regarding COVID-19 change, the district will consider protocols and measures needed to keep students and staff safe. Plans will remain flexible to accommodate potential changes and these guidelines may be modified as needed. This document will be fluid and changes will be made accordingly. As adjustments may be necessary throughout the coming school year, it will be our priority to keep the community informed of those changes and updates. The most up-to-date information will be posted on the Seguin ISD website ([www.seguinisd.net](http://www.seguinisd.net)) and district social media outlets.



## FALL 2021: INSTRUCTIONAL INFORMATION FOR FAMILIES

This fall, Seguin ISD will be implementing instructional practices that include blended learning practices in all classrooms.

### CLASSROOM INSTRUCTION

Seguin ISD is committed to ensuring that students have an equitable experience and access to high quality instruction:

- Seguin ISD will utilize the strategies and best practices associated with blended learning to design learning activities for all students.

- Students will engage in high quality learning experiences aligned to the Seguin ISD curriculum and Texas Essential Knowledge and Skills.

### FACE-TO-FACE LEARNING

Students and teachers will attend class in-person, five days a week, with additional safety measures in alignment with state and federal guidelines and recommendations.

- In this setting, teachers will provide face-to-face instruction, learning resources and support utilizing Seesaw (K-5) and Google Classroom(6-12).
- Teachers will plan instruction that is quickly and easily transferable from face-to-face to remote, if needed, on an individual basis.
- District-directed and campus-designed safety procedures will be implemented.
- Gr. 6-12 students will be assigned schedules based on their course selections made last spring.



### SPECIAL EDUCATION SUPPORT

Each individual student’s Admission, Review and Dismissal (ARD) Committee will determine the unique needs of a student who receives special education services and will make instructional recommendations for students as they return to in person learning. ARD committees will make recommendations for educational programming needed on the campus as is customary. ARD committees will also consider each individual student’s need for compensatory special education services based on services missed during times of school closure or gaps resulting from remote learning opportunities. All decisions regarding needed services will be made by the ARD committee which must include the parent. Parents of students with continuing health concerns may call an ARD committee meeting to consider options available for students with significant health needs.

## INSTRUCTIONAL ROLES & LEARNING TOOLS

Seguin ISD is committed to providing consistency in high quality instruction and learning tools for all students.

### INSTRUCTIONAL ROLES FOR ALL STAKEHOLDERS

#### PREPARATION FOR LEARNING

<b>STUDENT</b>	<ul style="list-style-type: none"> <li>• Be prepared for learning each day and have work and assignments completed and ready.</li> <li>• Complete coursework by the deadline set by teachers.</li> <li>• Take all materials and devices (9 - 12 grade only) home each day in order to be prepared for possible school closure. Pre-K - 8 grade will checkout devices depending on the situation and need of the family.</li> </ul>
<b>PARENT</b>	<ul style="list-style-type: none"> <li>• Access parent resources to learn how students will navigate Google Classroom, Seesaw, Edgenuity, or CANVAS.</li> <li>• Encourage your child to have their things in their backpack/device and ready for school the night before.</li> </ul>
<b>TEACHER</b>	<ul style="list-style-type: none"> <li>• Meet weekly with collaborative team to plan instruction for all students.</li> <li>• Utilize the district curriculum documents and follow the scope and sequence provided by Learning, Leadership, and Innovation Services.</li> <li>• Upload daily and/or weekly assignments for parents and students in Google Classroom or Seesaw by Friday prior to the week's instruction.</li> <li>• Be prepared to teach daily lessons.</li> </ul>

## LEARNING & TEACHING EXPECTATIONS

<b>STUDENT</b>	<ul style="list-style-type: none"> <li>• Attend classes according to the school schedule-and give your best efforts in your school assignments.</li> <li>• Participate in all learning activities.</li> <li>• Be organized in your work and in getting projects completed.</li> <li>• Ask questions and communicate with your teacher.</li> <li>• Be aware of what you should be learning each day.</li> <li>• Become familiar with the structure of Google Classroom or Seesaw and how your teacher organizes information.</li> <li>• Turn in assignments on time.</li> <li>• Monitor your grades at <a href="https://tinyurl.com/SSSrve">https://tinyurl.com/SSSrve</a> (Use your district username -not full email address- and password)</li> </ul>
<b>PARENT</b>	<ul style="list-style-type: none"> <li>• <a href="#">Access Parent Portal</a> (grades 2-12) to view student grades. <a href="https://tinyurl.com/PSSer">https://tinyurl.com/PSSer</a></li> </ul>

	<ul style="list-style-type: none"> <li>• Check in with student(s) to monitor completion of homework and assignments.</li> <li>• Discuss your child's favorite part of their day and what they learned in school.</li> <li>• Facilitate academic support and encouragement as a learning partner to motivate and guide your child throughout the school year in your role as a learning coach.</li> <li>• Consider creating a designated learning/study space for your child at home to learn comfortably.</li> <li>• Maintain communication with your child's teacher by phone, email and/or online meetings to create a learning partnership.</li> <li>• Monitor and ask for evidence that your child is on track with assignments and coursework.</li> </ul>
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<b>TEACHER</b>	<ul style="list-style-type: none"> <li>• Teach students how to access learning materials through Google Classroom, Seesaw, Edgenuity, or CANVAS.</li> <li>• Manage online and offline resources to provide consistency and routines for students.</li> <li>• Provide clear learning goals for students.</li> <li>• Follow the expectations established across the district for Google Classroom Seesaw, Edgenuity, or CANVAS.</li> <li>• Check student assignments in a timely manner and give feedback in verbal or written form at a weekly minimum to provide next steps or necessary academic intervention/extension.</li> <li>• Post grades in a timely manner according to <a href="#">district grading guidelines</a>.</li> </ul>
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**SUPPORT AND INTERVENTION**

<b>STUDENT</b>	<ul style="list-style-type: none"> <li>• Attend intervention/tutorial sessions as established by your teacher or school.</li> </ul>
<b>PARENT</b>	<ul style="list-style-type: none"> <li>• Assist in supporting your child's needs</li> <li>• Allow your child to attend intervention/tutorial sessions as needed.</li> </ul>
<b>TEACHER</b>	<ul style="list-style-type: none"> <li>• Provide intervention or tutorial sessions as needed.</li> <li>• Follow student IEPs / 504 accommodations in all learning environments.</li> </ul>

- Use data to pinpoint students’ specific needs for enrichment and intervention.
- Monitor student progress with fidelity according to recommendations.
- Provide and communicate conference periods for student/parent support. Teachers must make contact between 7 a.m. - 9 p.m., as set forth in the SISD employee handbook. Any text communication with students must include the student’s parent/guardian.
- Attend and participate in professional learning.

**LEARNING TOOLS FOR THE CLASSROOM**

	<b>INFORMATION</b>	<b>RESOURCES</b>
<b>DEVICE</b>	<p>All 9-12 students will be issued a Chromebook. PK-8 will be provided a device for use at school. WiFi hotspots will be available for check out for families with no internet connection while supplies are available. Priority given to 9-12 students. Parking areas with WiFi will be available at central office.</p>	
<b>INSTRUCTIONAL PLATFORM</b>	<ul style="list-style-type: none"> <li>● All teachers, grades PK-12, will utilize Seesaw, Google Classroom, Edgenuity , or CANVAS as their primary learning management system and communication tool for the 2020-2021 school year.</li> <li>● Google Classroom will use a similar structure by 6-12 grade level in order to provide consistency for all students and classes. Secondary students may also utilize ,Edgenuity and our CANVAS. Seesaw will be used PK-5.</li> <li>● Assignment submissions: For all learning environments, student assignments will be submitted (as much as possible) through online platforms to eliminate unnecessary contact and shared materials.</li> </ul>	<p><a href="#">Google Classroom Summaries (for parents/guardians)</a></p> <p><a href="#">Ultimate Google Parent Guide</a></p> <p><a href="#">Seesaw for Families</a></p>

	INFORMATION	RESOURCES
<b>ONLINE RESOURCES</b>	<ul style="list-style-type: none"> <li>• All teachers in PK-12 will be enhancing instruction through the use of online resources to engage students in high quality learning experiences.</li> <li>• Students will have access to online resources, textbooks and materials through SISD online platforms, the district's single sign-on platform.</li> <li>• No resources, platforms or apps requiring student fees or an associated cost to the family will be required at any time.</li> </ul>	<p><a href="#">Using Google Classroom</a></p> <p><a href="#">Using Seesaw</a></p>

**COMMUNICATION**

- Communicating with teachers:
  - All teachers will establish and communicate conference times when they are available to meet with parents and answer student questions.
  - Teachers must make contact between 7 am - 9 pm, as set forth in the SISD employee handbook. Any text communication with students must include the student's parent/guardian.
  - Contact information will be provided at the beginning of each semester and posted in all Google Classrooms.
- Use of student email:
  - Students in grades 6-12 will be provided a district managed email account and Google Drive beginning in the fall of 2020.
  - These accounts should be utilized for all communication directly between teachers and students.



**TECHNOLOGY**

Seguin ISD recognizes the need to ensure all students have reliable access to adequate technology resources on and (off campus at SHS) in order to fully participate in academic programming. Seguin ISD will provide:

- Learning devices and/or WiFi hotspots will be provided as needed and available.
- No deposit is required. SHS students will have the deposit waived this year..
- Students and families are expected to follow guidelines for care and use in order to ensure these public resources are effectively maintained.
- Relevant notifications, instructions, procedures, policies and processes are available on the Seguin ISD website.



## **BACK TO SCHOOL PROTOCOLS - PUBLIC HEALTH CONSIDERATIONS**

The return to onsite work protocols for Seguin ISD campuses and administration buildings are included in this section. Since this is an ever-changing situation, the district may need to change protocols at any time to address specific needs and circumstances in order to protect the health and safety of students, employees and the community. Please note, health guidance cannot anticipate every unique situation. As a result, Seguin ISD will continue to consult current guidance of governmental agencies and other information deemed relevant to monitor the situation. The district will comply with applicable federal and state employment and disability laws, workplace safety standards and accessibility standards to address individual needs.

The virus that causes COVID-19 can infect people of all ages, and the district will do everything feasible to keep students, teachers, staff, and our community safe. It is important to remember the virus that causes COVID-19 can be spread by infected persons who have few or no symptoms. Even if an infected person shows no symptoms or is only mildly ill, the people they spread it to may become seriously or fatally ill, especially for persons 65 years of age or older with pre-existing health conditions placing them at higher risk. Because of the hidden nature of this threat, Seguin ISD expects all employees, students and families to rigorously follow these practices. While it is not possible to eliminate all risk of furthering the spread of COVID-19, the current science suggests there are many steps schools can take to reduce the risks to students, teachers, staff, and their families significantly.

This section will outline practices and efforts to PREVENT the virus from entering school facilities, RESPOND to symptoms and lab confirmed cases, MITIGATE to reduce likely spread of the virus and provide NOTICE throughout the school year. There will almost certainly be situations that necessitate temporary school closure due to positive COVID-19 cases in schools. Parents, educators, and school administrators should be prepared for this in the event that it occurs, while actively working to prevent it through prevention and mitigation practices. The level of mitigation needed is dependent upon the level of local community transmission of COVID-19. Substantial community transmission necessitates significant mitigation while minimal community transmission results in reducing mitigation efforts.

## **PREPARATION FOR THE OPENING OF SCHOOL**

Seguin ISD will ensure all staff, resources and supplies are prepared for opening school. This includes, but is not limited to, assigning sufficient staff to carry out re-opening, ensuring proper training and stocking inventory of necessary supplies.

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## **PREVENT: PROTOCOLS TO PREVENT THE VIRUS FROM ENTERING THE SCHOOL GENERAL**

It is recommended that all students, staff and visitors screen for COVID-19 symptoms daily (as listed in this document) and individuals with symptoms will be sent home to self-isolate.

## **SCREENING PROTOCOLS**

- It is recommended to complete a self-screening process prior to entering a Seguin ISD building each day, and the district may require further screening of employees at any time based on current state and federal guidelines. Staff must report to the school

system if they have COVID-19 symptoms or are lab confirmed with COVID-19 and, if so, they must remain off campus until they meet the criteria for re-entry as noted below. A parent or guardian will be required to screen their child(ren) for COVID-19 symptoms each day prior to sending them to school. Parents will need to take their child's temperature daily. Additional screening may be conducted during the school day. Teachers will monitor students and refer them to the nurse if symptoms are present.

- Parents must ensure they do not send a child to school on campus if the child has COVID-19 symptoms or is lab-confirmed with COVID-19.
- Parents and visitors entering the school or district building are recommended to self-screen and not enter the building if experiencing COVID-19 symptoms or are lab confirmed with COVID-19. Parents and visitors with symptoms or lab confirmed must remain off campus until they meet the criteria for re-entry as listed below.
- Staff, students and visitors should not enter campuses or district buildings and must follow all current isolation and quarantine guidelines if any of the following apply:
  - The individual has experienced symptoms in the past 10 days.
  - In evaluating whether an individual has **symptoms** consistent with COVID-19, consider the following question: Have they recently begun experiencing any of the following in a way that is not normal for them?
    - Feeling feverish or a measured temperature greater than or equal to 100.0 degrees Fahrenheit;
    - Loss of taste or smell;
    - Cough;
    - Chills;
    - Sore throat;
    - Congestion or runny nose;
    - Shaking or exaggerated shivering;
    - Significant muscle pain or ache;
    - Diarrhea;
    - Nausea or vomiting
  - Has a confirmed case of COVID-19

## ISOLATION PROTOCOLS

- For students displaying symptoms of COVID-19, the school nurse will provide a clinical assessment to determine if and when a student needs to be sent home. Students who report feeling feverish should be given an immediate temperature check to determine if they are symptomatic for COVID-19 (temperature of 100°F or higher taken

with a non-contact thermometer). Nurses will use clinical judgement to determine if symptoms presented meet the school exclusion criteria. Students will not be allowed to remain on campus with a temperature above 100.0

- Students who are ill will be separated from their peers and should be picked up within 30 minutes and no later than 1 hour from the time the campus has contacted the parent/guardian. The area where the student was located in class and in the nurse area will be disinfected as soon as is feasible.
- Separated students will be 3 feet apart from others and encouraged to wear a mask while waiting to be picked up. If the nurse station has a curtain to separate patients, it will be used. The student will be monitored by the nurse. Campuses can maintain an isolation area if possible considering space and ability to monitor.
- If an individual who has been in a school is lab-confirmed to have COVID-19, the district must notify the local health department, in accordance with applicable federal, state and local laws and regulations, including confidentiality requirements of the Americans with Disabilities Act (ADA) and Family Educational Rights and Privacy Act (FERPA).
- Schools must close off areas that are heavily used by the individual with the lab-confirmed case (student, teacher, or staff) until the non-porous surfaces in those areas can be disinfected, unless more than 7 days have already passed since the person was on campus.
- Consistent with school notification requirements for other communicable diseases, and consistent with legal confidentiality requirements, general notification will be provided to all teachers, staff, and families of all students in a school if a lab-confirmed COVID-19 case is identified among students, teachers or staff who participate in any on campus activities.
- Staff members displaying COVID-19 symptoms will follow district protocols including isolation from students and other staff members.
- Individuals who have been diagnosed with COVID-19 may return to school when all of the following criteria are met:
  - At least 10 days have passed since symptoms first appeared with improvement in symptoms and at least 24 hours since last fever without the use of fever reducing medications.
- If an individual has symptoms that could be COVID-19 and the individual has not been evaluated by a medical professional or tested for COVID-19, the individual is assumed to have COVID-19, and may not return to the campus until the individual has completed the same steps in the criteria above.

- If the individual has symptoms that could be COVID-19 and wants to return to school before completing the above stay at home period, the individual must either (a) obtain a medical professional's note clearing the individual for return based on an alternative diagnosis dated 3 days after quarantine or (b) obtain an acute infection test at an approved testing location (no home tests will be accepted (<https://tdem.texas.gov/covid-19/>) that comes back negative for COVID-19.
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## **MITIGATE: PROTOCOLS TO MITIGATE THE LIKELIHOOD OF COVID-19 SPREAD IN SCHOOLS AND FACILITIES**

### **HEALTH AND HYGIENE PRACTICES: FACE COVERINGS**

Schools are required to comply with the governor's executive order regarding the wearing of face coverings. Students, staff and parents may choose to wear masks.

Frequent hand sanitization and disinfection of surfaces will help ensure health and wellness of students and staff. On the first day students attend school on campus, instruction will be provided on appropriate hygiene practices and any mitigation measures that the district is implementing.

### **Hand Washing/Sanitizing Expectations**

- Hand sanitizer will be available at the main entry to the campus, in classrooms near the entrance doorway, in the cafeteria, in common areas and hallways throughout the campus. There will also be hand sanitizer stations at the entrance to playground areas on elementary campuses.
- Students will be taught and reminded of good handwashing techniques that include washing hands for at least 20 seconds with soap.
- Staff and students will be expected to regularly wash and/or sanitize their hands.
- Any person, including students, teachers, staff and visitors, entering a classroom will use hand sanitizer.
- Students and staff will sanitize hands upon entering and exiting the playground area.
- All students and staff will wash hands after using the restroom and before eating.
- Time will be allotted for hand washing at least 2 times a day. Elementary students should be supervised as much as possible.

## HEALTH AND HYGIENE PRACTICES: CAMPUS CLEANING AND DISINFECTING

Frequent cleaning and disinfection will support a healthy learning and work environment for students and staff.

### Disinfecting Expectations

- Staff will have access to disinfectant solutions to sanitize high-touch, working surfaces and shared objects frequently.
- Staff will limit the use of shared supplies when possible.

### Daily Campus Cleaning

- Each classroom and restroom will be cleaned and disinfected. The use of vacuums and fogging disinfectants will occur regularly.
- All high-touch areas will be disinfected throughout the day. This includes objects such as door handles, common tables/desks, shared supplies such as art supplies, and high touch devices such as shared laptops or tablets.
- Additional cleaning will be conducted by custodians.
- Cafeterias will be disinfected between lunch periods.
- Staff and students will have access to disinfecting items to sanitize working surfaces, shared objects, and high-touch areas after use and during breaks in instruction.
- Teachers are responsible for disinfecting commonly-touched surfaces in classrooms between different class groups, if the same room will be used by multiple class groups. It is advisable to move teachers to students as possible.
- The CDC [guidance on cleaning community buildings](#) to prevent COVID-19 spread will be followed as practicable.
- Disinfectant spray and multiple microfiber cloths will be located in all classrooms and common areas. There will be a location at each campus for used disinfectant cloths to be picked up, cleaned, and returned. Schools will ensure disinfectant products are stored safely, including storing harmful products where children cannot access them, and ensuring that harmful cleaning products are not used near children.
- Deep cleaning of classrooms, restrooms, common and athletic areas with an electrostatic spray will be conducted regularly.
- Whenever possible, schools should open windows or otherwise work to improve air flow by allowing outside air to circulate in the building.

## Restrooms

- Staff should supervise and limit the number of students that enter the restroom at one time to comply with health agency recommendations and social distancing.
- The scheduling of whole class restroom breaks is recommended to eliminate co-mingling of students across various classes and to ensure teacher monitoring of social distancing and hygiene guidelines.
- Increased disinfecting of restrooms will occur throughout the school day.
- Staff and students must wash hands with soap and water prior to exiting the restroom. Proper handwashing techniques will be posted in restrooms.

## Cleaning/Sanitizing/Disinfecting Agents (Including Links to MSDS Information Sheets)

- [pH70 Ultra \(Betco\)](#):  
Primary use is for cleaning and sanitizing horizontal and vertical surfaces:
  - Student desks, classroom work areas
  - Cafeteria tables
  - Handrails
  - Countertops
  - Push-bars on doors
  - High-touch items
  - Floors
- [TB-CIDE QUAT](#)  
Primary use is for cleaning and sanitizing horizontal and vertical surfaces with a reduced effectiveness time of 2 minutes:
  - Student desks, classroom work areas
  - Cafeteria tables
  - Handrails
  - Countertops
  - Push-bars on doors
  - High-touch items
- [AF79 Concentrate](#) (Betco)::  
Primary use is for bathroom floors, stalls/partitions, urinals and toilets.
- [Steriphene II Brand Disinfectant](#) , [Clorox 4 in One](#), [Diversey Envy](#), [Brutab](#):  
Used upon special request (multiple cases of flu, report of staph, MRSA, etc.) to disinfect in all areas.

## HEALTH AND HYGIENE PRACTICES: POSITIVE COVID-19 CASES ON CAMPUS

- If a classroom or facility is closed due to COVID-19 exposure, the area will be disinfected based on CDC guidelines and timelines. Deep cleaning will include the use of electrostatic spraying.
- Custodial staff will disinfect classrooms, restrooms, athletics, fine arts areas and all additional areas throughout the school facility.

## HEALTH AND HYGIENE PRACTICES: SOCIAL DISTANCING AND COHORTING

- Where feasible without disrupting the educational experience, students will be encouraged to practice social distancing.
- Clear dividers will be available for classroom group work areas such as at tables.
- Clear dividers will be available for use in offices or meeting areas when staff have direct contact to students, parents or visitors.
- A strategy that administrators can consider is grouping students into pods, where a group of students (and sometimes teachers) stay together throughout the school day to minimize exposure for students, teachers, and staff across the school environment.

## HEALTH AND HYGIENE PRACTICES: COMMON AREAS AND MEETINGS

Common areas include spaces that are used for meetings and collaboration. This includes computer labs, flexible spaces, conference rooms and other meeting rooms.

- All students and staff will be required to use hand sanitizer when entering and exiting common areas.
- Classes/grade levels will reserve common areas in advance.
- Campuses will develop schedules and follow protocols for the use of common areas, including how to sanitize the space between use. When needed, students will bring personal supplies from the classroom.
- There will be procedures for students to sanitize their spaces before and after use.
- Number of students in a common area will be based upon social distancing practices, as feasible.
- Visual reminders will be displayed for social distancing throughout common areas.
- The use of virtual meetings/videoconferencing is preferred when possible, including ARDs, §504 Meetings, LPAC, booster club meetings and events.
- If meetings must be held in person, all social distancing protocols will be implemented:
  - Facial coverings are optional
  - Social distancing when possible
  - Limiting the sharing of materials/supplies

## HEALTH AND HYGIENE PRACTICES: NON-CLASSROOM SPACES

- When feasible and appropriate (for example, in physical education classes as weather permits), it is preferable for students to gather outside, rather than inside, because of the likely reduced risk of virus spread outdoors.

- Schools may continue to offer extracurricular activities, at their discretion and consistent with the guidance in this document, for non-UIL extracurricular activities and with the guidance found on the UIL website for all UIL activities.
- As is the case in typical years, school systems with policies that allow it may open facilities to the public. Operation of the facilities should be done consistent with the governor’s executive orders for similar activities.
- Campuses must plan for entry, exit, and transition procedures that reduce large group gatherings (of students and/or adults) in close proximity. Parents must remain outside during drop-off and pick-up.
- Depending upon local conditions, the district will eliminate assemblies and other activities that bring large groupings of students and/or teachers and staff together.

**HEALTH AND HYGIENE PRACTICES: CAMPUS VISITORS**

- In an abundance of caution, effective Aug. 16, 2021 (Aug. 18, 2021 for Ball ECC), visitors will not be allowed inside Seguin ISD schools. It is anticipated that this protocol will be a temporary one that can be rescinded once COVID numbers stabilize and ultimately decline.



**CAMPUS HEALTH & SAFETY PROTOCOLS TRAINING**

Teachers will provide instruction to students on appropriate hygiene practices and other mitigation practices adopted by Seguin ISD. Training will include the practice of covering coughs and sneezes with a tissue, and if not available, to cover cough or sneeze with elbows as well as throwing used tissues in the trash, followed by washing hands immediately with soap and water for at least 20 seconds, or using hand sanitizer. Printed resources such as posters and signs that promote protective measures and provide helpful reminders of best hygiene practices to stop the spread of germs will be posted in highly visible locations of hallways, restrooms and classrooms.

**SAFETY TRAINING FOR PROTOCOLS & PROCEDURES**

<b>STUDENT</b>	<ul style="list-style-type: none"> <li>• All students will be trained on information about COVID-19 screening, identification of symptoms, prevention of spread, and sanitation/disinfection of work areas.</li> </ul>
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- If a student is experiencing symptoms, they need to immediately notify a teacher.

**PARENT**

- Parents are asked to talk to their students about COVID-19 symptoms, prevention strategies, and the importance of following the prevention strategies.

**TEACHER/STAFF**

- Teachers will attend training and develop classroom procedures consistent with District, TEA and CDC guidance.
- All staff will be trained on COVID screening, identification of symptoms, prevention of spread, and sanitation of work areas.
- All staff will monitor students that exhibit symptoms and will be required to notify the campus nurse if a student has any symptoms.

**BUS TRANSPORTATION**

As schools reopen, students using school bus transportation services will follow revised protocols. Starting at the time when students arrive at their designated bus stop and board the school bus, the new safety and sanitizing protocols will need to be followed.

**Transportation COVID-19 Protocol: Parent Information**

The Seguin ISD Transportation Department offers the following guidance to parents and caregivers regarding school bus transportation for daily bus routes as well as field trips. Bus routes will run at regular capacity. Although the district is implementing the safety protocols and disinfecting efforts described below, families are encouraged to drop students off, carpool or walk with their student to school to reduce possible exposure on buses. We are encouraging all of our drivers and students to wear masks while on the school bus.

**GENERAL EDUCATION/SPECIAL NEEDS/SHUTTLE LOADING AND UNLOADING PROCEDURES**

**BUS STOP EXPECTATIONS**

- Students should practice social distancing, whenever possible (if there is adequate space and it is safe to do so) while waiting for and approaching the school bus.
- Students should NOT share food, drinks or personal devices.

## **MORNING BOARDING BUS PROCEDURES**

- Students should practice social distancing as they approach and board the bus.
- The bus driver will spray hand sanitizer on the student's hands.
- Seating: Students will be seated starting from the back seats, then toward the front.
- Considerations for siblings & younger students mixed with older students
- Bus in motion rules: Standard Seguin ISD bus rules apply.
- Students should NOT share food, drinks or personal devices.

## **UNLOADING AT CAMPUS**

- Unloading will start from the front to the back.
- Students should practice social distancing and follow campus guidelines.

## **AFTERNOON CAMPUS BOARDING BUS PROCEDURES**

- Students should practice social distancing as they approach and board the bus.
- The bus driver will spray hand sanitizer on the student's hands.
- Seating: Students will be seated starting from the back seats then toward the front.
  - Considerations for siblings & younger students mixed with older students
- Bus in motion rules: Standard Seguin ISD bus rules apply.
- Students should NOT share food, drinks or personal devices.

## **UNLOADING AT BUS STOP**

- Unloading will start from the front to the back.
- Students should practice Social Distancing and avoid gathering in groups of 10 or more.
- Students should NOT share food, drinks or personal devices.

## **DISINFECTING PROTOCOL**

### **BETWEEN EACH MORNING AND AFTERNOON CAMPUS DROP-OFF**

- School bus drivers, bus assistants and staff will be spraying and wiping down seats and high-touch items with disinfecting spray.
- Bus seating areas will be disinfected after each bus route, particularly high-touch surfaces such as bus seats, steering wheels, knobs and stairway handrail.

- When possible, bus windows will be open to allow outside air to circulate in the bus.

### **WEEKLY DEEP DISINFECTING PROCESS**

- Deep cleaning: Electrostatic spraying of bus interiors will occur twice weekly.

<p><b>STUDENT</b></p>	<p><b>ARRIVAL</b></p> <ul style="list-style-type: none"> <li>• Students will load and unload the bus at staggered times at the direction of the bus driver.</li> <li>• As students depart from the bus, they should immediately walk into the building and designated area for morning arrival.</li> <li>• Students will not congregate with other students after exiting the bus.</li> <li>• Students should maintain appropriate social distance guidelines as they enter the building and report to designated waiting areas.</li> </ul> <p><b>DISMISSAL</b></p> <ul style="list-style-type: none"> <li>• Students will wait in a designated "pre-loading" area for each bus to arrive.</li> <li>• Students will maintain current social distance guidelines as they load and are seated for the duration of the bus ride home.</li> </ul>
<p><b>PARENT</b></p>	<ul style="list-style-type: none"> <li>• When possible, parents should help with student supervision at the bus stop.</li> </ul>
<p><b>TEACHER/STAFF</b></p>	<ul style="list-style-type: none"> <li>• Assigned staff will supervise student arrival and dismissal, <del>ensure that students are wearing masks</del> and direct students to waiting areas.</li> <li>• Staff will ensure social distancing during arrival and dismissal.</li> <li>• During dismissal, teachers will supervise designated pre-loading areas for students waiting for the bus to arrive.</li> </ul>
<p><b>WALKERS</b></p>	
<p><b>STUDENT</b></p>	<ul style="list-style-type: none"> <li>• It is recommended that walkers keep social distance. As much as possible students will be asked to avoid large groups or gatherings with other students on the campus before or after school.</li> <li>• Students will be asked to immediately leave campus and begin walking home at the end of the school day.</li> </ul>

<b>PARENT</b>	<ul style="list-style-type: none"> <li>• Parents are encouraged to talk with their child about the health benefits of social distancing.</li> <li>• Parents should follow campus guidance on how to pick up their child.</li> <li>• Parents are asked to not congregate in large groups with other parents as they wait for their child to be dismissed from campus.</li> </ul>
<b>TEACHER/STAFF</b>	<ul style="list-style-type: none"> <li>• Assigned staff supervises student arrival and dismissal, directs students to appropriate areas and encourages that students maintain desired social distance between students.</li> <li>• Teachers will assist in monitoring students to discourage large groups from congregating.</li> </ul>
<b>CAR POOL</b>	
<b>STUDENT</b>	<ul style="list-style-type: none"> <li>• As students exit their car, they will be expected to keep social distance when walking toward the building entry. Students will not congregate with other students on the campus when walking to school.</li> <li>• Students or volunteers will not be allowed to open doors or assist with car pool arrival.</li> <li>• Students will remain at a social distance while waiting to be picked up in the carpool area. Students will not congregate in large groups with other students on the campus when dismissed from school at the end of the day.</li> </ul>
<b>PARENT</b>	<ul style="list-style-type: none"> <li>• Parents should assist their own child with exiting the car.</li> <li>• Parents should follow pick up protocols regarding how to pick up their child.</li> <li>• Parents are asked to not congregate in large groups with other parents as they wait for their child to be dismissed from campus.</li> </ul>

<p><b>TEACHER/STAFF</b></p>	<ul style="list-style-type: none"> <li>Assigned staff supervises student arrival, directs students to waiting areas and encourages that students maintain desired social distance between students.</li> <li>Teachers will not be allowed to volunteer with the opening of car doors.</li> <li>Assigned staff supervises student dismissal, directs students to waiting areas and encourages students to maintain desired social distance between students.</li> </ul>
<p><b>BIKE RACK</b></p>	
<p><b>STUDENT</b></p>	<ul style="list-style-type: none"> <li>Students will use every other space in the bike rack to keep distance when arriving at school.</li> <li>Students will immediately leave campus and begin riding their bike home at the end of the school day.</li> <li>Students are not to congregate in large groups with other students on the campus when dismissed from school at the end of the day.</li> <li>It is recommended that students keep social distance while riding their bike home.</li> </ul>
<p><b>PARENT</b></p>	<ul style="list-style-type: none"> <li>Parents are encouraged to talk with their child about the health benefits of social distancing.</li> <li>Parents are asked to not congregate in large groups with other parents as they wait for their child to be dismissed from school.</li> </ul>
<p><b>GENERAL BUILDING ARRIVAL</b></p>	

<p><b>STUDENT</b></p>	<ul style="list-style-type: none"> <li>• Use hand sanitizer upon arrival.</li> <li>• Campuses must plan for entry, exit, and transition procedures that reduce large group gatherings (of students and/or adults) in close proximity.</li> <li>• Students will be assigned to report to a specific area and will be expected to adhere to schedules for morning arrival.</li> <li>• Students should choose seats that have empty space (seats) in between seats if possible.</li> <li>• Students are expected to stay seated until they are dismissed by a staff member.</li> <li>• Students can utilize the restroom, but the number of students that enter should be limited. Students must observe social distancing, as possible, while in the restroom.</li> <li>• Students must wash hands after using the restroom.</li> </ul>
<p><b>PARENT</b></p>	<ul style="list-style-type: none"> <li>• Parents may provide their own PPE for their child beyond what is made available by the district. Parents are encouraged to talk with their child about the health benefits of social distancing at school, as well as the health benefits of washing their hands, and/or using hand sanitizer.</li> </ul>
<p><b>TEACHER/STAFF</b></p>	<ul style="list-style-type: none"> <li>• Campus staff is required to complete the self-screening questions.</li> <li>• Staff members will be assigned to supervise students if they report to multiple areas for morning arrival (gym, cafeteria, library, large spaces).</li> </ul>

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**CAFETERIA - BREAKFAST AND LUNCH**

Based on building capacity and student enrollment, campus administration will determine areas that may be utilized for breakfast and lunch. These areas could include classrooms, the library or other large areas within the school building.

Teachers and campus staff will monitor the cafeteria and hallways to promote social distancing practices. Depending on the number of students in the school, students may have meals in both the cafeteria and in classrooms. Cafeteria capacity will be based on current guidelines. Posted signage and staff will reinforce social distancing and traffic patterns in the

cafeteria. Hand sanitizing stations will be available at entrances and exits of the cafeteria and serving lines. Students will be able to choose which meal they would like similar to prior school years.

## SEATING & DIRECTIONS

### STUDENT

- Students will be expected to follow campus guidelines for cafeteria procedures as mentioned in this document.
- Students will be seated according to a seating plan for students consistent with social distancing guidelines. Safety is the highest priority, but we will make every effort to allow students to socialize with friends during lunch.
- All students are expected to wash hands or use hand sanitizer prior to entering the cafeteria and serving line or consuming meals in the classroom.
- Students are encouraged to read and adhere to the expectations and posted directional prompts/signs to ensure proper social distancing.
- Student allergies will be handled appropriately on a case-by-case basis.
- Students will not be allowed to share food or other items at lunch with other students.
- Students that bring personal water bottles will be encouraged to keep them closed when not in use in communal areas.

### PARENT

- At this time, due to COVID-19, mealtime visitors will not be permitted in the school cafeterias.
- At this time, due to COVID-19, outside food and drinks will not be permitted in the school cafeterias unless the student brings it with them upon arrival to school in the morning. Sharing food for birthday parties and celebrations will not be permitted.
- Parents are encouraged to speak to their children about safety protocols and social distancing.
- Parents are asked to read and be familiar with all school communication regarding health and safety protocols.

	<ul style="list-style-type: none"> <li>• Parents should talk to their students about COVID-19 symptoms and prevention strategies.</li> <li>• Parents are encouraged to read this document in its entirety.</li> </ul>
<b>TEACHER/STAFF</b>	<ul style="list-style-type: none"> <li>• Signs may be posted on the walls and floor to encourage appropriate social distancing in cafeteria lines.</li> <li>• Assigned staff supervises students in cafeteria lines, directs students to open seats, and ensures that students maintain desired social distance.</li> <li>• Teachers will monitor students while in the cafeteria to ensure social distancing.</li> <li>• Campuses will have a plan for teachers to follow regarding students having access to restrooms during lunch.</li> </ul>

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### **STANDARD CLASSROOM PROCEDURES**

Classroom protocols and procedures will include expectations regarding social distancing, limited group work and hand washing or sanitizing, etc. Teachers will ensure high-touch areas in the classroom are wiped in between classes. Each classroom will be outfitted with the following:

- Refillable alcohol-based hand sanitizer station near the door area.
- Access to disinfectant and microfiber cloths to sanitize working surfaces..
- Technology should be utilized when students are involved in collaborative work.
- During group or pair work masks and social distancing are encouraged.
- In classroom spaces that allow it, consider placing student desks a minimum of three feet apart when possible.
- In classrooms where students are regularly within three feet of one another, schools should plan for more frequent hand washing and/or hand sanitizing and should consider whether increased airflow from the outdoors is possible.
- The use of outdoor space for learning will be considered when possible. Classroom groups working outside will maintain at least 12-ft of social distancing from other classroom groups.

<b>CLASSROOM TRAINING</b>	
<b>STUDENT</b>	<ul style="list-style-type: none"> <li>• Students should wash their hands regularly and use hand sanitizer upon entering each classroom.</li> </ul>
<b>PARENT</b>	<ul style="list-style-type: none"> <li>• Parents are asked to read all school communication regarding health and safety protocols.</li> <li>• Parents should talk to their students about COVID-19 symptoms and prevention strategies.</li> <li>• Parents are asked to check their child for temperature and COVID-19 symptoms prior to sending them to school each day. If a child is displaying symptoms, please do not send the child to school. Notify the school nurse or office</li> </ul>
<b>TEACHER/STAFF</b>	<ul style="list-style-type: none"> <li>• Teachers/staff should be stationed outside their door to provide adequate supervision of their classroom and hallway.</li> </ul>
<b>CLASSROOM SETUP</b>	
<b>STUDENT</b>	<ul style="list-style-type: none"> <li>• Students will be expected to adhere to class and school-wide protocols that are consistent with CDC guidelines.</li> <li>• Students will sit one or two per table when it is possible. Dividers are available for tables with more students.</li> <li>• Students who want to use hand sanitizer should use it at the beginning of class. If a sink is available in the classroom, students should wash their hands at the beginning of class.</li> <li>• Students may bring a personal classroom snack as long as the snack is not shared.</li> </ul>
<b>TEACHER/STAFF</b>	<ul style="list-style-type: none"> <li>• Multiple locations of hand sanitizer, tissues, and trash cans will be available in several locations throughout classrooms and common areas to limit student and staff movement.</li> <li>• Teachers will post signs with clear class protocols that are consistent with CDC and school-wide guidelines.</li> <li>• Teachers will limit student movement within the classroom such as turning in assignments, materials being passed out, etc.</li> <li>• Teachers should clean supplies after each use by student.</li> </ul>

<b>CLASSROOM ARRIVAL</b>	
<b>STUDENTS</b>	<ul style="list-style-type: none"> <li>• After washing hands or using hand sanitizer, students are asked to immediately sit down in their assigned seat.</li> <li>• Students should avoid touching high-touch areas if possible.</li> </ul>
<b>TEACHER/STAFF</b>	<ul style="list-style-type: none"> <li>• Teachers should prop doors open to allow for additional ventilation during class and in between classes so students don't touch doors or handles.</li> </ul>

### **WATER FOUNTAINS**

Mitigate the use of water fountains.

<b>WATER FOUNTAIN USAGE</b>	
<b>STUDENT</b>	<ul style="list-style-type: none"> <li>• Students are expected to bring their own reusable water bottle for use throughout the day and expected to take water bottles home to be cleaned on a daily basis.</li> </ul>
<b>PARENT</b>	<ul style="list-style-type: none"> <li>• Parents are asked to secure a reusable water bottle for their child to bring to school on a daily basis.</li> <li>• Parents are asked to assist students, as needed, to clean water bottles on a daily basis.</li> </ul>
<b>TEACHER/STAFF</b>	<ul style="list-style-type: none"> <li>• Develop and demonstrate how students should fill water bottles instead of drinking directly from the water fountains.</li> <li>• Monitor that students take water bottles home to be cleaned.</li> </ul>

### **RECESS/PLAYGROUND**

Seguin ISD continues our commitment to ensuring students have access to outdoor, unstructured recess opportunities throughout the school day. Campus Administrators will ensure that LiINK policies and practices continue. Efforts should be made to utilize all acceptable outdoor areas to increase the opportunity to social distance. Students should sanitize hands before and after outdoor activities. Access to water fountains may be limited, students are expected to bring a personal water bottle for use during and after outdoor activities.

### Guidelines for Outdoor Play

- Students and staff will sanitize hands before and after outdoor activities.
- Social distancing will be encouraged and supported through increased use of acceptable outdoor areas.

## ELEMENTARY SPECIALIZED CLASSROOMS/AREAS

### ELEMENTARY SPECIALS

#### MUSIC

- Students will social distance as practical.
- Music equipment will be regularly sanitized and wiped down.
- Activities requiring multiple students to touch or handle the same equipment will be limited.
- Staff will monitor activities for possible aerosol transmission and adjust lesson plans if necessary based on current conditions.

#### PHYSICAL EDUCATION

- Sanitizing areas and/or access to handwashing will be provided.
- Students and staff will sanitize hands before and after each class.
- Visual markers will be on the gym floor and bleachers as reminders of social distancing rules.
- Cohort type grouping strategies will be utilized to limit equipment handling and student interaction.
- Students will be encouraged to avoid touching their face at all times, but especially while playing games and or handling equipment
- Students should dress for active participation and bring a personal water bottle to Physical Education classes.
- When possible, Physical Education classes will be held outside to allow for maximum physical distance between students.

#### ART

- Art equipment will be sanitized and wiped down regularly.
- Any activities requiring multiple students to touch or handle the same equipment and materials may be limited when necessary.
- Social distancing measures will be followed when possible.

#### LIBRARY

- Visual reminders will be added and furniture rearranged to help students maintain social distancing while in the library.

- Students and staff will wash/sanitize hands upon entering and after visiting the library.
- High-touch surfaces (e.g., table tops, chairs, door handles, etc.) will be disinfected regularly.
- Occupancy will be limited.

## SECONDARY SPECIALIZED CLASSROOMS & EXTRACURRICULARS

All extracurricular practices and contests will be conducted following safety protocol provided by guidance from SeguinISD, UIL and TEA. This will include COVID-19 screening, group sizes, sharing and sanitizing of equipment, locker room usage, etc.

All students will communicate with athletic trainers, coaches, directors or instructors to notify them of a positive test.

## SECONDARY SPECIALIZED CLASSROOMS AND EXTRACURRICULAR PROGRAMMING

### PHYSICAL EDUCATION

- Sanitizing areas and/or access to handwashing will be provided.
- Students and staff will sanitize hands before and after each class.
- Visual markers will be on the gym floor and bleachers as reminders of social distancing rules.
- Activities bringing students into close physical contact, or requiring multiple students to touch or handle the same equipment will be avoided.
- Cohort type grouping strategies will be utilized to limit equipment handling and student interaction.

#### **PE equipment will be disinfected between cohort use.**

- Students will be encouraged to avoid touching their face at all times, but especially while playing games and or handling equipment.
- Students will not be required to dress-out for Physical Education classes.
- Students should dress for active participation and bring a personal water bottle.
- When possible, Physical Education classes will be held outside to allow for maximum physical distance between students.

**ATHLETICS**

- Similar to summer strength and conditioning activities, practices and contests will follow protocols established by UIL, TEA and Seguin ISD. In-season and off-season activities will follow the most current guidelines available.
- Coaches will provide an orientation of protocols and expectations for students at the beginning of their respective season(s).
- Specific entrances and exits of athletic facilities will be utilized by students for appropriate separation and distancing. Signage will serve as a visual cue and reminder for students.
- Student-athletes will be assigned to groups for the purposes of maintaining proper distancing and capacity in locker rooms to dress before and after practice sessions.
- Practice uniforms will be laundered at home. Game issued uniforms will be laundered at campus with coaching staff following proper protocols.
- Equipment used during practices will be sanitized frequently during practice sessions.
- Athletic areas will be frequently disinfected during the week with an electrostatic misting tool.
- Athletes will not be allowed to socially congregate before, during, or after practices/workouts.
- Parents and students will be expected to provide timely notification of any health concerns to their coach and athletic trainer (if applicable).
- Communication, quarantine, and proper disinfecting will occur in the event of a confirmed diagnosis.
- Water breaks will occur in small groups while using disposable cups. Coaches will organize water breaks with safety and efficiency in mind. Athletes on teams with smaller numbers such as volleyball and basketball may bring their own reusable water bottle clearly marked with their name. Sharing of water or sports drinks will not be allowed at any time.

**DANCE,  
CHEER, OR  
COLOR**

- Practices and performances will be conducted following safety protocol provided by guidance from Seguin ISD, UIL and TEA
- Students will be asked to regularly wash or sanitize their hands.

**GUARD**

- Any shared equipment will be regularly disinfected/wiped down.
- Dance, Cheer, and Color Guard students will be encouraged to bring their own water bottle and a personal towel to wipe perspiration.
- Staff may adjust activities based on current conditions to modify spacing and distancing of students as necessary.

**FINE ARTS**

- All fine arts events will be conducted following safety protocol provided by guidance from Seguin ISD, UIL and TEA.
- Fine arts organizations will also adhere to specific campus guidelines for activities.
- Social distancing of groups may be considered when possible.
- Any shared equipment and supplies will be regularly disinfected/wiped down.
- Some events may have attendance limits or offer streaming options based on current conditions.
- Staff will plan activities and any related travel always with student safety in mind.

**SCHOOL EVENTS AND ACTIVITIES**

**GUIDELINES FOR SCHOOL WIDE EVENTS/ACTIVITIES**

- Administration will follow all Seguin ISD, UIL and CDC guidelines in regard to games, practices, etc.
- Any school wide events that are approved to be held on campus must adhere to requirements outlined by Seguin ISD, TEA and UIL. (Examples: grade level pep rallies, assemblies, performances, etc.) Some athletic events may be live streamed and/or occur virtually when possible.
- To limit larger gatherings, campus club meetings should be held virtually when possible. If meeting in person is required, groups should utilize larger meeting spaces or multiple meeting opportunities will be provided.
- PTO and booster clubs must collaborate with and seek approval from campus/district administration prior to any event that is planned.
- Back to school and transitional events will be planned in a manner that minimizes large congregations of people in one spot.

## ON- AND OFF-CAMPUS STUDENT ACTIVITIES

<b>ON/OFF CAMPUS ACTIVITIES, FIELD TRIPS &amp; SCHOOL WIDE EVENTS</b>	
<b>ON-CAMPUS ACTIVITIES</b>	<ul style="list-style-type: none"> <li>In an abundance of caution, effective Aug. 16, 2021 (Aug. 18, 2021 for Ball ECC), visitors will not be allowed inside Seguin ISD schools. It is anticipated that this protocol will be a temporary one that can be rescinded once COVID numbers stabilize and ultimately decline.</li> </ul>
<b>FIELD TRIPS</b>	
<b>OFF-CAMPUS ACTIVITIES</b>	<ul style="list-style-type: none"> <li>Special Education Community Based Instruction (CBI) guidance will be followed to ensure these learning environments are available to our students per ARD/IEP recommendations.</li> </ul>
<b>SCHOOL WIDE EVENTS</b>	<ul style="list-style-type: none"> <li>School wide events will be live streamed and/or occur virtually when possible.</li> <li>To limit larger gatherings, campus club meetings should be held virtually when possible. If meeting in person is required, groups should utilize larger meeting spaces or multiple meeting opportunities will be provided.</li> </ul>

## HALLWAYS AND LOCKERS

<b>CLASSROOM TRANSITIONS, HALLWAYS &amp; LOCKERS</b>	
<b>ELEMENTARY</b>	<ul style="list-style-type: none"> <li>Students and staff are encouraged to avoid gathering in large groups during passing periods.</li> <li>Students are encouraged to observe and follow school hall traffic flow directions while maintaining social distancing guidelines.</li> <li>Where possible, one-way traffic throughout campus corridors will be established.</li> <li>In two-way halls students are expected to stay to the far right of the hall when walking.</li> </ul>

	<ul style="list-style-type: none"> <li>• When possible, it is recommended that students make transitions outside of the building.</li> </ul>
<p><b>SECONDARY</b></p>	<ul style="list-style-type: none"> <li>• Students are expected to observe and follow school hall traffic flow directions while maintaining social distancing guidelines.</li> <li>• Students and staff are encouraged to avoid gathering in large groups during passing periods.</li> <li>• To prevent congregating during transition times, students will not be assigned an academic locker. Students will be permitted to bring backpacks to class.</li> <li>• Staggered releases from each class will be organized to limit the number of students in the hallway during transitions.</li> <li>• In two-way halls students are expected to stay to the far right of the hall when walking.</li> <li>• Visual markers will be developed to help students maintain physical distances and adhere to established campus traffic flow in hallways.</li> <li>• Traffic patterns will be established throughout the campus that separates individuals to the greatest extent possible.</li> <li>• Students should immediately report to their next class and not congregate in the hallway.</li> </ul>

**EMERGENCIES AND DRILLS**

Seguin ISD will continue to follow the Standard Response Protocol (SRP) and its emergency actions of Lockout, Lockdown, Evacuate and Shelter as well as ALICE Response Protocols. Recommendations from the Texas School Safety Center will be followed as appropriate.

**EMERGENCY EVACUATION PROTOCOLS**

- Required Drills: Administration will implement procedures and will provide instructions for completion of assigned drills that allow for additional distancing or safety protocols to be implemented whenever possible. This process may be implemented for drills or campus activities where reducing hallway load is needed. At the conclusion of the drill, the groups can stagger their re-entry to the building to maintain social distancing.

- After each drill, staff and students will be reminded that in an actual emergency, they must exit/evacuate/follow protocols without delay and without a staggered exit/evacuation.
- Actual Emergencies: Administration will emphasize that social distancing will not be required during an actual emergency such as a fire, lockdown, shelter for dangerous weather, evacuation, etc.

# Minutes of Regular Meeting

## The Board of Trustees

### Seguin ISD

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A regular board meeting of the Board of Trustees of Seguin ISD was held Tuesday, July 27, 2021, beginning at 6:30 PM in the Board Room, 1221 E. Kingsbury, Seguin, Texas.

Present: Ben Amador, Denise Crettenden, Linda Duncan, Alejandro R. Guerra, Carl Jenkins, Glenda Moreno, Cinde Thomas-Jimenez and Dr. Matthew Gutierrez, Superintendent

Absent:

Also Present: Nikki Bittings, Deputy Chief Operations Officer; Mark Cantu, Chief Innovation Officer; Anthony Hillberg, Chief Financial Officer; Sean Hoffmann, Chief Communications Officer; Andrea Jaramillo, Deputy Chief of Innovation and Learning; Bill Lewis, Chief Operating Officer and Associate Superintendent; Cindy Moreno, Chief Human Resources Officer; Pete Silvius, Director of Whole Child Initiative, Coach Craig Dailey, Athletic Director/Head Coach; Nancy Ramirez, Superintendent Secretary and media.

#### 1. Call to Order

A. Mrs. Thomas-Jimenez called the meeting to order at 6:30 p.m. and a quorum was established. The meeting of the Seguin ISD has been duly called and notice of this meeting has been posted in accordance with the Texas Open Meetings Act, Section 551.043 of the Texas Government Code.

B. The pledges were led by Mr. Jenkins, followed by a moment of silence.

C. Superintendent Announcements:

Dr. Gutierrez provided the board and community with highlights, upcoming key dates and event information since the last board meeting, which included recognizing staff and student achievements and successes from across the district. Dr. Gutierrez shared back to school information and invited the community to the Town Hall scheduled for next Tuesday.

#### 2. Recognition/Campus Presentations

##### A. Student/Staff/Board/Community Recognition

The Board of Trustees recognized the following student for his outstanding accomplishments:

- **Kaden Legore, Seguin High School student, fourth place in the nation at the Business Professionals of America (BPA) Virtual National Leadership Conference (Business Law and Ethics); second place in the state at the Texas Science and Engineering Fair (Biomedical Sciences)**

#### 3. Audience with the Board

Trevor Haas signed up to address the Board regarding baseball and softball facilities.

Rebecca Aguilar signed up to address the Board regarding baseball and softball facilities.

Ms. Mazzuranos signed up to address the Board regarding baseball and softball facilities.

#### 4. Reports/Information Items:

##### A. Information Regarding Seguin ISD Comprehensive School Counseling Program

The Board of Trustees received information regarding the District's Comprehensive School Counseling Program. A Comprehensive School Counseling Program is an integral part of each

school's total educational program. It is developmental by design and sequentially organized and implemented by Certified School Counselors with the support of teacher's administrators, students, and parents.

### **B. New Administrator Hires**

The Board of Trustees received information and recognized the newly hired administrators below:

- **Director of Elementary Education**  
Mrs. Sandra Reyes comes to us with over 30 years of experience, most recently serving as an Elementary Principal with Temple ISD. While leading Hector P. Garcia Elementary she implemented Solution Tree PLCs, mentored new principals, and moved the campus to a "B" rating. Her data-driven focus and ability to coach will be a great asset to Seguin ISD.
- **Dual Language Coordinator**  
Mrs. Cynthia Lasseter joins the district with over 25 years of experience, most recently serving as the Bilingual and ESL Specialist for Region 3. Her passion for improving the learning environment for students has driven her use of instructional models such as Fundamental 5 and John Seidlitz's 7 Steps to a Language-Rich Instructional Classroom. Her educational and cultural experience will be an asset in her new role.
- **Assistant Principal, Weinert Elementary**  
Mrs. Tanya Webb comes to us with 19 years of classroom experience in Navarro ISD teaching 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> grade. She is a native of Seguin and passionate about using data to drive and assess student growth. She is excited to serve the Seguin community and looks forward to building relationships with the staff, students, and parents of Weinert Elementary.
- **ACE Program Director**  
Ms. Stephanie Hill joins us from San Antonio Independent School District where she served as a campus ACE coordinator. Ms. Hill coordinated the recruitment of priority students while creating buy in from both students and families, which working with campus staff to align afterschool activities for optimum student achievement. Ms. Hill's experience in managing and implementing the 21<sup>st</sup> Century grant requirements will be a benefit to our district's implementation. We look forward to Ms. Hill helping lead the way with our new ACE program in Seguin ISD.

### **C. 2021-2022 Nita M. Lowey 21<sup>st</sup> CCLC Cycle 11, Year 1, (Texas ACE) Grant Award Notification**

The Board of Trustees received information about a recent grant award notification for Seguin ISD. The purpose of the presentation was to provide an overview and update on the recent grant application award notification Seguin ISD received to create Afterschool Centers on Education (Texas ACE) at all 7 elementary campuses and both middle school campuses. Preliminary grant award is \$1.7 Million annually for 5 years.

### **D. Seguin ISD Athletic Fields Update**

The Board of Trustees received an overview of the Athletic Fields from Coach Dailey. The purpose of the presentation was to provide an overview and update of the condition of some of the athletics fields in the district and discuss options for improvements.

5. **Closed Meeting** –The Board went into closed session at 7:27 p.m.
  - A. Pursuant to Texas Government Code Section §§ 551.071, 551.074, 551.129 - Consultation with legal counsel including possible telephone consultation with legal counsel, as necessary, to address legal concerns, implications, and answer any legal questions regarding posted agenda items.
  - B. Pursuant to Texas Government Code Section § 551.074 - Discuss personnel matters, including appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a employee(s).

1. Emergency Operations and Safety Protocols

6. **Reconvene to Open Meeting** – The Board reconvened at 8:16 p.m.
  - A. Possible action to approve professional personnel, including appointment, employment, evaluation, assignment, duties, discipline or dismissal of employee(s).

The Board did not take action.

7. **Consent Agenda Items – Consider and Possible Approval:**

- A. **Approval of Board Minutes for:**

Public Meeting, June 15, 2021

Regular Meeting, June 15, 2021

Special Meeting, June 22, 2021

- B. **Approval of Tax Collection Reports for June 2021**

The Board of Trustees approved the Guadalupe County Tax Office Monthly Recap from Daryl John, Guadalupe County Tax Assessor-Collector for June 2021. The Texas Property Tax Code requires the collector of taxes for a taxing unit prepare a written report of tax collections made for the preceding month. The Guadalupe County Tax Assessor-Collector collects ad valorem taxes for the District.

- C. **Approval of Proposed Budget Amendments & Financial Statements for May 2021**

The Board of Trustees approved the proposed budget amendments and financial statements for the General Fund, Child Nutrition Fund, and Debt Service Fund as of May 31, 2021.

- D. **Approval of Donations Received June 2021**

The Board of Trustees approved the donations received by the District during the month of June 2021 in the amount of \$2,500.00 from various business and individuals. District Board policy CDC (Local) states "...any (unsolicited) gift that the potential donor has expressly made conditional upon the District's use for a specified purpose, or any gift of real property, shall require Board approval."

- E. **Approval of Investment Report for the Fourth Quarter Ended Jun 30, 2021**

The Board of Trustees approved the Investment Report for the Fourth Quarter ended June 30, 2021. State law and Board Policy require quarterly reports regarding the District's investments. This report is designed to allow the Board of Trustees to review the investment activity for the quarter ended June 30, 2021. The District's earnings rates, investment position, and yield information are presented for the period. The District currently invests exclusively in interlocal governmental investment pools ("pools"), which allow withdrawals on a same day basis. The book value of pools is considered to be the market value and is reflected accordingly in the Investment Report.

- F. **Approval of Investment Report for the Year Ended June 30, 2021**

The Board of Trustees approved the Investment Report for the Year Ended June 30, 2021. State law and Board Policy require quarterly reports regarding the District's investments. This report is

designed to allow the Board of Trustees to review the investment activity for the Year Ended June 30, 2021. The District's earnings rates, investment position, and yield information are presented for the period. The District currently invests exclusively in interlocal governmental investment pools ("pools"), which allow withdrawals on a same day basis. The book value of pools is considered to be the market value and is reflected accordingly in the Investment Report.

**G. Approval of District-Wide Vehicle Maintenance, Parts, and Services (RFP #: 21-01)**

The Board of Trustees approved the contract with each of the recommended respondents, as reflected in the exhibit, for Vehicle Maintenance, Parts, and Services. A Request for Proposals (RFP#: 21-01) was issued on August 7, 2020 for Vehicle Maintenance, Parts, and Services. The bid was competitively solicited in compliance with Board Policy. Of the one responses received, all met the RFP requirements. With approval from the Board of Trustees, the following respondent will be added to the list of approved vendors for this RFP: Hempel Oil Distributors, Inc. The list of previously approved vendors is available on the Bids page of the District [website](#). All approved vendors will continue to qualify under this RFP for the remaining contract term, which will end on June 30, 2023.

**H. Approval of District-Wide HVAC Systems Maintenance, Equipment, Parts, and Services (RFP #: 21-02)**

The Board of Trustees approved to contract with each of the recommended respondents, as reflected in the exhibit, for HVAC Systems Maintenance, Equipment, Parts, and Services. A Request for Proposals (RFP#: 21-02) was issued on August 7, 2020 for HVAC Systems Maintenance, Equipment, Parts, and Services. The bid was competitively solicited in compliance with Board Policy. Of the one responses received, all met the RFP requirements. With approval from the Board of Trustees, the following respondent will be added to the list of approved vendors for this RFP: INSCO Distributing, Inc. The list of previously approved vendors is available on the Bids page of the District [website](#). All approved vendors will continue to qualify under this RFP for the remaining contract term, which will end on June 30, 2023.

**I. Approval of District-Wide Plumbing Systems Maintenance, Equipment, Parts, and Services (RFP #: 21-03)**

The Board of Trustees approved to contract with each of the recommended respondents, as reflected in the exhibit, for Plumbing Systems Maintenance, Equipment, Parts and Services. A Request for Proposals (RFP#: 21-03) was issued on August 7, 2020 for Special Education Services. The bid was competitively solicited in compliance with Board Policy. Of the two responses received, all met the RFP requirements. With approval from the Board of Trustees, the following respondents will be added to the list of approved vendors for this RFP: Texas Cutting and Coring, LP, Liquid Environmental Solutions of TX, LLC. The list of previously approved vendors is available on the Bids page of the [District website](#). All approved vendors will continue to qualify under this RFP for the remaining contract term, which will end on June 30, 2023.

**J. Approval of District-Wide Facilities Maintenance, Electrical Equipment, Parts, and Services (RFP #:21-04)**

The Board of Trustees approved to contract with each of the recommended respondents, as reflected in the exhibit, for Facilities Maintenance, Electrical Equipment, Parts, and Services. A Request for Proposals (RFP#: 21-04) was issued on August 7, 2020 for Facilities Maintenance, Electrical Equipment, Parts, and Services. The bid was competitively solicited in compliance with Board Policy. Of the one responses received, all met the RFP requirements. With approval from the Board of Trustees, the following respondents will be added to the list of approved vendors for this RFP: Lonestar Home Solutions. The list of previously approved vendors is available on the Bids

page of the District [website](#). All approved vendors will continue to qualify under this RFP for the remaining contract term, which will end on June 30, 2023.

**K. Approval of District-Wide Special Education Services (RFP #: 21-05)**

The Board of Trustees approved to contract with each of the recommended respondents, as reflected in the exhibit, for Special Education Services. A Request for Proposals (RFP#: 21-05) was issued on August 7, 2020 for Special Education Services. The bid was competitively solicited in compliance with Board Policy. Of the two responses received, all met the RFP requirements. With approval from the Board of Trustees, the following respondents will be added to the list of approved vendors for this RFP: Thrive Learning Services, LLC and Eye Shine Educational Vision Services, LLC. The list of previously approved vendors is available on the Bids page of the [District website](#). All approved vendors will continue to qualify under this RFP for the remaining contract term, which will end on June 30, 2023.

**L. Approval of Property, Liability, and Fleet Insurance for 2021-22**

The Board of Trustees approved the renewal of property, liability, and fleet insurance coverage with the Texas Association of School Boards (TASB) with a premium of \$379,758. The cost is \$16,476 higher than 2020-2021. Coverages under the plan include the following: property, school liability, privacy & information security, auto, and ancillary (violent acts). Part of the cost reflects an option to buy down our Wind and Hail deductible from \$100,000 to \$50,000 at a cost of \$14,800.

**M. Information Regarding an Interlocal Agreement with Communities in Schools for Integrated Student Support (ISS)**

The Board of Trustees received information regarding an Interlocal Agreement for Integrated Student Support (ISS) at a cost of \$241,062.50 for the annual payment. The total cost is an increase of \$3,562.50 over the prior year. The district has contracted with Communities in Schools (CIS) since 2017. The renewed agreement will continue the ISS services at the same served campuses of the prior year.

**N. Seguin ISD Continuation of the Head Start Program**

The Board of Trustees received information regarding the continuation of the Head Start Program. The Head Start Program is funded by federal grant in partnership with a federally awarded service provider. The awarded service provider for Guadalupe county Head Start Program is Community Council of South Central Texas (CCSCT). The program will continue to be housed at Ball Early Childhood Center. The Head Start program is designed to offer additional support to the lowest socioeconomic students and families of Seguin ISD. Direct student services will be provided to pre-kindergarten children who are enrolled in the program. Program services provided by the partnership with CCSCT will include family support, technical assistance, and professional staff development. The Head Start enrolled families will be assigned a Family Advocate to provide support and information.

**O. Information Regarding the Purchase of Interior and Exterior Painting Services for Weinert Elementary from Azteca Designs, Inc. Through the BuyBoard Purchasing Cooperative**

The Board of Trustees received information regarding the BuyBoard Purchasing Cooperative reference #: 577-18 from Azteca Designs, Inc. for \$172,120.00.

**P. Personnel Information – Professional Employees**

The Board of Trustees received information regarding the following new hires and resignations for the 2020-2021 school year listed below:

**New Hire Elections:**

Name	Campus	Effective
Anderson, Lisa	Jefferson Elementary	8/9/2021
Asmus, Maren	McQueeney Elementary	8/9/2021
Avalos, Erika	McQueeney Elementary	8/9/2021
Bone, Lannette	Barnes Middle School	8/9/2021
Bramlett, Zachary	AJB Middle School	8/9/2021
Cantu, Cynthia	Weinert Elementary	8/9/2021
Cardenas, Jacquelyn	Jefferson Elementary	8/9/2021
Carter, David	McQueeney Elementary	8/9/2021
Coleman, Jamie	Seguin High School	8/9/2021
Copeland, Sheila	Jefferson Elementary	8/9/2021
Cosby, Devin	Barnes Middle School	8/5/2021
Creedle Reynolds, Callier	Seguin High School	8/5/2021
Currie, Taylor	Patlan Elementary	8/9/2021
Dace, Trishia	Jefferson Elementary	8/9/2021
Fletcher, Madison	AJB Middle School	8/9/2021
Friesenhahn, Tammy	AJB Middle School	8/9/2021
Galen, Christianna	Barnes Middle School	8/9/2021
Garcia, Heather	Jefferson Elementary	8/9/2021
Gonzales, Johanna	Koennecke Elementary	8/9/2021
Greene, Alexis	Seguin High School	8/9/2021
Guadarrama, Angel	Seguin High School	8/9/2021
Guerrero, Carolina	Koennecke Elementary	8/9/2021
Guinto, Amalia	Barnes Middle School	8/9/2021
Gutierrez, Leticia	Koennecke Elementary	8/9/2021
Hettinger, Jeffrey	Seguin High School	8/9/2021
Ince, Shanda	ABJ Middle School	8/9/2021
Intessimone, Susan	Barnes Middle School	8/9/2021
Johnson, Donald	DAEP	7/26/2021
Jones, Deja	Ball Early Childhood	8/9/2021
Kelley, Ashley	Patlan Elementary	8/9/2021
Kober, Kathryn	LLS	7/28/2021
Long, Haley	AJB Middle School	8/9/2021
Lopez, Emilio	Seguin High School	8/9/2021
Luckey, Tracee	Barnes Middle School	8/9/2021
McDonald, William	Seguin High School	8/2/2021
McGrath, Tiffany	Jefferson Elementary	8/9/2021

Mendoza, Daniel	Weinert Elementary	8/9/2021
Morris, Lynze	Vogel Elementary	8/9/2021
Mueller, Chelsea	Jefferson Elementary	8/9/2021
Noethen, Sarah	Vogel Elementary	8/9/2021
Polasek, Tiffany	Seguin High School	8/9/2021
Ray, Shelly	Barnes Middle School	8/9/2021
Rice, Ashley	Seguin High School	8/9/2021
Romero, Meredith	Barnes Middle School	8/9/2021
Sanchez Rodriguez, Flor	Rodriguez Elementary	8/9/2021
Sandoval, Victor	AJB Middle School	8/9/2021
Shepard, Samantha	Barnes Middle School	8/9/2021
Sherrill, Kaylyn	Patlan Elementary	8/9/2021
Singletary, Amanda	Jefferson Elementary	8/9/2021
Smith, Melissa	Seguin High School	8/9/2021
Soler, Mariam	Seguin High School	8/9/2021
Stai, Samantha	McQueeney Elementary	8/9/2021
Stanley, Daphney	Weinert Elementary	8/9/2021
Stringer, Brandi	Jefferson Elementary	8/9/2021
Tambunga, Victoria	AJB Middle School	8/9/2021
Tamez, Blanca	Barnes Middle School	8/9/2021
Thompson, Nicole	Seguin High School	8/9/2021
Thorn-Leeson, Patricia	Barnes Middle School	8/9/2021
Tomlinson, Shaeleigh	Seguin High School	8/9/2021
Torres, Lydia	LLS	7/26/2021
Torrez, Paulina	Koennecke Elementary	8/9/2021
Trim, Donnie	AJB Middle School	8/9/2021
Valentine, Matilda	Patlan Elementary	8/9/2021
Wade, Shara	Ball Early Childhood	7/26/2021
Walker, Janiece	AJB Middle School	8/9/2021
Webb, Tanya	Weinert elementary	7/26/2021
Williams, Amber	McQueeney Elementary	8/9/2021

**Resignations:**

**Austin, Natalie, Seguin High School, effective 7/20/2021**

Ms. Austin, Counselor, has resigned due to personal reasons.

Ms. Austin has 7 years with Seguin ISD.

**Bello, Ernesto, Seguin, High School, effective 6/29/2021**

Mr. Bello, Spanish Teacher, has resigned to move closer to home.

Mr. Bello has 2 years with Seguin ISD.

**Bushman, Crystal, Jefferson Elementary, effective 6/28/2021**

Ms. Bushman, 3<sup>rd</sup> Grade Teacher, has resigned due to personal reasons.

Ms. Bushman has 1 year with Seguin ISD.

**Byerly, Adam, Barnes Middle School, effective 6/28/2021**

Mr. Byerly, ELA Teacher, has resigned to accept a position closer to home.

Mr. Byerly has 1 year with Seguin ISD.

**Carrasco, Amanda, Rodriguez Elementary, effective 6/16/2021**

Ms. Carrasco, 1<sup>st</sup> Grade Bilingual Teacher, has resigned to accept a position with North East ISD.

Ms. Carrasco has 3 years with Seguin ISD.

**Cowey, Michelle, Jefferson Elementary, effective 6/11/2021**

Ms. Cowey, 5th Grade Teacher, has resigned to accept a position with another school district.

Ms. Cowey has 9 years with Seguin ISD

**Fields, Jordan, Barnes Middle School, effective 6/16/2021**

Ms. Fields, Science Teacher, has resigned due to personal reasons.

Ms. Fields has 3 years with Seguin ISD.

**Flournoy, Sarah, Seguin High School. Effective 7/1/2021**

Ms. Flournoy, ELA Teacher, has resigned due to personal reasons.

Ms. Flournoy has 3 years with Seguin ISD.

**Fontanella, Veronica, Seguin High School, effective 6/29/2021**

Ms. Fontanella, World History Teacher, has resigned to accept a position with Northside ISD.

Ms. Fontanella has 1 year with Seguin ISD.

**Guzman Pedroza, Gloria, Seguin High School, effective 6/23/2021**

Ms. Guzman Pedroza, Spanish Teacher, has resigned to accept a position with another district.

Ms. Guzman Pedroza has 2 years with Seguin ISD.

**Herrera, Rudy, DAEP, effective 6/11/2021**

Mr. Herrera, Counselor, has resigned due to personal reasons.

Mr. Herrera has 34 years with Seguin ISD.

**Hill, Hertha, Jefferson Elementary, effective 6/11/2021**

Ms. Hill, Librarian, has resigned and elected to retire.

Ms. Hill has 29 years with Seguin ISD.

**Johnson, Trevor, Barnes Middle School, effective 6/23/2021**

Mr. Johnson, PE Teacher/Coach, has resigned due to personal reasons.

Mr. Johnson has 2 years with Seguin ISD.

**Key Jennifer, AJB Middle School, effective 7/1/2021**

Ms. Key, ELAR Teacher, has resigned to accept a position with a another school district.

Ms. Key has 1 year with Seguin ISD.

**Lawler, Ginnesica, Seguin High School, effective 6/14/2021**

Ms. Lawler, English Teacher/Coach, has resigned due to personal reasons.

Ms. Lawler has 3 years with Seguin ISD.

**Mathis, Jordan, Seguin High School, effective 6/15/2021**

Mr. Mathis, Special Education Teacher/Coach, has resigned to accept a position with Glen Rose ISD.

Mr. Mathis has 2 years with Seguin ISD.

**Morse, Holly, Jefferson Elementary, effective 6/28/2021**

Ms. Morse, 4<sup>th</sup> Grade Teacher, has resigned to accept a position with another school district.

Ms. Morse has 3 years with Seguin ISD.

**Olson, Rosemary, Vogel Elementary, effective 6/28/2021**

Ms. Olson, 2<sup>nd</sup> Grade Teacher, has resigned to move closer to home.

Ms. Olson has 1 year with Seguin ISD.

**Orozco, Juan, Technology Dept., effective July/30/2021**

Mr. Orozco, Director of Digital Learning, has resigned to accept another position.

Mr. Orozco has 1 year with Seguin ISD>

**Owens, Cody, Seguin High School, effective 6/24/2021**

Mr. Owens, Agriculture Science Teacher, has resigned to accept a position with Marion ISD.

Mr. Owens has 1 year with Seguin ISD.

**Park, Jihee, Seguin High School, effective July 1, 2021**

Ms. Park, Art Teacher, has resigned to move closer to home.

Ms. Park has 7 years with Seguin ISD.

**Rodriguez, Mark, MBLC, effective 6/24/2021**

Mr. Rodriguez, PE Teacher/Coach, has resigned to accept a position with Comal ISD.

Mr. Rodriguez has 4 years with Seguin ISD.

**Saenz, Michelle, Ball Early Childhood, effective 7/17/2021**

Ms. Saenz, Counselor, has resigned to move closer to home.

Ms. Saenz has 8 years with Seguin ISD.

**Taylor, Gordon, Seguin High School, effective 6/29/2021**

Mr. Taylor, Social Studies Teacher/Coach, has resigned to accept a position with Adkins High School.

Mr. Taylor has 9 years with Seguin ISD.

**Travis, Brittany, Patlan Elementary, effective 6/21/2021**

Ms. Travis, KG Teacher, has resigned to accept a position with Floresville ISD.

Ms. Travis has 3 years with Seguin ISD.

**Vera, Graciela, AJB Middle School, effective 6/11/2021**

Ms. Vera, Spanish Teacher, has resigned to accept a position with another school district.

Ms. Vera has 2 years with Seguin ISD.

**Wells, David, McQueeney Elementary, 6/17/2021**

Mr. Wells, KG Teacher, has resigned to accept a position with another school district.

Mr. Wells has 6 years with Seguin ISD

**Q. Public Information Act Requests June-July 2021**

The Board of Trustees received information regarding the Public Information Act requests received since June 3, 2021. The purpose of this agenda item is to keep trustees apprised of the District's Public Information program.

**Mr. Guerra moved, seconded by Mr. Amador to approve Consent Action Items:**

**A. Approval of Board Minutes for:**

**Public Meeting, June 15, 2021**

**Regular Meeting, June 15, 2021**

**Special Meeting, June 22, 2021**

**B. Approval of Tax Collection Reports for June 2021**

**C. Approval of Proposed Budget Amendments & Financial Statements for May 2021**

**D. Approval of Donations Received June 2021**

**E. Approval of Investment Report for the Fourth Quarter Ended Jun 30, 2021**

**F. Approval of Investment Report for the Year Ended June 30, 2021**

**G. Approval of District-Wide Vehicle Maintenance, Parts, and Services (RFP #: 21-01)**

**H. Approval of District-Wide HVAC Systems Maintenance, Equipment, Parts, and Services (RFP #: 21-02)**

**I. Approval of District-Wide Plumbing Systems Maintenance, Equipment, Parts, and Services (RFP #: 21-03)**

**J. Approval of District-Wide Facilities Maintenance, Electrical Equipment, Parts, and Services (RFP #:21-04)**

**K. Approval of District-Wide Special Education Services (RFP #: 21-05)**

**L. Approval of Property, Liability, and Fleet Insurance for 2021-22**

**M. Information Regarding an Interlocal Agreement with Communities in Schools for Integrated Student Support (ISS)**

**N. Seguin ISD Continuation of the Head Start Program**

**O. Information Regarding the Purchase of Interior and Exterior Painting Services for Weinert Elementary from Azteca Designs, Inc. Through the BuyBoard Purchasing Cooperative**

**Q. Public Information Act Requests June-July 2021**

**Ayes: Amador, Crettenden, Duncan, Guerra, Jenkins, Moreno and Thomas-Jimenez**

**Nays: None**

Mrs. Moreno would like to abstain from Consent Agenda Item 7. J. Approval of District-Wide Facilities Maintenance, Electrical Equipment, Parts, and Services (RFP #:21-04) and vote yes for all of the other Consent Agenda Items listed.

**8. Action Items:**

**A. Review of the 2020-2021 Optional Flexible School Day Program and approval of the 2021-2022 application for Seguin High School and Mercer Blumberg Learning Center at Saegert**

Mr. Amador moved, seconded by Mr. Jenkins to review the 2020-2021 Optional Flexible School Day Program and approve the 2021-2022 application for Seguin High School and Mercer Blumberg Learning Center at Saegert.

**Ayes: Amador, Crettenden, Duncan, Guerra, Jenkins, Moreno and Thomas-Jimenez**

**Nays: None**

**B. Adopt the Resolution for the Assignment of Fund Balance**

Mr. Guerra moved, seconded by Mrs. Moreno to adopt the Resolution for the Assignment of Fund Balance as presented.

**Ayes: Amador, Crettenden, Duncan, Guerra, Jenkins, Moreno and Thomas-Jimenez**

**Nays: None**

**C. Consider Appointing an Audit Committee for the Board of Trustees**

Mr. Amador moved, seconded by Ms. Duncan to appoint the same Audit Committee as the prior year: Denise Crettenden, Alejandro R. Guerra, and Carl Jenkins.

**Ayes: Amador, Crettenden, Duncan, Guerra, Jenkins, Moreno and Thomas-Jimenez**

**Nays: None**

**D. Resolution for Extending Paid Sick Leave for COVID-19 Related Illness**

Mr. Amador moved, seconded by Mr. Jenkins to approve the Resolution to extend 10 additional paid sick leave days for Seguin ISD employees that are in quarantine or isolation because of COVID-19 exposure/illness. In response to the COVID-19 Families First Coronavirus Response Act's (FFCRA) Extended Personal Sick Leave (EPSL) expiration on December 31, 2020; the need for protection of district employee leave and wages exists when employees are placed in quarantine/isolation because of the COVID-19 virus. Seguin ISD intends to continue complying with recommended Centers for Disease Control and Prevention (CDC) guidelines of quarantine/isolation time lines.

**Ayes: Amador, Crettenden, Duncan, Guerra, Jenkins, Moreno and Thomas-Jimenez**

**Nays: None**

**E. Consider and Take Possible Action Concerning Resolution Delegating Authority for Construction and Related Procurement**

Mr. Amador moved, seconded by Ms. Duncan to adopt the Resolution delegating authority for construction and related procurement for the proposed baseball and softball complex. The Board of Trustees has the authority to delegate certain decision making responsibilities to the Superintendent or designee. The recommendation to adopt the attached resolution delegating this authority is intended to expedite the project. Once a delivery method and general contractor are selected for recommendation, the Board of Trustees will retain the authority to make the final decision to proceed with the construction project.

**Ayes: Amador, Crettenden, Duncan, Guerra, Jenkins, Moreno and Thomas-Jimenez**

**Nays: None**

**9. Board Comments and Request**

There were no new requests from the Board. All prior Board requests have been addressed.

**10. Adjourn**

Mr. Amador moved, seconded by Mrs. Moreno to adjourn the meeting. The meeting adjourned at 8:54 p.m.

**Ayes: Amador, Crettenden, Duncan, Guerra, Jenkins, Moreno and Thomas-Jimenez**

**Nays: None**

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Secretary/August 24, 2021

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President/August 24, 2021

# Minutes of Board Retreat

## The Board of Trustees

### Seguin ISD

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A Board Retreat of the Board of Trustees of Seguin ISD was held Saturday, August 14, 2021, beginning at 9:00 AM at the Seguin Public Library, 313 W. Nolte St., Seguin, Texas.

Present: Ben Amador, Denise Crettenden, Linda Duncan, Alejandro R. Guerra, Carl Jenkins, Glenda Moreno, Cinde Thomas-Jimenez and Dr. Matthew Gutierrez

Absent:

Also Present: Nikki Bittings, Chief Student Services Officer, Mark Cantu, Chief Innovation Officer; Sean Hoffmann, Chief Communications Officer; Andrea Jaramillo, Deputy Chief Innovation & Learning; Bill Lewis, Chief Operating Officer and Associate Superintendent; Cynthia Moreno, Chief Human Resources Officer; Duncan Klussmann, Diversa Advisor; and Nancy Ramirez, Superintendent Secretary.

#### **1. Board Retreat: Facilitated by Duncan Klussmann with Diversa Advisors**

A. Discussion Regarding Data, Strategic Plan, Updates, COVID-19 Protocols, Review and Revise Board Operating Procedures

The Board met to discuss and receive information regarding data, strategic plan, updates, COVID-19 Protocols, review and revise Board Operating Procedures.

Also in attendance were community members:

Joseph & Ivana Mannel  
Ron Avery

The Board Retreat ended at 2:30 p.m.

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Secretary/August 24, 2021

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President/August 24, 2021

**ACTION ITEM:**

**Approval of Tax Collection Reports for July 2021**

**RECOMMENDATION:**

That the Board of Trustees approve the Guadalupe County Tax Office Monthly Recap from Daryl John, Guadalupe County Tax Assessor-Collector for July 2021.

**RATIONALE:**

The Texas Property Tax Code requires the collector of taxes for a taxing unit prepare a written report of tax collections made for the preceding month. The Guadalupe County Tax Assessor-Collector collects ad valorem taxes for the District.

**REFERENCE and COMPLIANCE:**

BDAF (LEGAL) - Selection and Duties of Chief Tax Official

**PAPERWORK IMPACT:**

None

**BUDGET IMPACT / INFORMATION:**

Tax payments are received by direct deposit to the District's accounts at Lone Star Investment Pool. Payments are remitted to the District two days after the County receives them.

Total Tax Collections for the month of July 2021:

Current	\$	-
Delinquent		221,811
Penalty and Interest		31,044
Total Monthly Collections	\$	<u>252,855</u>
Total Tax Collections Year to Date	\$	<u>252,855</u>
Delinquent Tax Levy		2,734,700
Percent Collected through July 2021		9.25%
Percent of Tax Levy Collected last year		13.41%

**EXHIBITS:**

None

**RESOURCE PERSONNEL:**

Anthony Hillberg, Chief Financial Officer, CPA, CTSBO  
Sally Eckhart, Budget Coordinator

Submitted by:

(Signature)

(Name)

(Address)

(Telephone)

Date Submitted: 08/24/21

Dr. Matthew Gutierrez, Superintendent  
1221 E. Kingsbury St., Seguin, TX 78155  
(830) 401-8614

**ACTION ITEM:**

**Approval of Donations Received July 2021**

**RECOMMENDATION:**

That the Board of Trustees approve donations received by the District during the month of July 2021.

**RATIONALE:**

District Board policy CDC (Local) states "...any (unsolicited) gift that the potential donor has expressly made conditional upon the District's use for a specified purpose, or any gift of real property, shall require Board approval."

**REFERENCE and COMPLIANCE:**

CDC (LOCAL) - Other Revenues: Gifts and Solicitations

**PAPERWORK IMPACT:**

None

**BUDGET IMPACT / INFORMATION:**

None

**EXHIBITS:**

Proposed Donations

**RESOURCE PERSONNEL:**

Dr. Matthew Gutierrez, Superintendent  
Anthony Hillberg, Chief Financial Officer, CPA, CTSBO  
Sally Eckhart, Budget Coordinator

Submitted by:  
(Signature)  
(Name)  
(Address)  
(Telephone)



\_\_\_\_\_  
Dr. Matthew Gutierrez, Superintendent  
1221 E. Kingsbury St., Seguin, TX 78155  
(830) 401-8614

Date Submitted: 08/24/21

**Donations Received By Seguin ISD  
During the 2021-22 School Year**

<b>Donor</b>	<b>Purpose</b>	<b>Campus Receiving Donation</b>	<b>Date Rcvd</b>	<b>Amount</b>	<b>Board Approval</b>
Seguin Sports Boosters	Campus activity support	SHS Athletics-Multiple sports	07/21/21	\$ 1,120.00	Pending

NOTE: This listing includes only documented, unsolicited donations received by the District during July 2021. Additional donations may have been received by campuses and subsequently deposited by the campus or student group without providing detailed documentation to the Business Department.

**ACTION ITEM:** **Approval of District-Wide Facilities Maintenance, Electrical Equipment, Parts, And Services (RFP #: 21-04)**

**RECOMMENDATION:** That the Board of Trustees approve to contract with each of the recommended respondents, as reflected in the attached exhibit, for Facilities Maintenance, Electrical Equipment, Parts, and Services.

**RATIONALE:** A Request for Proposals (RFP#: 21-04) was issued on August 7, 2020 for Facilities Maintenance, Electrical Equipment, Parts, and Services. The bid was competitively solicited in compliance with Board Policy. Of the one responses received, all met the RFP requirements. With approval from the Board of Trustees, the following respondent will be added to the list of approved vendors for this RFP: Mustang Enterprises, LTD. The list of previously approved vendors is available on the Bids page of the District [website](#). All approved vendors will continue to qualify under this RFP for the remaining contract term, which will end on June 30, 2023.

**REFERENCE and COMPLIANCE:** CH(LEGAL) and CH(LOCAL) Purchasing and Acquisition

**PAPERWORK IMPACT:** None

**BUDGET IMPACT / INFORMATION:** Funds to be provided by the General Operating Fund.

**EXHIBITS:** Vendor Recommendation Form

**RESOURCE PERSONNEL:** Anthony Hillberg, Chief Financial Officer, CPA, CTSBO  
James Pizana, Director of Maintenance and Operations  
Jennifer Raske, Purchasing Coordinator

Submitted by: \_\_\_\_\_ Date Submitted: 08/24/21  
(Signature) *Matthew Gutierrez*  
(Name) Dr. Matthew Gutierrez, Superintendent  
(Address) 1221 E. Kingsbury St., Seguin, TX 78155  
(Telephone) (830) 401-8614

**SEGUIN INDEPENDENT SCHOOL DISTRICT**  
**VENDOR RECOMMENDATION FORM**

**RFP #:** 21-04, FACILITIES MAINTENANCE, ELECTRICAL EQUIPMENT, PARTS, AND SERVICES

**BID CLOSING DATE:** JUNE 30, 2023

**ISSUING DEPARTMENT(S):** MAINTENANCE

VENDOR	SERVICES PROVIDED	Recommended
Mustang Enterprises, LTD	Equipment, parts, and repair service	<b>Y</b>

**Note:**

The issuing department has evaluated all respondents based on the following criteria:

- Required documents were completed by the respondent
- Purchase price (if applicable)
- Quality and reputation
- Goods and/or services meet District needs

**ACTION ITEM:** **Approval of District-Wide Special Education Services (RFP #: 21-05)**

**RECOMMENDATION:** That the Board of Trustees approve to contract with each of the recommended respondents, as reflected in the attached exhibit, for Special Education Services.

**RATIONALE:** A Request for Proposals (RFP#: 21-05) was issued on August 7, 2020 for Special Education Services. The bid was competitively solicited in compliance with Board Policy. Of the two responses received, all met the RFP requirements. With approval from the Board of Trustees, the following respondents will be added to the list of approved vendors for this RFP: VAT Educational Services and Stetson & Associates, Inc. The list of previously approved vendors is available on the Bids page of the District [website](#). All approved vendors will continue to qualify under this RFP for the remaining contract term, which will end on June 30, 2023.

**REFERENCE and COMPLIANCE:** CH(LEGAL) and CH(LOCAL) Purchasing and Acquisition

**PAPERWORK IMPACT:** None

**BUDGET IMPACT / INFORMATION:** Funds to be provided by the General Operating Fund.

**EXHIBITS:** Vendor Recommendation Form

**RESOURCE PERSONNEL:** Anthony Hillberg, Chief Financial Officer, CPA, CTSBO  
Halcey Dean, Director of Matador Special Services  
Jennifer Raske, Purchasing Coordinator

Submitted by: \_\_\_\_\_ Date Submitted: 08/24/21  
(Signature) *Matthew Gutierrez*  
(Name) Dr. Matthew Gutierrez, Superintendent  
(Address) 1221 E. Kingsbury St., Seguin, TX 78155  
(Telephone) (830) 401-8614

**SEGUIN INDEPENDENT SCHOOL DISTRICT**  
**VENDOR RECOMMENDATION FORM**

**RFP #:** 21-05, SPED SERVICES  
**BID CLOSING DATE:** JUNE 30, 2023  
**ISSUING DEPARTMENT(S):** SPED

VENDOR	SERVICES PROVIDED	Recommended
Stetson and Associates, Inc.	Educational consulting	<b>Y</b>
VAT Educational Services	CTVI, COMS, assistive technology	<b>Y</b>

**Note:**  
The issuing department has evaluated all respondents based on the following criteria:

- Required documents were completed by the respondent
- Experience
- Goods and/or services meet District needs

**ACTION ITEM:**                    **2021 – 2022 Student Code of Conduct**

**RECOMMENDATION:**        Recommend that the Board of Trustees approve revisions to the Student Code of Conduct for the 2021 - 2022 school year.

**RATIONALE:**                    Administrative staff along with the District Educational Improvement Council (DEIC), as presented on August 9, 2021, recommends changes to the Student Code of Conduct. The changes are aligned to the Texas Association of School Boards (TASB) Model Student Code of Conduct *post* 87<sup>th</sup> Legislative Session.

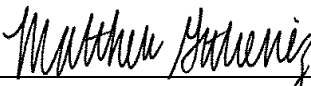
**REFERENCE and COMPLIANCE:**        TEC §11.252(a)(3)(E); §37.001(a); FO (LEGAL; LOCAL)

**PAPERWORK IMPACT:**                    Code of Conduct changes will be made in all applicable district publications.

**BUDGET IMPACT/ INFORMATION:**                    No significant impact.

**EXHIBITS:**                    The proposed Student Code of Conduct is provided as an exhibit. The revisions are marked in draft document with additions underlined and changes/deletions stricken.

**RESOURCE PERSONNEL:**                    Mark Cantú, Chief Innovation Officer

Submitted by:                                        Date Submitted: 08/24/21  
    (Signature)                    Dr. Matthew Gutierrez, Superintendent  
    (Name)                        1221 E. Kingsbury St., Seguin, TX 78155  
    (Address)                     (830) 401-8614  
    (Telephone)

# SEGUIN ISD STUDENT CODE OF CONDUCT

2020~~1~~ – 2021~~2~~ School Year

The SISD Board of Trustees adopted the following *Student Code of Conduct* (the *Code*) at a meeting held August ~~27, 2019~~.

## Accessibility

If you have difficulty accessing the information in this document because of disability, please contact 830-372-5771.

## Purpose

The Student Code of Conduct (“Code”) is the district’s response to the requirements of 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 Code provides methods and options for managing students in the classroom and on school grounds, disciplining students, and preventing and intervening in student discipline problems.~~

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), or expulsion from school.

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

In accordance with state law, the Code shall be posted at each school campus or shall be available for review at the ~~office of the~~ campus principal’s office. Additionally, the Code shall be available at the ~~office of 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, expelled, or taken into custody by a law enforcement officer under Chapter 37 of the Education Code.

Because the Student Code of Conduct is adopted by the district’s board of trustees, it has the force of policy. ~~;~~ ~~therefore, in case~~ In the event of conflict between the Code and the ~~s~~Student ~~h~~Handbook, the Code 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 district's authority ~~of the district~~ 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 ~~and while the student is going to and from school or a school-sponsored or school-related activity on district transportation;~~
2. While the student is traveling on district transportation;
3. During lunch periods in which a student is allowed to leave campus;
4. ~~While the student is in attendance a~~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 ~~provided~~ 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. The designated person may be the principal ~~of the campus~~ or any other campus administrator selected by the principal. The campus behavior coordinator is primarily responsible for maintaining student discipline. ~~The designated campus behavior coordinator is the campus principal or designee (See page 35).~~ 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 campus behavior coordinator. Contact information may be found at [www.seguinisd.net](http://www.seguinisd.net).

~~Because the Student Code of Conduct is adopted by the district's board of trustees, it has the force of policy; therefore, in case of conflict between the Code and the Student Handbook, the Code 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.~~

## Threat Assessment and Safe and Supportive School Team

The campus behavior coordinator or other appropriate administrator will work closely with the campus threat assessment 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.

~~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 campus behavior coordinator and 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

To ensure **sufficient** security and protection of students, staff, and property, the board employs security personnel. In accordance with law, the board has coordinated with the campus behavior coordinator and other district employees to ensure appropriate law enforcement duties are assigned to security staff. The law enforcement duties of district peace officers are listed in policy [CKE\(LOCAL\)](#).

The law enforcement duties of district security personnel are to protect the safety and welfare of any person and the property of the school district.

## '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.

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 **as an eligible student to give the opening or closing remarks**, a student shall not have engaged in any misconduct ~~in violation of the district's Code resulting~~ 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 role at graduation. No student shall be eligible to have such a speaking role if he or she engaged in any misconduct ~~in violation of the district's Code resulting~~ 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, school resource officer (SRO), or district police officer shall have the authority to refuse entry 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
2. The person behaves in a manner that is inappropriate for a school setting, ~~and the person~~ 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 days, unless the complaint is resolved before a board ~~meeting~~ [hearing](#).

See **DAEP – Restrictions During Placement** on page [121](#), 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, ~~always exercising self-discipline.~~
- [Exercise self-discipline.](#)
- Attend all classes, regularly and on time.
- ~~Prepare for each class; take~~ [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 [116](#), **DAEP Placement** on page [117](#), **Placement and/or Expulsion for Certain Offenses** on page [123](#), and **Expulsion** on page [125](#), ~~certain~~ [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 ~~in~~ [that section](#) on page [115](#).

### Disregard for Authority

Students shall not:

- Fail to comply with directives given by school personnel (~~insubordination~~).
- Leave school grounds or school-sponsored events without permission.
- Disobey rules for conduct on district vehicles.
- Refuse to accept discipline management techniques 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 123.)
- 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 ~~conduct that constitutes~~ 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**)
- ~~Cause Coerce~~ an individual to act through the use of or threat of force (~~coercion~~).
- Commit extortion or blackmail (~~obtaining money or an object of value from an unwilling person~~).
- 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 123.)
- 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 123.)
- Enter, without authorization, district facilities that are not open for operations.

## Possession of Prohibited Items / Weapons

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;
- ~~Knuckles;~~
- \*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<sup>§2</sup>, cigarettes<sup>§2</sup>, e-cigarettes<sup>§2</sup>, and any component, part, or accessory for an e-cigarette device;
- Matches or a lighter;
- A laser pointer for other than 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 123. 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 cellular telephone, or other electronic device in violation of district and campus rules.

For safety purposes, the district permits students to possess personal mobile telephones. However, these devices must remain turned off during the instructional day (from first bell to end of day bell), including during all testing, unless they are being used for approved instructional purposes or ~~in designated areas/times on campus~~ or unless principal has allowed at other times or locations.

The use of mobile telephones or any device capable of capturing images is strictly prohibited in locker rooms or restroom areas while at school or at a school-related or school-sponsored event.

In the case of confiscated **telecommunications devices**, a \$15 administrative fee will be assessed and collected before the device is returned. On the first infraction, the device will be confiscated and returned to the student at which time the \$15 fee is collected. For the second infraction and thereafter, the device will be confiscated and returned to the parent, at which time another \$15 fee will be collected.

For other **electronic devices** (including, but not limited to, laptops, tablets, e-readers, iPods, MP3 players, ear buds, and head phones), on the first infraction, the device will be confiscated and returned to the student at the end of the day. For the second infraction and thereafter, the device will be confiscated and returned to the parent.

Unclaimed telecommunication/electronic devices will be held by the district until the end of the school year, at which time the district will then dispose of unclaimed devices. The district is not responsible for any damaged, lost, or stolen confiscated electronic devices.

Students may also face disciplinary consequences for the exhibition or use of telecommunication/electronic devices at prohibited times.

When there is reasonable suspicion that the student has violated school rules, school authorities maintain the right to review electronic information stored in the telecommunications device.

## **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 117 and **Expulsion** on page 125 for mandatory and permissive consequences under state law.)
- Possess or sell seeds or pieces of marijuana in less than 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 causes impairment of the physical or mental faculties. (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.
- 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.
- ~~Cheat or copy the work of another.~~
- 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. These rules may be posted in classrooms or given to the student and may or may not constitute violations of the Code.

## Discipline Management Techniques

Discipline shall be designed to improve conduct and to encourage students to ~~adhere to their responsibilities as~~ 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 Student Code of Conduct. ~~To the extent~~ In the event of any conflict ~~exists~~, the district shall comply with federal. 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 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 Student 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.
- Detention, including outside regular school hours.
- Sending the student to the office, another ~~or other~~ assigned area, or to in-school suspension.
- 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.
- For any general conduct violation, a student may be restricted or prohibited from attending and/or participating in field-trips or school-sponsored or school-related activities.
- Penalties identified in **individual** 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 the **Out-of-School Suspension** on page **116**.
- Placement in a DAEP, as specified in the **DAEP** on page **117**.
- ~~Placement~~ Expulsion and/or ~~expulsion~~ placement in an alternative educational setting, as specified in the **Placement and/or Expulsion for Certain Offenses** on page **123**.
- Expulsion, as specified in the **Expulsion** on page **125**.
- 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.
- 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 by the use of 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 campus behavior coordinator 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 campus behavior coordinator 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 disciplinary action to the student, on the day the action was taken, ~~to provide to the student~~ for delivery to the student’s parent ~~written notification of the disciplinary action~~. 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 campus behavior coordinator shall send written notification by U.S. Mail. If the campus behavior coordinator 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 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 campus behavior coordinator, 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, the campus behavior coordinator’s office, or the central administration office or through Policy On Line at the following address: <http://pol.tasb.org/Policy/Code/550>.

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 or the campus behavior coordinator’s office to maintain effective discipline on the bus. The principal or campus behavior coordinator must employ additional discipline management techniques, as appropriate, which can include restricting or revoking a student’s bus riding privileges.

~~Since the district's primary responsibility in transporting students in district vehicles is to do so as safely as possible, the operator of the vehicle must focus on driving and not have his or her attention distracted by student misbehavior.~~ 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 or the campus behavior coordinator may restrict or revoke a student's transportation privileges, in accordance with law.

~~In deciding whether to order a disciplinary action related to transportation, the district shall take into consideration a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct.~~

## 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 campus behavior coordinator's office as a discipline management technique. The campus behavior coordinator shall employ alternative discipline management techniques, including progressive interventions. A teacher or administrator may remove a student from class for a behavior that violates this Code to maintain effective discipline in the classroom.

### Formal Removal

A teacher may also initiate a formal removal from class if:

1. The student's behavior has been documented by the teacher as repeatedly interfering with the teacher's ability to teach ~~his or her~~ the class or with the student's classmates' ability to learn;
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 campus behavior coordinator 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 campus behavior coordinator 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 campus behavior coordinator or other administrator may place the student in:

- Another appropriate classroom.
- In-school suspension.
- 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 Classroom**

~~When a~~ 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, ~~murder, capital murder, or criminal attempt to commit murder or capital murder,~~ the student may not be returned to the teacher's class without the teacher's consent.

~~When a~~ A student who has been formally removed by a teacher for any other conduct, ~~the student~~ 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 any behavior listed in the Code 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 Section 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 campus behavior coordinator or appropriate administrator, who shall advise the student of the alleged misconduct. ~~The student shall have~~ give the student an opportunity to respond to the allegation before the administrator makes a decision.

The campus behavior coordinator shall determine the number of days of a student's suspension, not to exceed three school days. While suspended, the student may not be on the school campus and may neither attend nor participate in school-sponsored or school-related activities.

In deciding whether to order out-of-school suspension, the campus behavior coordinator 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 co-curricular 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 in-school suspension or another setting, other than a DAEP, will have an opportunity to complete before the beginning of the next school year each course the student was enrolled in at the time of removal from the regular classroom. The district may provide the opportunity by any method available, including a correspondence course, another distance learning option, or summer school. The district will not charge the student for any method of completion provided by the district.

### **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 classroom 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 campus behavior coordinator 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.

#### ***Misconduct Identified in State Law***

In accordance with state law, a student **may** be placed in a DAEP for any one 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 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.
- Committing or assisting in a burglary, robbery or theft over \$50.
- Possessing, using, giving, selling, or purchasing look-alike drugs or items attempted to be passed off as drugs and contraband.
- Possessing, using, giving, selling, or purchasing drug paraphernalia related to a prohibited substance.
- Purchasing but not possessing a drug.
- Possessing any object used in a way to threaten or inflict bodily injury to another person, including but not limited to a knife, a pellet/air/BB/stun gun, a "look-alike" weapon, a razor or razor blade, a box cutter, or a chain.
- Hazing.
- Engaging in inappropriate physical or sexual contact or conduct directed toward another student, district employee, or visitor.
- Engage in conduct that constitutes sexual harassment or sexual abuse, whether by word, gesture, or any other conduct, directed toward another person, including a district student, employee, or volunteer.
- Engage in the elements of retaliation against contracted service providers to the school district, including but not limited to counselors, employees of the county juvenile probation department, peace officers, etc.

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 has 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 campus behavior coordinator ~~may, but is not required to,~~ 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 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:
  - 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 marijuana, a controlled substance, or a dangerous drug in an amount not constituting a felony offense. 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. (School-related felony drug offenses are addressed in **Expulsion** on page 125.) (See **glossary** for “under the influence” “controlled substance,” and “dangerous drug.”)
  - 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, if the conduct is not punishable as a felony offense. (School-related felony alcohol offenses are addressed in **Expulsion** on page 125.)
  - Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
  - 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 between ~~6~~ six and ~~9~~ nine years of age.
- Commits a federal firearms violation and is younger than ~~6~~ 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 125.)
- 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:

- ~~If a~~ The student has been convicted of continuous sexual abuse of a young child or disabled individual children or convicted of or placed on deferred adjudication for sexual assault or aggravated sexual assault against another student on the same campus; ~~;~~ and
- ~~if~~ 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; ~~the offending student shall be~~

~~transferred to another campus in the district.~~

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 campus behavior coordinator.

### **Conference**

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

At the conference, the campus behavior coordinator or appropriate administrator shall provide the student: ~~inform the student~~

- Information, orally or in writing, of the reasons for the removal; ~~and shall give the student~~
- ~~a~~An explanation of the basis for the removal; and
- ~~a~~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 campus behavior coordinator shall take into consideration:

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct, ~~and~~
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, ~~or~~
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 the DAEP, the campus behavior coordinator shall write a placement order. A copy of the DAEP placement order 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 the DAEP and the length of placement is inconsistent with the guidelines included in this Code, the placement order shall give notice of the inconsistency.

### **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, ~~at no cost to the student. The notice shall include information regarding all methods available for completing the coursework.~~

### **Length of Placement**

The campus behavior coordinator 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.

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 ~~commit offenses requiring placement~~ are in a DAEP 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 campus behavior coordinator or the board's designee hearing officer 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.

### **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'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, campus behavior coordinator's office, the central administration office or through Policy On-Line at the following address: <http://pol.tasb.org/Home/Index/550>.

Appeals shall begin at Level One with the campus behavior coordinator or principal.

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

### **Restrictions during Placement**

State law prohibits a student placed in a DAEP for reasons specified in state law from attending or participating in school-sponsored or school-related extracurricular activities.

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 individualized education program (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 campus behavior coordinator or the board's designee (~~superintendent or designated hearing officer~~) 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 campus behavior coordinator 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.

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 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 campus behavior coordinator 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 campus behavior coordinator 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 continue the DAEP placement of a student who enrolls in the district and was assigned to DAEP in an open-enrollment charter school or another district including a district in another state.

~~A newly enrolled~~ 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 the DAEP to the same extent ~~shall be placed~~ as any other newly enrolled student if the behavior committed is a reason for DAEP placement in the receiving district.

~~If the student was placed in a DAEP~~ State law requires the district to reduce a placement imposed by a ~~school~~ district in another state ~~for a period~~ that exceeds one year, ~~this district, by state law, shall reduce the period of the placement~~ 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 is 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 placement shall be in either DAEP or JJAEP for at least one semester.

If the student is not under any form of court supervision, the placement may be in DAEP or JJAEP for one semester or the placement may be in a regular classroom. The placement may not be 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 interest 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 Student**

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 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 campus behavior coordinator 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 received deferred prosecution for conduct defined as aggravated robbery or a Title 5 felony offense;
- Have 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;
- Have been charged with engaging in conduct defined as aggravated robbery or a Title 5 felony offense;
- Have 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
- Have 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 ~~these circumstances~~ [this section](#) is entitled to a review of his or her status, including academic status, by the campus behavior coordinator 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.

## **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 campus behavior coordinator 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 117.)

#### **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 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.
- Conduct that contains the elements of a terroristic threat under Penal Code 22.07.
- 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**)

#### **At School, Within 300 Feet, or at 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:

- Engaging in conduct that contains the elements of assault under Section 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, or aggravated robbery.~~
- Aggravated kidnapping.
- Manslaughter.
- Criminally negligent homicide.
- Aggravated robbery.
- Continuous sexual abuse of a young child or disabled individual children.
- Felony drug- or alcohol-related offense.
- 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 DAEP***

A student **may** be expelled for engaging in documented serious misbehavior that violates the district's Code, 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 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 ~~Penal~~ 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 children](#).
  - Behavior punishable as a felony that involves selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana, a controlled substance, a dangerous drug, or alcohol; or committing a serious act or offense while under the influence of alcohol.
- Engaging in retaliation against a school employee or volunteer combined with one of the above-listed mandatory expulsion offenses.

### **Under Age 10**

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 6 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 campus behavior coordinator 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 campus behavior coordinator or other administrator may place the student in:

- Another appropriate classroom
- In-school suspension

- 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 or designated hearing officer 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 ~~hear statements made by the parties at the review and 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 campus behavior coordinator 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 Protect 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 superintendent or designated hearing

officer 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 Student Code of Conduct, the expulsion order shall give notice of the inconsistency.

### **Length of Expulsion**

The length of an expulsion shall be based on to 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 or other appropriate administrator 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 ~~has violated the district's Code in a way that~~ 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 campus behavior coordinator 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 campus behavior coordinator 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 will 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 10 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

The glossary provides legal definitions and locally established definitions and is intended to assist in understanding terms related to the Student Code of Conduct.

**Abuse** is improper or excessive use.

**Aggravated robbery** is defined in part by Penal Code 29.03(a) 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. A crime that involves 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. ~~A crime that involves r~~Recklessly starting a fire or causing an explosion while manufacturing or attempting to manufacture a controlled substance and the fire or explosion damages any building, habitation, or vehicle; or
3. ~~A crime that involves i~~Intentionally starting a fire or causing an explosion and in so doing:
  - a. Recklessly damages or destroys a building belonging to another, or
  - b. Recklessly causes another person to suffer bodily injury or death.

**Assault** is defined in part by Penal Code ~~§22.01(a)(1)~~ as intentionally, knowingly, or recklessly causing bodily injury to another; ~~§22.01(a)(2) as~~ intentionally or knowingly threatening another with imminent bodily injury; ~~and §22.01(a)(3) as~~ 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 ~~in Section 37.0832 of the Education Code~~ 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 of 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~~ ~~are in the same category~~.

**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 ~~Section~~ Education Code 37.0832 ~~of the Education Code~~ 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 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 ~~weapon~~ silencer, defined as any device for silencing, muffling, or diminishing the report of a portable firearm;
4. Any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade  
Such term does not include an antique firearm.

~~Firearm silencer is defined by Penal Code 46.01 as any device designed, made, or adapted to muffle the report of a 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 Section 37.001(b)(2) of the Education Code; 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; ~~and~~
  - d. Sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another.; ~~and~~
  - e. 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.

**Hazing** is defined by ~~Section~~ Education Code 37.151 ~~of the Education Code~~ 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; and
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 ~~Section Education Code~~ 37.001(b)(3) ~~of the Education Code~~ 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. ~~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; ~~or~~
7. ~~A firearm silencer, unless classified as a curio or relic by the U.S. Department of Justice or the actor otherwise possesses, manufactures, transports, repairs, or sells the firearm silencer in compliance with federal law.~~

**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, 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 Section Education Code 37.121(d) ~~of the Education Code 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, including the notice of a student's arrest under Code of Criminal Procedure Article 15.27 ~~of the Code of Criminal Procedure.~~

**Self-defense** is the use of force against another to the degree a person reasonably believes ~~the force~~ 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, ~~Texas~~ 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. ~~Personal h~~azing under Penal 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 school work 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 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 ~~children~~ 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.

[See FOC(LEGAL)]

**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 influence” 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, ~~but~~ 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.

**ACTION ITEM:**

**Extra-Curricular Activity Listing for 2021-2022**

**RECOMMENDATION:**

That the Board of Trustees approves the list of organizations in which student participation during the school day will result in an excused absence.

**RATIONALE:**

Each local Board of Trustees must approve the organizations for which participation in activities sponsored by these organizations would result in an excused absence, in accordance with Board-approved provisions for extra-curricular absences. If the Board chooses not to recognize an organization on the list, students would not be entitled to excused absences for participation in the organization's activities. Such an organization, in turn, would not be expected to enforce the "no pass – no play" rule.

**REFERENCE and COMPLIANCE:**

FM (LEGAL) FM (LOCAL) Student Activities

**PAPERWORK IMPACT:**

Distribution of the approved list.

**BUDGET IMPACT/ INFORMATION:**

None

**EXHIBITS:**

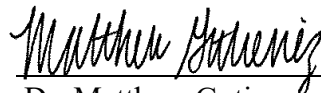
The listing of organizations is attached as an exhibit.

**RESOURCE PERSONNEL:**

Mark Cantú, Chief Innovation Officer

Submitted by:

(Signature)



Date Submitted: 08/24/21

(Name)

Dr. Matthew Gutierrez, Superintendent

(Address)

1221 E. Kingsbury St., Seguin, TX 78155

(Telephone)

(830) 401-8614

## Extracurricular Organizations Approved for Excused Absences 2021 - 2022

Alamo Regional Science Fair  
American Cheer Power  
American Drill Team School  
American Field Services Exchange Program (AFS)  
American Gymnastics Association  
American Heart Association (Jump Rope Demonstration)  
American High School Mathematics Examination  
American Legion, The  
American Legion Baseball Playoffs  
American Miniature Horse Association  
American Miniature Horse Registry  
Art and Technology Club  
Art Club  
Association of Texas Small School Bands  
Athletics  
AVID Club  
Bands of America  
Basketball Congress International of Texas  
Boy Scouts of America  
Business Professionals of America  
Camp Fire, Inc.  
Central Texas Regional Science Fair  
Cheer Texas Association (CTA)  
Cheerleading  
Cheers  
Choir  
Close Up Foundation  
Colorguard  
Congressional Youth Leadership Council/(National Young Leaders Conf.)  
Contest of Champions/Four Seasons Tours  
Cool 2 be KIND club  
Crowd Pleasers Dance Camps, Inc.  
Dance Team/Starsteppers  
Destination Imagination (DI)  
Distinguished Achievement Program Mentorships  
Distributive Education Clubs of America  
Elks' Hoop Shoot  
eSports  
FCCLA – Family, Community, Career Leaders of America  
Fellowship of Christian Athletes  
First Texas Battalion Drum and Fife of San Antonio  
4-H Program  
Flag Runners  
Freedoms Foundation at Valley Forge  
French National Honor Society  
Future Business Leaders of America  
Future Farmers of America and Junior FFA  
Gay Straight Alliance

Halftime, U.S.A., Inc.  
Health Occupations Students of America  
HTE Dance and Spirit Group  
Hugh O`Brian Youth Foundation  
Interact Club  
International Association of Lions Clubs  
International/Intercultural Programs (American Field Services)  
International Science and Engineering Fair and Texas Regional Science Fairs affiliated with ISEF  
Junior Engineering Technical Society  
Junior Naval Reserve Officer Training Corps  
Key Club International/Keywanette  
Law Enforcement Club  
Local Theater, Choral, and Band Performances  
Marching Auxiliaries  
Mariachi Veritas de Harvard  
Mathematical Olympiads for Elementary Schools  
Miss Drill Team USA International  
Miss T.E.E.N. Pageant (TEENS ENCOURAGING EXCELLENCE NATIONALLY)  
National Academy of Science  
National Aeronautics and Space Administration (NASA)  
National Cheerleaders Association  
National Conference of Christians & Jews, Inc.  
National Cutting Horse Association  
National Forensic League  
National Geographic Society (National Geography Bee)  
National High School Cheerleading Championship  
National Hispanic Institute Young Leaders and Debate  
National Honor Society  
National Junior Honor Society  
National Science Symposium  
National Technical Honor Society  
National Youth Leadership Forum's  
No Place for Hate Club  
Psychology Club  
Robotics  
Rotary International  
San Antonio Dance Theatre  
San Antonio Performing Arts Association  
Seguin FFA  
Seguin Leadership Initiative  
ShowMakers of America  
Showtime Drill Team Camps, Inc.  
Showtime International  
SkillsUSA  
Spanish Honor Society Club  
Special Olympics  
Speech and Debate Club  
Starmakers  
STEMatadors Club  
Student Council

Sunshine Kids  
Superstar Drill Team Camps  
Teatro de Artes de Juan Seguin, including the Ballet Folklorico, Conjunto and Marachi groups  
Texas Academic Decathlon  
Texas Academy of Mathematics  
Texas Academy of Science  
Texas Art Education Association  
Texas Association for Educational Technology  
Texas Association of Future Educators  
Texas Association of German Students  
Texas Association of Journalism Educators  
Texas Association of Student Councils  
Texas Cheerleading and Drill Team Associations  
Texas Chess Association  
Texas Computer Education Association  
Texas Creative Problem Solving / Destination Imagination  
Texas Dance Drill Team Directors Association  
Texas Educational Theater Association  
Texas Farm Bureau  
Texas Future Music Educators  
Texas Future Problem Solving  
Texas Future Teachers of America - (Texas State Teachers Association)  
Texas Girls Choir  
Texas Girls Scouts  
Texas High School Bowling Club  
Texas High School Mock Trial  
Texas High School Mountain Bike League  
Texas High School Press Association  
Texas Junior Science, Engineering, and Humanities Symposium  
Texas Lions' Center for Outdoor Education  
Texas Longhorn Breeders Association of America  
Texas Math and Science Coaches Association  
Texas Mathematics League  
Texas Music Educators Association  
Texas Power lifting Association  
Texas Science Olympiad  
Texas Speech Communication Association (includes Texas Forensic Association)  
Texas State Color Guard Association  
Texas State Conference of NAACP Branches  
Texas State German Contest  
Texas State Historical Association  
Texas State Mathematics League  
Texas State Mu Alpha Theta  
Texas Technology Student Association (TSA)  
Texas Tennis Association  
Texas Thespian Society  
Texas Young Lawyers Association  
Texas Youth Hunting Program (sponsored by Texas Parks & Wildlife)  
Theatre  
UIL Academics

United Spirit Association  
United States Golf Association Junior Golf Association  
United States Olympics Shooting Team  
United States Soccer Federation  
United States Space Camp  
United States Tennis Association  
United States Volleyball Association  
Universal Cheerleader Association (UCA)  
Universal Dance Association  
Westinghouse Talent Search  
Yearbook Club  
Young Women's Christian Association (REACH Career Day Seminar)  
Youth Leadership Corpus Christi

**ACTION ITEM:**

**County Extension Agents as Adjunct Staff Members**

**RECOMMENDATION:**

That the Board of Trustees approves the following Guadalupe County Extension Agents as adjunct staff members of the Seguin I.S.D.: Travis Franke, Jeff Hanselka, Matthew Miranda, and Dr. Charla Bading.

**RATIONALE:**

In 1994, the State Board of Education adopted a rule allowing local school boards to recognize County Extension Agents as adjunct staff members and to consider students who are participating in approved off-campus activities with an adjunct staff member of the school district present for student attendance accounting (ADA) purposes.

In order to qualify as an adjunct staff member, the individual must certify that he/she has a minimum of a bachelor’s degree and is eligible for participation in the Texas Teacher Retirement System. All of the above named persons meet this criteria.

In previous years, the Board of Trustees has approved the County Extension Agents to serve as adjunct District staff members. Extension Service regulations require annual approval of their members to serve as adjunct staff members; thus, once again approval is being requested.

**REFERENCE and COMPLIANCE:**

FEB (LEGAL), Strategic Priority 2

**PAPERWORK IMPACT:**

No significant impact.

**BUDGET IMPACT/ INFORMATION:**

Approval of this item will enable students participating in an approved extra-curricular activity under the supervision of the County Extension Agent to continue to be counted in attendance for ADA purposes.

County Extension Agents receive no monetary compensation from the District as a result of their adjunct status.

**EXHIBITS:**

Resolution

**RESOURCE PERSONNEL:**

Mark Cantú, Chief Innovation Officer  
Cindy Moreno, Chief Human Resources Officer

Submitted by: Matthew Gutierrez Date Submitted: 08/24/21  
(Signature) \_\_\_\_\_  
(Name) Dr. Matthew Gutierrez, Superintendent  
(Address) 1221 E. Kingsbury St., Seguin, TX 78155  
(Telephone) (830) 401-8614

**RESOLUTION  
regarding  
EXTRACURRICULAR STATUS OF 4-H ORGANIZATION**

Be it hereby resolved that upon this date the duly elected Board of Trustees of the

*Sequin Independent School District*

meeting in public with a quorum present and certified did adopt this resolution that recognizes the ***Guadalupe County, Texas 4-H Organization*** as approved for recognition and eligible for extracurricular status consideration under 19 Texas Administrative Code, Chapter 76.1, pertaining to extracurricular activities.

Participation by 4-H members under provisions of this resolution are subject to all rules and regulations set forth under the 19 Texas Administrative Code as interpreted by this Board and designated officials of this school district whose rulings shall be final.

Approved this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
(For Board of Trustees)

\_\_\_\_\_  
(Superintendent)

**ACTION ITEM:**

**Approval of Credit by Exam Dates for 2021-2022**

**RECOMMENDATION:**

That the Board approve the Credit by Exam dates for the 2021-2022 school year.

**RATIONALE:**

A school district must provide at least one window to test in each of the time frames listed below:

<b>Required Timeline as per 19 TAC §74.24</b>	<b>Seguin ISD Exam Dates</b>
<b>July 1 - September 30</b>	August 9-13, 2021
<b>October 1 – December 31</b>	November 1-12, 2021
<b>January 1 - March 31</b>	February 28 – March 11, 2022
<b>April 1 - June 30</b>	May 16-27, 2022

**REFERENCE and COMPLIANCE:**

EHDB (LOCAL), EHDC (LOCAL), and EHDC (LEGAL) Strategic Priority 1 – Improve student learning through improved instructional practice.

**PAPERWORK IMPACT:**

Minimal

**BUDGET IMPACT/ INFORMATION:**

Students will not be assessed a fee for the test; Seguin ISD will pay the exam fee.

**EXHIBITS:**

None

**RESOURCE PERSONNEL:**

Cynthia Borden, Director of Federal & State Accountability  
Mark Cantú, Chief Innovative Officer

Submitted by:

(Signature) 

Date Submitted: 08/24/21

(Name) Matthew Gutierrez, Superintendent

(Address) 1221 E. Kingsbury St., Seguin, TX 78155

(Telephone) (830) 401-8614

**ACTION ITEM:****Consideration of Approval of Certified Appraisers for 2021-2022****RECOMMENDATION:**

That the Board of Trustees approve the following administrators as certified appraisers for the Texas Teachers Evaluation Support System (T-TESS) or to conduct formal goal setting known as the Annual Teacher Review in the 2021-2022 school year:

<b>Barnes Middle School</b>	<b>Briesemeister Middle School</b>
Jason Schmidt, Principal	James Diaz, Principal
Tori Beutnagel, Associate Principal	Robert Arriola, Assoc. Principal
Daniel Martinez, Assistant Principal	Allison Pape, Academic Dean
Maria Guerra, Assistant Principal	Bianca Duvall, Asst. Principal
	Natalie McFadden, Admin Intern
<b>Seguin High School</b>	<b>Learning and Leadership</b>
Dr. Hector Esquivel, Principal	Mark Cantu, Chief Innovation Officer
Ryan Randolph, Associate Principal	Andrea Jaramillo, Deputy Chief of Learning, Leadership and Innovation
JoAnn Holliday, Academic Dean	Sandra Reyes, Director of Elementary
Aaron Hannah, Asst, Principal	Chanda Bloch, Director Secondary
Joshua Peters, Asst. Principal	Richard Bough, Director of CTE
Suzanne Zink, Asst. Principal	Allison Willemin, Assistant Director, Secondary Literacy
Angel Guadarrama, Admin Intern	Nilda Vella, Secondary Science Coordinator
De'Ana Brock, SHS SPED Supervisor	David Hall, Middle School Math Specialist
	Pete Silvius, Director of Whole Child
<b>Human Resources</b>	<b>Jefferson Elementary</b>
Cindy Moreno, Chief of Human Resources	Valerie McKinney, Principal
Danica Murillo, Deputy Chief of Human Resources	Tracee Gonzalez, Asst. Principal
<b>Koennecke Elementary</b>	<b>Patlan Elementary</b>
Meredith Stadler, Principal	Linda Guzman, Principal
Reyetos Valdez, Asst. Principal	Annaliza Rangel, Asst. Principal
<b>McQueeney Elementary</b>	<b>Rodriguez Elementary</b>
Jason Cunningham, Principal	Yolanda Grijalva, Asst. Principal
Trisha Eckols, Asst. Principal	LeAnn Dunn, Asst. Principal
Yvette Gamboa, Academic Dean	Darren Brietzke, Special Programs
<b>Weinert Elementary</b>	<b>Vogel Elementary</b>
Mary Hernandez, Principal	Rhonda Jubela, Principal
Tanya Webb, Asst. Principal	Tiffany Wehe, Asst. Principal
Jessica Castro, Academic Dean	Emilie Rohde, Academic Dean
<b>Information Systems and Instructional Technology</b>	<b>Saegert MBLC Learning Center and District Alternative School</b>
Bill Lewis, Assoc. Superintendent	Jay Law, Principal
Don Hastings, Director of Integrated Support Services	Amy Graeber, Principal, DAEP
Stephen Gonzalez, Director of Innovative Learning	<b>Ball Early Childhood Center</b>
Jason Adam, Director of Fine Arts	Debra Reiley, Principal
<b>Matador Special Services</b>	<b>Matador Special Services</b>
Halcy Martin Dean, Director of Special Education	Michele Castillo, Elementary Program Supervisor
Rebecca Bloxham, Special Education Coordinator	Sharon Feuge, Elementary Program Supervisor <sup>105</sup>
Hailey Boydston, District ARD Compliance Lead	Allison Higginbotham, Special Programs Coord.

**REFERENCE & COMPLIANCE:**

DNA (LEGAL) AND DNA (LOCAL) Performance Appraisal; Evaluation of Teachers

**PAPERWORK IMPACT:**

Approval of this item will have little effect on paperwork.

**BUDGET IMPACT/ INFORMATION:**

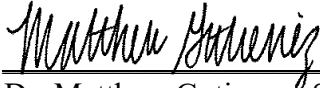
This item will have little impact on the budget.

**RESOURCE PERSONNEL:**

Cynthia J. Moreno, Chief Human Resources Officer

Submitted by:

(Signature)



Date Submitted: 08/24/21

(Name)

Dr. Matthew Gutierrez, Superintendent

(Address)

1221 E. Kingsbury St., Seguin, Texas 78155

(Telephone)

(830) 401-8614

**INFORMATION ITEM:** **Information Regarding the Purchase of Produce for Seguin ISD from Hardie's Fresh Foods Through the Texas 20 Purchasing Cooperative**

**RECOMMENDATION:** This purchase is through the Texas 20 Purchasing Cooperative reference #: 3126 from Hardie's Fresh Foods at a cost of \$76,000.

**RATIONALE:** Hardie's will supply the district with fresh vegetables and fruit for meals.

Purchasing cooperatives are an important and helpful tool to Texas School Districts because they:

- Facilitate compliance with state purchasing requirements
- Identify qualified vendors of commodities, goods, and services
- Benefit from a competitive market place to maximize savings

Seguin ISD participates in several purchasing cooperatives. A purchasing cooperative is an administrative agency created in accordance with various state statutes.

The cooperative is governed by a board of trustees that represent members from schools, cities, and counties. The board's primary function is to govern the cooperative and award all the contracts directly with no delegation of authority to staff. Because all contracts are advertised and solicited directly by the cooperative, no lead agency is involved. All catalogs and items available for purchase on the cooperative are competitively procured and awarded by the cooperative's board of trustees.

**REFERENCE and COMPLIANCE:** CH(LEGAL) and CH (LOCAL) Purchasing and Acquisition

**BUDGET IMPACT / INFORMATION:** Funds are provided by the Child Nutrition Fund.

**EXHIBITS:** None

**RESOURCE PERSONNEL:** Jacob Galvan, Director of Child Nutrition  
Anthony Hillberg, Chief Financial Officer, CPA, CTSBO  
Jennifer Raske, Purchasing Coordinator

Submitted by:  
(Signature)



Date Submitted: 08/24/21

(Name)  
(Address)  
(Telephone)

Dr. Matthew Gutierrez, Superintendent  
1221 E. Kingsbury St., Seguin, TX 78155  
(830) 401-8614

**INFORMATION ITEM:** **Information Regarding the Purchase of Chromebooks for Seguin ISD from GTS Technology Solutions, Inc Through the DIR Purchasing Cooperative**

**RECOMMENDATION:** This purchase is through the DIR Purchasing Cooperative reference #: DIR-TSO-3763 from GTS Technology Solutions, Inc at a cost of \$154,066.

**RATIONALE:** This purchase is for 550 Chromebooks along with licenses and cases. These Chromebooks will replace outdated devices at the high school as well as add to the middle schools' inventory which will provide a device for every student in the classrooms.

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**REFERENCE and COMPLIANCE:** CH(LEGAL) and CH (LOCAL) Purchasing and Acquisition

**BUDGET IMPACT / INFORMATION:** Funds are provided by the General Operating Fund.

**EXHIBITS:** None

**RESOURCE PERSONNEL:** Bill Lewis, Chief Operating Officer/Associate Superintendent  
Anthony Hillberg, Chief Financial Officer, CPA, CTSBO  
Jennifer Raske, Purchasing Coordinator

Submitted by:  
(Signature)



Date Submitted: 08/24/21

(Name)  
(Address)  
(Telephone)

Dr. Matthew Gutierrez, Superintendent  
1221 E. Kingsbury St., Seguin, TX 78155  
(830) 401-8614

**INFORMATION ITEM:** **Information Regarding the Purchase of Paper and Plastic Products for Seguin ISD from Gulf Coast Paper Company, Inc. Through the Texas 20 Purchasing Cooperative**

**RECOMMENDATION:** This purchase is through the Texas 20 Purchasing Cooperative reference #: 2921-E2 from Gulf Coast Paper Company, Inc. at a cost of \$200,000.

**RATIONALE:** Gulf Coast provides paper and chemical supplies for meal preparation and cleaning.

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- Facilitate compliance with state purchasing requirements
- Identify qualified vendors of commodities, goods, and services
- Benefit from a competitive market place to maximize savings

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**REFERENCE and COMPLIANCE:** CH(LEGAL) and CH (LOCAL) Purchasing and Acquisition

**BUDGET IMPACT / INFORMATION:** Funds are provided by the Child Nutrition Fund.

**EXHIBITS:** None

**RESOURCE PERSONNEL:** Jacob Galvan, Director of Child Nutrition  
Anthony Hillberg, Chief Financial Officer, CPA, CTSBO  
Jennifer Raske, Purchasing Coordinator

Submitted by:  
(Signature)



Date Submitted: 08/24/21

(Name)  
(Address)  
(Telephone)

Dr. Matthew Gutierrez, Superintendent  
1221 E. Kingsbury St., Seguin, TX 78155  
(830) 401-8614

**INFORMATION ITEM:**      **Information Regarding the Purchase of Bread Products for Seguin ISD from Kurz & CO Through the Texas 20 Purchasing Cooperative**

**RECOMMENDATION:**      This purchase is through the Texas 20 Purchasing Cooperative reference #: 3117 from Kurz & CO at a cost of \$77,500.

**RATIONALE:**              Kurz & Co will provide the district with breads and tortillas for meals.

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- Identify qualified vendors of commodities, goods, and services
- Benefit from a competitive market place to maximize savings

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**REFERENCE and COMPLIANCE:**      CH(LEGAL) and CH (LOCAL) Purchasing and Acquisition

**BUDGET IMPACT / INFORMATION:**      Funds are provided by the Child Nutrition Fund.

**EXHIBITS:**                  None

**RESOURCE PERSONNEL:**      Jacob Galvan, Director of Child Nutrition  
Anthony Hillberg, Chief Financial Officer, CPA, CTSBO  
Jennifer Raske, Purchasing Coordinator

Submitted by:  
(Signature)



Date Submitted: 08/24/21

(Name)  
(Address)  
(Telephone)

Dr. Matthew Gutierrez, Superintendent  
1221 E. Kingsbury St., Seguin, TX 78155  
(830) 401-8614

**INFORMATION ITEM:** **Information Regarding the Purchase of iPads and iMacs for Seguin ISD from Apple Through the DIR Purchasing Cooperative**

**RECOMMENDATION:** This purchase is through the DIR Purchasing Cooperative reference #: DIR-TSO-3789 from Apple at a cost of \$216,800.

**RATIONALE:** This purchase of 350 iPads and 30 iMacs will allow the district to replace outdated devices in grades kindergarten through third as well as provide sufficient inventory for each student to have a device.

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- Identify qualified vendors of commodities, goods, and services
- Benefit from a competitive market place to maximize savings

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**REFERENCE and COMPLIANCE:** CH(LEGAL) and CH (LOCAL) Purchasing and Acquisition

**BUDGET IMPACT / INFORMATION:** Funds are provided by the General Operating Fund.

**EXHIBITS:** None

**RESOURCE PERSONNEL:** Bill Lewis, Chief Operating Officer/Associate Superintendent  
Anthony Hillberg, Chief Financial Officer, CPA, CTSBO  
Jeffrey Lee, Webmaster/District Technologist

Submitted by:  
(Signature)



Date Submitted: 08/24/21

(Name)  
(Address)  
(Telephone)

Dr. Matthew Gutierrez, Superintendent  
1221 E. Kingsbury St., Seguin, TX 78155  
(830) 401-8614

**INFORMATION ITEM:** **Information Regarding the Purchase of Hotspots for Seguin ISD from CDWG Through the Omnia Partners Purchasing Cooperative**

**RECOMMENDATION:** This purchase is through the Omnia Partners Purchasing Cooperative reference #: R171001 from CDWG at a cost of \$121,258.

**RATIONALE:** These 350 hotspots will provide SHS students internet access for blended learning as well as support students from other campuses that do not have access to internet when needing to work from home for an extended period.

Purchasing cooperatives are an important and helpful tool to Texas School Districts because they:

- Facilitate compliance with state purchasing requirements
- Identify qualified vendors of commodities, goods, and services
- Benefit from a competitive market place to maximize savings

Seguin ISD participates in several purchasing cooperatives. A purchasing cooperative is an administrative agency created in accordance with various state statutes.

The cooperative is governed by a board of trustees that represent members from schools, cities, and counties. The board's primary function is to govern the cooperative and award all the contracts directly with no delegation of authority to staff. Because all contracts are advertised and solicited directly by the cooperative, no lead agency is involved. All catalogs and items available for purchase on the cooperative are competitively procured and awarded by the cooperative's board of trustees.

**REFERENCE and COMPLIANCE:** CH(LEGAL) and CH (LOCAL) Purchasing and Acquisition

**BUDGET IMPACT / INFORMATION:** Funds are provided by the General Operating Fund.

**EXHIBITS:** None

**RESOURCE PERSONNEL:** Bill Lewis, Chief Operating Officer/Associate Superintendent  
Anthony Hillberg, Chief Financial Officer, CPA, CTSBO  
Jennifer Raske, Purchasing Coordinator

Submitted by:  
(Signature)



Date Submitted: 08/24/21

(Name)  
(Address)  
(Telephone)

Dr. Matthew Gutierrez, Superintendent  
1221 E. Kingsbury St., Seguin, TX 78155  
(830) 401-8614

**INFORMATION ITEM:** **Information Regarding the Purchase of Staple Food Products for Seguin ISD from Labatt Food Service, LLC Through the Texas 20 Purchasing Cooperative**

**RECOMMENDATION:** This purchase is through the Texas 20 Purchasing Cooperative reference #: 3016-E1 from Labatt Food Service, LLC at a cost of \$1,482,000.

**RATIONALE:** Labatt is the main food supplier for the district and provides frozen foods, meats, cheeses, and shelf-stable items used for meals.

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**REFERENCE and COMPLIANCE:** CH(LEGAL) and CH (LOCAL) Purchasing and Acquisition

**BUDGET IMPACT / INFORMATION:** Funds are provided by the Child Nutrition Fund.

**EXHIBITS:** None

**RESOURCE PERSONNEL:** Jacob Galvan, Director of Child Nutrition  
Anthony Hillberg, Chief Financial Officer, CPA, CTSBO  
Jennifer Raske, Purchasing Coordinator

Submitted by:  
(Signature)



Date Submitted: 08/24/21

(Name)  
(Address)  
(Telephone)

Dr. Matthew Gutierrez, Superintendent  
1221 E. Kingsbury St., Seguin, TX 78155  
(830) 401-8614

**INFORMATION ITEM:** **Information Regarding the Purchase of Milk Products for Seguin ISD from New Dairy Holdco, LLC Through the Texas 20 Purchasing Cooperative**

**RECOMMENDATION:** This purchase is through the Texas 20 Purchasing Cooperative reference #: 3118 from New Dairy Holdco, LLC at a cost of \$305,000.

**RATIONALE:** New Dairy provides the district with carton milk products for meals and drinks.

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**REFERENCE and COMPLIANCE:** CH(LEGAL) and CH (LOCAL) Purchasing and Acquisition

**BUDGET IMPACT / INFORMATION:** Funds are provided by the Child Nutrition Fund.

**EXHIBITS:** None

**RESOURCE PERSONNEL:** Jacob Galvan, Director of Child Nutrition  
Anthony Hillberg, Chief Financial Officer, CPA, CTSBO  
Jennifer Raske, Purchasing Coordinator

Submitted by:  
(Signature)



Date Submitted: 08/24/21

(Name)  
(Address)  
(Telephone)

Dr. Matthew Gutierrez, Superintendent  
1221 E. Kingsbury St., Seguin, TX 78155  
(830) 401-8614

**INFORMATION ITEM:** **Information Regarding the Purchase of the Munis Financial and Human Resource System Software as a Service (SaaS) for the Seguin Independent School District from Tyler Technologies Through the Sourcewell Purchasing Cooperative**

**RECOMMENDATION:** This purchase is through the Sourcewell Purchasing Cooperative reference #: 090320-TTI from Tyler Technologies for \$71,623.48.

**RATIONALE:** The MUNIS Financial and Human Resource System software is the primary application used to manage all accounting transactions for Seguin ISD. The cost noted above represents the annual software renewal fee and is a continuation of services initially approved in 2014.

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**REFERENCE and COMPLIANCE:** CH(LEGAL) and CH (LOCAL) Purchasing and Acquisition

**BUDGET IMPACT / INFORMATION:** Funds are provided by the General Operating Fund.

**EXHIBITS:** None

**RESOURCE PERSONNEL:** Anthony Hillberg, Chief Financial Officer, CPA, CTSBO

Submitted by:  
(Signature)  
(Name)  
(Address)  
(Telephone)

  
\_\_\_\_\_  
Dr. Matthew Gutierrez, Superintendent  
1221 E. Kingsbury St., Seguin, TX 78155  
(830) 401-8614

Date Submitted: 08/24/21

**INFORMATION ITEM:** **Information Regarding the Purchase of Professional Development for Seguin ISD from Houghton Mifflin Harcourt Through the 2013 Purchasing Cooperative**

**RECOMMENDATION:** This purchase is through the 2013 Purchasing Cooperative reference #: 18030 from Houghton Mifflin Harcourt at a cost of \$89,056.

**RATIONALE:** Houghton Mifflin will provide 17 days of coaching and professional learning for Secondary Schools and five (5) days for Elementary Schools for the 2021-22 school year.

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**REFERENCE and COMPLIANCE:** CH(LEGAL) and CH (LOCAL) Purchasing and Acquisition

**BUDGET IMPACT / INFORMATION:** Funds are provided by the General Operating Fund.

**EXHIBITS:** ICLE Professional Learning & Implementation Plan

**RESOURCE PERSONNEL:** Mark Cantu, Chief Academic Officer  
Anthony Hillberg, Chief Financial Officer, CPA, CTSBO  
Jennifer Raske, Purchasing Coordinator

Submitted by:  
(Signature)



Date Submitted: 08/24/21

(Name)  
(Address)  
(Telephone)

Dr. Matthew Gutierrez, Superintendent  
1221 E. Kingsbury St., Seguin, TX 78155  
(830) 401-8614

**ICLE PROFESSIONAL LEARNING & IMPLEMENTATION PLAN**  
**HOUGHTON MIFFLIN HARCOURT**

<b>DISTRICT FOCUS</b>	Utilize the Learner Engagement rubric while planning to ensure higher levels of engagement across all campus and contents.
<b>ADMIN EXPECTATIONS</b>	<input type="checkbox"/> 1 CIR Walkthrough per month with the focus on the Learner Engagement Rubric <input type="checkbox"/> Ensure teachers are using the engagement rubric while planning

PROFESSIONAL LEARNING WITH DENISE WHITE		
DATE	AUDIENCE/LOCATION	FOCUS
July 28th , 8:30-3:30	Secondary Dept Leads Central Office, PLC Area	Utilizing the Learner Engagement Rubric to increase Tier 1 instrional in the classroom.
September 14th	AJB	PLC Planning using the Engagement Rubric
September 15th	SHS	PLC Planning using the Engagement Rubric
September 16th	Barnes	PLC Planning using the Engagement Rubric
October 12th, 8:00-4:00	All <b>NEW</b> Admin (elementary & secondary) to the CIR process, Gifted & Talented Teachers (elementary)	Learn the CIR Process and how to utilize the Rigor/Relevance/ and Engagement Rubrics to support classroom instruction to support all students.
October 13th, 8:00-4:00	Elementary GT Teachers 1:00-4:00- Weinert Elementary	8:00-12:00- Walkthroughs 1:00-4:00- Planning with GT Teachers
October 26th	AJB	8:00-12:00- Walkthroughs 1:00- 4:00- PLC Planning using the Engagement Rubric
October 27th	SHS	8:00-12:00- Walkthroughs 1:00- 4:00- PLC Planning using the Engagement Rubric
October 28th	Barnes	8:00-12:00- Walkthroughs 1:00- 4:00- PLC Planning using the Engagement Rubric
November 2nd	All <b>NEW</b> Admin (elementary & secondary) to the CIR process, Gifted & Talented Teachers (elementary)	8:00-12:00 Fishbowl Activity: Observe a CIR process on a campus to be determined. 1:00-4:00 Questions and Answers with Mrs. White
November 3rd	Elementary GT Teachers	8:00-12:00- Walkthroughs

	1:00-4:00- Koennecke Elementary	1:00-4:00- Planning with GT Teachers
November 30th	AJB	8:00-12:00- PLC Planning using the engagement rubric 1:00-4:00- Walkthroughs
December 1st	SHS	8:00-12:00- PLC Planning using the Engagement Rubric 1:00-4:00- Walkthroughs
December 2nd	Barnes	8:00-12:00- PLC Planning using the Engagement Rubric 1:00-4:00- Walkthroughs
January 25th	AJB	8:00-12:00- Walkthroughs 1:00- 4:00- PLC Planning using the Engagement Rubric
January 26th	SHS	8:00-12:00- Walkthroughs 1:00- 4:00- PLC Planning using the Engagement Rubric
January 27th	Barnes	8:00-12:00- Walkthroughs 1:00- 4:00- PLC Planning using the Engagement Rubric
February 21st	Elementary GT Teachers 1:00-4:00- McQueeney Elementary	8:00-12:00- Walkthroughs 1:00-4:00- Planning with GT Teachers
March 2nd	Elementary GT Teachers 1:00-4:00- Jefferson Elementary	8:00-12:00- Walkthroughs 1:00-4:00- Planning with GT Teachers
March 22nd	AJB	8:00-12:00- PLC Planning using the Engagement Rubric 1:00-4:00- Walkthroughs
March 23rd	SHS	8:00-12:00- PLC Planning using the Engagement Rubric 1:00-4:00- Walkthroughs
March 24th	Barnes	8:00-12:00- PLC Planning using the Engagement Rubric 1:00-4:00- Walkthroughs

**INFORMATION ITEM:**

**Information Regarding the Purchase of a Copier Lease and Maintenance Agreement for Seguin ISD from Toshiba Business Solutions Through the DIR Purchasing Cooperative**

**RECOMMENDATION:**

This purchase is through the DIR Purchasing Cooperative reference #: DIR-TSO-3042 from Toshiba Business Solutions at a cost of \$75,600. The cost for each black and white print is \$0.0035 and \$0.035 for each color print for an estimated \$150,035.55 for 2021-22. This is the annual renewal of an on-going lease contract that the District has maintained for the last four years.

**RATIONALE:**

This lease agreement was previously awarded through the Request for Proposals #17-04 for the leasing and installation of copiers throughout Seguin ISD.

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**REFERENCE and COMPLIANCE:**

CH(LEGAL) and CH (LOCAL) Purchasing and Acquisition

**BUDGET IMPACT / INFORMATION:**

Funds are provided by the General Operating Fund.


**EXHIBITS:**

None

**RESOURCE PERSONNEL:**

Anthony Hillberg, Chief Financial Officer, CPA, CTSBO  
Jennifer Raske, Purchasing Coordinator

Submitted by:  
(Signature)  
(Name)  
(Address)  
(Telephone)

  
Date Submitted: 08/24/21  
Dr. Matthew Gutierrez, Superintendent  
1221 E. Kingsbury St., Seguin, TX 78155  
(830) 401-8614

**INFORMATION ITEM:** **Information Regarding the Purchase of a Panorama Platform License for District wide use from Panorama Education, Inc. Through the Choice Partners Purchasing Cooperative**

**RECOMMENDATION:** This purchase is through the Choice Partners Purchasing Cooperative reference #: 18/056KD-46 from Panorama Education, Inc. for \$72,500.00.

**RATIONALE:** Panorama provides reports and individualized data for educators to utilize to improve their support for student's emotional, social, and academic learning.

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**REFERENCE and COMPLIANCE:** CH(LEGAL) and CH (LOCAL) Purchasing and Acquisition

**BUDGET IMPACT / INFORMATION:** Funds are provided by the General Operating Fund and Special Programs Funds.

**EXHIBITS:** PANORAMA in Seguin ISD

**RESOURCE PERSONNEL:** Nikki Bittings, Chief Student Services Officer  
Anthony Hillberg, Chief Financial Officer, CPA, CTSBO  
Jennifer Raske, Purchasing Coordinator

Submitted by:  
(Signature)  
(Name)  
(Address)  
(Telephone)

  
\_\_\_\_\_  
Date Submitted: 08/24/21  
Dr. Matthew Gutierrez, Superintendent  
1221 E. Kingsbury St., Seguin, TX 78155  
(830) 401-8614

# Supporting Social-Emotional Learning & School Climate

## *in Seguin ISD*



### Overview

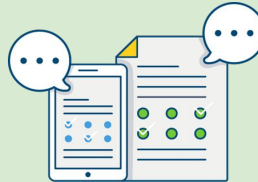
- To help the district develop an MTSS framework for school climate and social-emotional learning across all schools, Panorama proposes to support Seguin ISD with gathering actionable SEL and school climate data, and building a platform to support the whole child across academics, behavior, attendance, and SEL.
- Panorama partners with over 900 school districts nationwide, including Abilene, Aldine, Dallas, [Denton](#), DeSoto, [El Paso](#), Coppell, [Lackland](#), New Caney, Randolph Field, San Antonio, Schertz-Cibolo Universal City, Spring Branch, Tyler, and other independent school districts in Texas.

## Panorama Offerings for Seguin ISD:



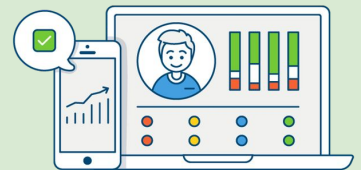
### Social-Emotional Learning Assessment

- research-backed SEL measures, customized for Seguin ISD
- aligned to the CASEL framework



### Climate & Feedback Surveys

- research-backed student, staff, family, and community surveys, customized for Seguin ISD
- access to national benchmarks



### Student Success MTSS Platform

- a full picture of progress across academics, behavior, attendance, and social-emotional learning
- RTI tracking and progress monitoring

Panorama's survey measures ([Student Survey](#), [Staff Survey](#), [SEL Survey](#), [Family-School Relationships Survey](#)) were developed in partnership with Dr. Hunter Gehlbach, and researchers at the Harvard Graduate School of Education. These measures have been used in thousands of schools across the United States, and are regularly checked for validity and reliability. Survey content can be customized to match the goals and priorities in Seguin, and all surveys are available in multiple languages.

**INFORMATION ITEM:**      **Personnel Information - Professional Employees**

**RECOMMENDATION:**      The Board of Trustees recognizes and acknowledges the new professional hires for the 2021 – 2022 school year and the resignations listed below.

**FOR BOARD’S  
ACKNOWLEDGMENT  
ELECTIONS:  
TEACHERS:**

<b>Name</b>	<b>Campus</b>	<b>Effective</b>
Andrews-Burke, Vivian	AJB Middle School	8/9/2021
Guerra, Linda	Seguin High School	8/9/2021
Hirsch, Andrew	Patlan Elementary	8/9/2021
Luna, Marisella	AJB Middle School	7/26/2021
Marek, Rachel	Ball Early Childhood	8/9/2021
Mitchell, Victoria	Koennecke Elementary	8/9/2021
Nesbit, Tara	Weinert Elementary	8/9/2021
Owens, Amanda	Koennecke Elementary	8/9/2021
Styles, Amy	McQueeney Elementary	8/9/2021
Torres, Sandra	Rodriguez Elementary	8/9/2021
Young, Carmen	Barnes Middle School	8/9/2021

**BOARD’S  
ACKNOWLEDGEMENT  
RESIGNATIONS:**

**Hickey, Kassie, McQueeney Elementary, effective 7/26/2021**

Ms. Hickey, 1<sup>st</sup> Grade Teacher, has resigned due to personal reasons. Ms. Hickey has 22 years with Seguin ISD.

**Valdez, Bethany, Weinert Elementary, effective 7/26/2021**

Ms. Valdez, 1<sup>st</sup> Grade Teacher, has resigned due to family medical reasons.

Ms. Valdez has 3 years with Seguin ISD.

**RATIONALE:**

Strategic Priority 3: Create the conditions in Seguin to recruit, retain and engage employees.

**REFERENCE and COMPLIANCE:**

DC (LEGAL), DC (LOCAL), Employment Practices

**BUDGET IMPACT/ INFORMATION:**

None

**PAPERWORK IMPACT:**

This item will result in follow up communication with the employee.


**EXHIBITS:**

Information Sheet

**RESOURCE PERSONNEL:**

Cynthia Moreno, Chief Human Resource Officer

Submitted by:  
(Signature)  
(Name)  
(Address)  
(Telephone)



Date Submitted: 08/24/21

Dr. Matthew Gutierrez, Superintendent  
1221 E. Kingsbury St., Seguin, TX 78155  
(830) 401-8614



**Seguin ISD PIA requests received from July 14-Aug. 11, 2021**

<u>Date</u>	<u>Requester</u>	<u>Requested documents</u>	<u>Status</u>	<u>Action</u>
072121 001	Roxanne Gass, WOAI 4	A list of the manufacturer and purchase date of each helmet currently used by your varsity high school football teams (Please provide school and year). Any/all documents showing when your varsity high school football teams last bought new helmets (Please provide school and year). Any/all documents showing when each of your varsity high school football teams last sent out helmets for refurbishment. (Please provide school and year)	Completed	Documents provided
072821 002	Patrice Turner	...any correspondence that SISD sent on my behalf (i.e. inquiries from other school districts regarding my potential employment with them). Please send me any, and all, correspondence sent regarding my status at SISD in the next 10 days that was requested from Comal, Navarro, New Braunfels, Luling and Nixon-Smiley ISD.	Completed	Response provided to requester noting that the district does not possess or maintain responsive documents.
073121 003	Graham Clement, Lone Star Financial	Employee directory information	In progress	
080921 004	Richard Becker, Texas Retirement Planners	Employee directory information	In progress	

080921 005	Luis Moreno	<p>A copy of the "volunteer" policy in the teacher handbook for every elementary campus for the 2021-2022 school year. A list or number of volunteers at McQueeney Elementary during the 2018-2019 and 2019-2020 academic years including the dates and times of the volunteers. A list of the participants at the statutorily required parent meeting as well as the dates and times of such meetings since 2017. A copy of every page in the Seguin ISD's application for the 2021-2022 Nita M. Lowey 21st Century Community Learning Centers Cycle 11, year 1 Competitive Grant Application that mentions the word "family engagement" "parent engagement" or "volunteers". Any document that limits the number of hours school board members can volunteer at campuses. Any document that limits the number of hours a community member can volunteer at schools.</p>	In progress	
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**ACTION ITEM:** **CONSIDERATION AND APPROVAL OF A RESOLUTION BY THE BOARD OF TRUSTEES OF THE SEGUIN INDEPENDENT SCHOOL DISTRICT PROVIDING FOR THE DEFEASANCE AND CALLING FOR REDEMPTION CERTAIN CURRENTLY OUTSTANDING DISTRICT OBLIGATIONS; DIRECTING THE BOARD SECRETARY, OR A DESIGNEE THEREOF, TO EFFECTUATE THE REDEMPTION OF THESE OBLIGATIONS; AUTHORIZING THE EXECUTION OF AN ESCROW AGREEMENT; DELEGATING TO CERTAIN DISTRICT OFFICIALS AND STAFF THE AUTHORITY TO EFFECTUATE MATTERS HEREIN RESOLVED; AND OTHER MATTERS IN CONNECTION THEREWITH**

**RECOMMENDATION:** That the Board of Trustees adopt a resolution to defease certain Obligations, extinguishing the District's payment obligations with respect thereto at the time of defeasance.

**RATIONALE:** The Board of Trustees may authorize the use of District funds realized from prior or prospective interest and sinking fund tax collections for the early redemption of certain qualifying long-term debt obligations (Defeased Obligations). District administration currently estimates that the principal amount of Defeased Obligations will range between \$1,000,000 and \$2,000,000. The final amount of Defeased Obligations will be known in the spring of 2022.


**REFERENCE and COMPLIANCE:** Education Code 45.001(a)(2)

**PAPERWORK IMPACT:** None

**BUDGET IMPACT / INFORMATION:** None

**EXHIBITS:** Resolution for Defeasance

**RESOURCE PERSONNEL:** Anthony Hillberg, Chief Financial Officer, CPA, CTSBO  
Victor Quiroga - Specialized Public Finance  
Clayton Binford - McCall, Parkhurst & Horton L.L.P.

Submitted by:  Date Submitted: 08/24/2021  
(Signature) \_\_\_\_\_  
(Name) Dr. Matthew Gutierrez, Superintendent  
(Address) 1221 E. Kingsbury St., Seguin, TX 78155  
(Telephone) (830) 401-8614

**A RESOLUTION BY THE BOARD OF TRUSTEES OF THE SEGUIN INDEPENDENT SCHOOL DISTRICT PROVIDING FOR THE DEFEASANCE AND CALLING FOR REDEMPTION CERTAIN CURRENTLY OUTSTANDING DISTRICT OBLIGATIONS; DIRECTING THE BOARD SECRETARY, OR A DESIGNEE THEREOF, TO EFFECTUATE THE REDEMPTION OF THESE OBLIGATIONS; AUTHORIZING THE EXECUTION OF AN ESCROW AGREEMENT; DELEGATING TO CERTAIN DISTRICT OFFICIALS AND STAFF THE AUTHORITY TO EFFECTUATE MATTERS HEREIN RESOLVED; AND OTHER MATTERS IN CONNECTION THEREWITH**

WHEREAS, the Board of Trustees (the *Board*) of the Seguin Independent School District (the *District*) has previously adopted multiple orders (collectively, the *Original Order*) authorizing the issuance of the District's currently outstanding unlimited ad valorem tax-supported indebtedness (collectively, the *Obligations*), certain of which are subject to redemption at the District's option; and

WHEREAS, the Original Order provides the notice requirements to effectuate the redemption of the Obligations that are subject to redemption prior to their applicable Stated Maturity; and

WHEREAS, it is in the best interest of the District and its residents to defease certain of the Obligations (the *Defeased Obligations*) to their first optional redemption date or date of Stated Maturity, extinguishing the District's payment obligations with respect thereto at the time of defeasance, and calling those early-redeemible Defeased Obligations on their first optional redemption date, all as herein provided; now, therefore,

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

SECTION 1. The Board hereby authorizes an Authorized Official (defined herein) to use District funds realized from prior or prospective interest and sinking fund tax collections or any other lawfully available source (the *Defeasance Proceeds*), in an amount necessary and sufficient to defease, to their date of early redemption or Stated Maturity, the Defeased Obligations, which shall be determined by an Authorized Official and set forth in Exhibit A hereto. An Authorized Official shall accomplish the defeasance of the Defeased Obligations by establishing and funding with Defeasance Proceeds prior to the end of the District's 2021-2022 fiscal year the hereinafter-defined Escrow Fund pursuant to the provisions of Section 3 hereof. An Authorized Official shall identify the maximum principal amount of Defeased Obligations that can be defeased after taking into consideration District funds from the sources identified above, interest earnings on Escrow Fund deposits, and final costs related to establishment of the Escrow Fund, with the goal of maximizing the principal amount of the Defeased Obligations. District officials currently estimate that the principal amount of Defeased Obligations will equal at least \$1,000,000 and up to \$2,000,000 (and possibly more). The final amount available to the District to defease the Defeased

Obligations will be known to the District after February 28, 2022, when current taxes become delinquent and the tax collections available for defeasance are ascertained.

SECTION 2. The District hereby calls for redemption on their first date of optional redemption, the callable Defeased Obligations. This election to redeem is irrevocable upon adoption of this Resolution by the Board. The form of the Notice of Redemption for the Defeased Obligations is attached as Exhibit B hereto and incorporated by reference for all purposes.

SECTION 3. The Escrow and Trust Agreement, dated as of August 24, 2021 (the *Agreement*), by and between the District and the escrow agent therein identified (the *Escrow Agent*), relating to the Defeased Obligations and attached hereto as Exhibit C and incorporated herein by reference as a part of this Resolution for all purposes, is hereby approved as to form and content, and such Agreement, together with such changes or revisions as may be necessary to accomplish the defeasance of the Defeased Obligations or benefit the District, is hereby authorized to be executed by an Authorized Official, for and on behalf of the District and as the act and deed of this Board. Such Agreement, as executed by said Authorized Official, shall be deemed approved by the Board and constitute the Agreement herein approved.

Furthermore, each Authorized Official, the District's Financial Advisor (Specialized Public Finance Inc.), and the District's Bond Counsel (McCall, Parkhurst & Horton L.L.P.), in cooperation with the Escrow Agent, is hereby authorized and directed to make the necessary arrangements for the deposit of cash and/or the purchase of any securities referenced in the Agreement and the delivery thereof to the Escrow Agent upon delivery to the Escrow Agent of the Defeasance Proceeds for deposit to the credit of the "SEGUIN INDEPENDENT SCHOOL DISTRICT 2022 DEFEASANCE ESCROW FUND" (the *Escrow Fund*), as may be modified in name to reference the appropriate Defeasance Obligations, and may include the execution of the subscription forms, if any, for the purchase and issuance of the "United States Treasury Securities – State and Local Government Series" for deposit to the Escrow Fund; all as contemplated and provided by the provisions of Chapter 1207, as amended, Texas Government Code, this Resolution, and the Agreement.

SECTION 4. The President and Secretary of the Board are authorized and instructed to give notice of redemption described herein to the paying agent/registrar(s) for the Defeased Obligations for further delivery thereby to the holders of such Defeased Obligations, as provided in the Original Order.

SECTION 5. An Authorized Official shall select an appoint a qualified verification agent (such party, the *Verification Agent*) to verify the sufficiency of the deposit to the Escrow Fund to accomplish the defeasance of the Defeased Obligations, to the extent such appointment is necessary or desired.

SECTION 6. Each Authorized Official is authorized to evidence adoption of this Resolution and to do any and all things necessary or convenient to effect the redemption of the Defeased Obligations herein described and otherwise give effect to the intent and purpose hereof.

SECTION 7. The Board hereby directs that Defeasance Proceeds shall include amounts sufficient to pay professional fees and expenses of the District's Bond Counsel, the District's

Financial Advisor, the Escrow Agent, the Verification Agent, the paying agent/registrar for the Defeased Obligations, respectively, and any other party whose services have been determined by the District to be necessary to accomplish the purpose and intent of this Resolution. Use of Defeasance Proceeds to pay these expenses is hereby approved.

SECTION 8. 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 Board.

SECTION 9. All orders and 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 10. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 11. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Board hereby declares that this Resolution would have been enacted without such invalid provision.

SECTION 12. 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.

SECTION 13. Though such parties may be identified, and the entry into a particular form of contract may be authorized herein, the Board hereby delegates to the Board President, Board Vice President, Board Secretary, Superintendent of Schools, and the District's Chief Financial Officer (each of the foregoing, an *Authorized Official*) the authority to independently select the counterparty to any agreement with the Escrow Agent, Verification Agent or any other contract that is determined by an Authorized Official, the District's Financial Advisor, or Bond Counsel to be necessary or incidental to carry out the provisions of this Resolution, as long as each of such contracts has a value of less than the amount referenced in Section 2252.908 of the Texas Government Code, as amended (collectively, the *Ancillary Bond Contracts*); and, as necessary, to execute the Ancillary Bond Contracts on behalf and as the act and deed of the District. The Board has not participated in the selection of any of the business entities which are counterparties to the Ancillary Bond Contracts.

SECTION 14. Capitalized terms used but not otherwise defined herein shall have the same meanings as set forth in the Original Order.

SECTION 15. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

\* \* \*

PASSED AND APPROVED, this the 24<sup>th</sup> day of August, 2021.

SEGUIN INDEPENDENT SCHOOL DISTRICT

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President, Board of Trustees

ATTEST:

---

Secretary, Board of Trustees

(DISTRICT SEAL)

**ACTION ITEM:**

**Adoption of Order Setting the Tax Rate for 2021**

**RECOMMENDATION:**

That the Board of Trustees adopt tax rates for 2021 as follows: \$0.8996 for Maintenance and Operations, and \$0.385 for Interest and Sinking, for a Total Combined Rate of \$1.2846 which does not exceed the no-new revenue tax rate.

**RATIONALE:**

This tax rate will enable the district to support the proposed budget and retain academic quality and extra curricular programs. The proposed rate is \$.0768 lower than the prior year. Additionally, the 2021 tax levy to fund maintenance and operations expenditures does not exceed the maintenance and operations tax levy of the prior year.

**REFERENCE and COMPLIANCE:**

CCG (LEGAL) and CCG (LOCAL) Local Revenue Sources-Ad Valorem Taxes

**PAPERWORK IMPACT:**

None

**BUDGET IMPACT / INFORMATION:**

Provides additional funds for district operations including increases to employee wages.

**EXHIBITS:**

Exhibit - Tax Levy Ordinance

**RESOURCE PERSONNEL:**

Anthony Hillberg, Chief Financial Officer, CPA, CTSBO

Submitted by:

- (Signature)
- (Name)
- (Address)
- (Telephone)

Date Submitted: 08/24/21

Dr. Matthew Gutierrez, Superintendent  
1221 E. Kingsbury St., Seguin, TX 78155  
(830) 401-8614

ORDER LEVYING THE TAX RATE  
FOR THE SEGUIN INDEPENDENT SCHOOL DISTRICT  
FOR THE YEAR 2021 AND DIRECTING THE ASSESSMENT  
AND COLLECTION THEREOF

BE IT ORDERED by the Board of Trustees of the Seguin Independent School District that,

We, the Board of Trustees of the Seguin Independent School District, do hereby adopt the tax rate of \$100 valuation for this school district for the year 2021 as follows:

\$0.8996 For the purpose of maintenance and operation fund

\$0.3850 For the payment of interest and sinking debt fund

\$1.2846 Total Tax Rate

The Tax Assessor-Collector is hereby authorized to assess and collect the taxes for the Seguin Independent School District.

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Cinde Thomas-Jimenez, President  
Board of Trustees  
Seguin Independent School District

ATTEST:

---

Glenda Moreno, Secretary  
Board of Trustees  
Seguin Independent School District

(Seal)

**ACTION ITEM:**

**Adopt the Resolution for the Assignment of Fund Balance**

**RECOMMENDATION:**

That the Board of Trustees adopt the Resolution for the Assignment of Fund Balance as presented.

**RATIONALE:**

School districts have the authority to assign General Operating Fund balance for specific purposes. In order to make changes within fund balance classifications, the School Board must adopt those changes by resolution. Districts use this practice to plan for large one-time purchases and to prepare for upcoming projects or initiatives.

**REFERENCE and COMPLIANCE:**

CE (LEGAL) and CE (LOCAL) Annual Operating Budget

**PAPERWORK IMPACT:**

None

**BUDGET IMPACT / INFORMATION:**

Funding provided by assigning unassigned fund balance.

**EXHIBITS:**

Resolution

**RESOURCE PERSONNEL:**

Anthony Hillberg, Chief Financial Officer, CPA, CTSBO

Submitted by:

(Signature)

(Name)

(Address)

(Telephone)



Date Submitted: 08/24/21

Dr. Matthew Gutierrez, Superintendent

1221 E. Kingsbury St., Seguin, TX 78155

(830) 401-8614

**RESOLUTION OF THE SEGUIN INDEPENDENT SCHOOL DISTRICT  
BOARD OF TRUSTEES  
ASSIGNMENT OF FUND BALANCE**

**WHEREAS**, the Governmental Accounting Standards Board (“GASB”) has adopted Statement 54 (“GASB 54”), a new standard for governmental fund balance reporting and governmental fund type definitions; and

**WHEREAS**, Seguin Independent School District (“Seguin ISD”) has implemented GASB Statement 54 requirements; and

**WHEREAS**, Seguin ISD desires adjustments to Assigned Fund Balance; and

**NOW THEREFORE BE IT RESOLVED THAT** Seguin ISD hereby adopts the following policy:

**FUND BALANCE POLICY**

Fund balance measures the net financial resources available to finance expenditures of future periods.

The District’s Unassigned General Fund Balance will be maintained to provide the District with sufficient working capital and a margin of safety to address local and regional emergencies without borrowing. The Unassigned General Fund Balance may only be appropriated by resolution of the Board of Trustees.

Fund Balance of the District may be committed for a specific purpose by formal action of the Seguin ISD Board of Trustees and may be amended or modified at a later date.

When appropriate for fund balance to be assigned, the Board delegates authority to the Superintendent or the Chief Financial Officer.

In circumstances where expenditure is to be made for a purpose for which amounts are available in multiple fund balance classifications, the order in which resources will be expended is as follows: restricted fund balance, committed fund balance, assigned fund balance, and unassigned fund balance.

**NOW THEREFORE BE IT RESOLVED** that Seguin ISD Board of Trustees assigns Unassigned Fund Balance for the following:

Baseball & Softball Complex Design Services.....	<u>400,000</u>
<b>Subtotal .....</b>	<b><u>\$400,000</u></b>

The above Resolution is adopted this 24th day of August 2021.

---

Cinde Thomas-Jimenez, President  
Board of Trustees  
Seguin Independent School District

---

Glenda Moreno, Secretary  
Board of Trustees  
Seguin Independent School District

**ACTION ITEM:**

**Consideration and Approval of Design Services for a Seguin ISD  
Baseball and Softball Complex.**

**RECOMMENDATION:**

That the Board of Trustees approve to contract with PB Group, LLC for Design Services of a Seguin ISD Baseball and Softball Complex.

**RATIONALE:**

Chapter 2254 of the Government Code requires the District to select an architect to perform professional design services based on demonstrated competence and qualifications, and to negotiate a contract for a fair and reasonable price.

Design Services for the Baseball and Softball Complex were previously solicited by a Request for Qualifications in March, 2019 (RFQ #: 19-09). The Seguin ISD Board of Trustees approved the recommended respondent, Pfluger Associates, LP, at that time. However, as of this date, no contract has been executed and no services have been rendered by Pfluger Associates, LP in relation to the project.

Seguin ISD has enjoyed a good working relationship with Pfluger Associates, LP over the course of several projects. In those projects, Pfluger hired PB Group, LLC as their associate architect, and the District has benefitted from PB Group's expertise, locality, and availability. District administrative staff recognizes that the good working relationship is due to the efforts of the lead architect with Pfluger Associates, LP, Ms. Robyn Popa, combined with the efforts and responsiveness of PB Group's principal, Mr. Florin Popa. Furthermore, Mr. Popa has been instrumental in collaborating with the District on different scenarios of improvement for the baseball and softball complex.

Given his extensive experience and history with Seguin ISD, and demonstrated competence and qualifications, Mr. Popa is the most highly qualified professional to serve as the District's architect for the Design Services of the Seguin ISD Baseball and Softball Complex.

**REFERENCE and  
COMPLIANCE:**

CV(LEGAL) Facilities Construction

**BUDGET IMPACT /  
INFORMATION:**

None

**EXHIBITS:**

None

**RESOURCE  
PERSONNEL:**

Anthony Hillberg, Chief Financial Officer, CPA, CTSBO

Submitted by:  
(Signature)  
(Name)  
(Address)  
(Telephone)



Date Submitted: 08/24/21

Dr. Matthew Gutierrez, Superintendent  
1221 E. Kingsbury St., Seguin, TX 78155  
(830) 401-8614

**ACTION ITEM:** **Consideration and Possible Action, Including Adoption of a Resolution Approving the Negotiation of the Sale of Real Property and Improvements Located at 418 W. Mountain St., Seguin, Texas 78155, Commonly Known as the Saegert Middle School Tennis Courts and Maintenance Buildings**

**RECOMMENDATION:** That the Board approve the attached resolution approving the negotiation of the sale of real property and improvements located at 418 W. Mountain St., Seguin, Texas 78155, commonly known as the Saegert Middle School Tennis Courts and Maintenance Buildings.

**RATIONALE:** Pursuant to Texas Education Codes section 11.151 and 11.154, the Board of Trustees is authorized to determine that certain real property and improvements owned by the District are not necessary facilities to meet the current and foreseeable needs of the District for educational purposes.  
The Saegert Middle School tennis courts and maintenance buildings are in disrepair and are not currently needed by the District for instructional purposes. The attached resolution authorizes the sale of this property.


**REFERENCE and COMPLIANCE:** CDB(LEGAL) Sale, Lease, or Exchange of School-owned Property and CI(LEGAL) and CI(LOCAL) School Properties Disposal

**PAPERWORK IMPACT:** None

**BUDGET IMPACT / INFORMATION:**

**EXHIBITS:** Resolution Authorizing Sale of Real Property – Saegert Middle School Tennis Courts and Maintenance Buildings

**RESOURCE PERSONNEL:** Bill Lewis, Chief Operating Officer / Associate Superintendent  
Anthony Hillberg, Chief Financial Officer, CPA, CTSBO

Submitted by:  Date Submitted: 08/24/21  
(Signature) \_\_\_\_\_  
(Name) Dr. Matthew Gutierrez, Superintendent  
(Address) 1221 E. Kingsbury St., Seguin, TX 78155  
(Telephone) (830) 401-8614

**BOARD RESOLUTION OF  
SEGUIN INDEPENDENT SCHOOL DISTRICT**

**WHEREAS**, Texas Education Code § 11.154(a) states that the “board of trustees of an independent school district may, by resolution, authorize the sale of any property, other than minerals, held in trust for public school purposes”; and

**WHEREAS**, the Board of Trustees finds that the property comprising approximately 1.1248 acres located at 418 W. Mountain St., Seguin, Texas 78155, currently held in trust by the District and more fully described in **Exhibit A** (the “Property”) attached hereto and made part of this resolution, is not needed for educational purposes and that it is in the best interest of the District and its students to negotiate the sale of the property to the City of Seguin;

**WHEREAS**, pursuant to Texas Local Government Code § 272.001(b)(5), the District has obtained an appraisal that the property fair market value is \$133,038, and the purchase price to be paid by the City exceeds that amount;

**NOW, THEREFORE**, the Board of Trustees of Seguin Independent School District, at a lawfully called meeting of the Board, held in compliance with the Texas Open Meetings Act, do hereby adopt the following resolutions:

**BE IT HEREBY RESOLVED:**

1. That the Board determines that the Property is not needed for the educational purposes of the District, and that it is in the best interest of the District to sell the Property to City of Seguin, subject to the negotiation of closing terms acceptable to the District.
2. The Superintendent is authorized, empowered and directed, in the name and on behalf of the District, to negotiate closing terms that are, in his discretion, in the best interest of the District, to execute and deliver all documents and instruments, and to perform or cause to be performed all actions necessary to proceed with the sale of the Property, including, but not limited to, executing a Special Warranty Deed conveying the Property “as is.”

*[Signature Page Follows]*

**PASSED AND APPROVED BY THE MAJORITY OF MEMBERS OF THE BOARD OF TRUSTEES OF SEGUIN INDEPENDENT SCHOOL DISTRICT EXECUTING BELOW ON THIS, THE 24th DAY OF AUGUST, 2021.**

**Trustees voting in favor of the Resolution:**

_____	_____
_____	_____
_____	_____
_____	_____

The undersigned, being the Secretary of the Board, hereby certifies that the foregoing represents a true copy of a Resolution of the Seguin ISD Board of Trustees, duly held on April 30, 2019, which Resolution is in full force and effect, and has not been revoked or amended.

\_\_\_\_\_  
Glenda Moreno, SECRETARY

Dated: \_\_\_\_\_

## Exhibit A

### Legal Description of Property:

Tract No. 3 - Block 209, Acre Addition Seguin, Guadalupe County, Texas

### Description of Improvements *(Menn & Associates, Real Estate Appraisers and Consultants January 10, 2019)*:

This tract has a tennis court which is surrounded by security fencing, the courts are in poor condition due to lack of upkeep and use in the last few years. The area that used to be the maintenance department was once the cities utilities department with the buildings being aged. Most of the buildings are metal siding with metal roof, situated on a concrete slab foundation. The buildings have 2,244 sq.ft., 1,815 sq.ft. and 1,520 sq.ft. of space with the office having 491 sq.ft. of space. All buildings are in fair condition, due to age, condition and construction.

**ACTION ITEM:** **Designate Official Voting Delegate and Alternate to the 2021 TASB Delegate Assembly in Dallas, Texas September 24th – 26th, 2021**

**RECOMMENDATION:** That the Board of Trustees designate a delegate and alternate to the 2021 TASB Delegate Assembly held in Dallas.

**RATIONALE:** The names of the official voting delegate and alternate will be submitted to the Texas Association of School Boards.

**PAPERWORK IMPACT:** Minimal

**BUDGET IMPACT/ INFORMATION:** None

**EXHIBITS:** Official Delegate Designation form

**RESOURCE PERSONNEL:** Dr. Matthew Gutierrez, Superintendent

Submitted by: *Matthew Gutierrez* Date Submitted: 08/24/21  
(Signature) \_\_\_\_\_  
(Name) Dr. Matthew Gutierrez, Superintendent  
(Address) 1221 E. Kingsbury St., Seguin, Texas 78155  
(Telephone) (830) 401-8614

# Official Delegate Designation Form

**Please note:**

- Only board members of TASB Active Members (public school districts and ESCs) may serve as delegates or alternates.
- TASB Directors and the four Legislative Advisory Council (LAC) members serving on the TASB Legislative Committee are delegates by virtue of their positions. If one of your board members is also a TASB Director or one of the four LAC representatives, do not designate this member; he or she will already be participating as a voting delegate in the Assembly.
- If you are designating an individual newly elected to your board, please update your district's membership information in myTASB. The update form is available under the Member Profile link (<https://www.tasb.org/apps/memberprofile/index.aspx>). If you have any questions about updating your membership information, contact Michael Pennant (contact information located at bottom of page).
- The Delegate Assembly Handbook will be distributed electronically at least 20 days prior to Delegate Assembly. Hard copies of the Handbook will be available on site. (Mailed copies will be available by request.)
- You also may submit your designation online. The online form is available in myTASB under the Member Profile link (<https://www.tasb.org/apps/memberprofile/index.aspx>).

Credentials (ribbon and button) will be mailed to delegates and alternates who are registered by August 26. After that date, credentials must be picked up on site at Delegate Assembly.

**Delegate:** \_\_\_\_\_

Board position: \_\_\_\_\_ E-mail: \_\_\_\_\_

Mailing address (if NOT the district address) for Delegate Assembly materials:

\_\_\_\_\_

**Alternate:** \_\_\_\_\_

Board position: \_\_\_\_\_ E-mail: \_\_\_\_\_

Mailing address (if NOT the district address) for Delegate Assembly materials:

\_\_\_\_\_

**Name of school district:** \_\_\_\_\_

**County-district number:** \_\_\_\_\_ **TASB (ESC) region number:** \_\_\_\_\_

I hereby certify that the above persons were chosen by our board as our official voting delegate and alternate to the 2021 TASB Delegate Assembly scheduled for September 25 (as provided by the TASB Bylaws).

Board president: \_\_\_\_\_ Date: \_\_\_\_\_

*Please return your board's designations online or to the address below by August 26, 2021, to receive Delegate Assembly credentials by mail. Delegates submitted after August 26 will need to pick up credentials (button and ribbon) on site.*

Texas Association of School Boards  
Attn: Michael Pennant  
Email: [membercommunications@tasb.org](mailto:membercommunications@tasb.org)  
Fax: 512.467.3554



Questions? Contact Michael Pennant at 800.580.8272 or [membercommunications@tasb.org](mailto:membercommunications@tasb.org).