

# 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 23, 2022, 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
  - D. Board Member Reports
2. **Recognition/Campus Presentations**
  - A. Student/Staff/Board/Community Recognition 4
3. **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.
4. **Reports/Information Items:**
  - A. Seguin ISD Strategic Plan 2025 Communication Plan 5
  - B. Middle School Monthly Report 14
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 Board Workshop - July 19, 2022; Regular Meeting - July 26, 2022 and Special Meeting - August 4, 2022. 25
  - B. Approval of Tax Collection Reports for June 2022 38
  - C. Approval of District-Wide Facilities Maintenance, Electrical Equipment, Parts, And Services (RFP #: 21-04) 39
  - D. Approval of District-Wide Special Education Services (RFP #: 21-05) 41
  - E. First Reading for Consideration or Approval of the Texas Association of School Boards (TASB) Policy Update 119, affecting LEGAL and LOCAL Policies 43
  - F. Extra-Curricular Activity Listing for 2022-2023 79
  - G. County Extension Agents as Adjunct Staff Members 84
  - H. 2022–2023 Student Code of Conduct 86
  - I. Information Regarding Purchases Through the 2013 Purchasing Cooperative for a total cost of \$83,220 122
  - J. Information Regarding Purchases Through the Allied States Purchasing Cooperative for a total cost of \$52,813 123
  - K. Information Regarding Purchases Through the BuyBoard Purchasing Cooperative for a total cost of \$125,125 124
  - L. Information Regarding Purchases Through the Choice Partners Purchasing Cooperative for a total cost of \$175,000 125
  - M. Information Regarding Purchases Through the DIR Purchasing Cooperative for a total cost of \$159,786 126
  - N. Information Regarding Purchases Through the Pace Purchasing Cooperative for a total cost of \$83,251 127
  - O. Information Regarding Purchases Through the Sourcewell Purchasing Cooperative for a total cost of \$131,977 128
  - P. Information Regarding Purchases Through the Texas 20 Purchasing Cooperative for a total cost of \$2,146,500 129
  - Q. Information Regarding Seguin ISD's Purchase of Waste Removal Services from Tiger Sanitation, Inc. 130
  - R. Information Regarding Seguin ISD's Purchase of the TX High Dosage Tutoring Package from BookNook, Inc. 131

S.	Personnel Information - Professional Employees	132
T.	Acknowledge Public Information Act Requests July-August, 2022	134
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	136
B.	Adoption of Order Setting the Tax Rate for 2022 Which Does Not Exceed the No-New Revenue Tax Rate	141
C.	2022-2025 Seguin ISD Revised Goals	143
D.	Possible Action to Extend Superintendent Hiring Authority for Certified Personnel During the Fall of 2022	151
E.	Discussion and Possible Action Find No Good Cause Exists for Educator Resignation	152
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.

- **Kaden Legore, UIL Outstanding Performer at the 2022 Texas State Solo-Ensemble Music Theory Solo Contest**
- **A and B campuses based on 2022 State Accountability Rating**

**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.

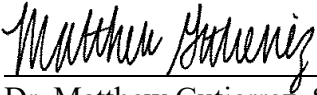
BJA (LOCAL) 2. m. Encourage, oversee, and participate in staff recognition and support activities.

**PAPERWORK IMPACT:**             None

**BUDGET IMPACT/ INFORMATION:**     None

**EXHIBITS:**                     None

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

Submitted by:              Date Submitted: 08/23/22  
(Signature)     Dr. Matthew Gutierrez, Superintendent  
(Name)         1221 E. Kingsbury St., Seguin, TX 78155  
(Address)      (830) 401-8614  
(Telephone)

**INFORMATION ITEM:**      **Seguin ISD Strategic Plan 2025 Communication Plan**

**RECOMMENDATION:**      That the Board of Trustees receives an update on the plan to communicate progress on Seguin ISD Strategic Plan 2025.

**RATIONALE:**                      In June 2022, the Board adopted a new long-term district Strategic Plan. In Summer 2022, work continued on developing district department and individual work plans to ensure the strategic actions outlined in the plan are carried out. Plans to communicate progress to various audiences, including the Board and community, will begin in August 2022.

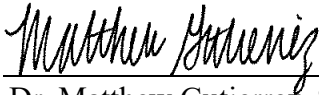
**REFERENCE and COMPLIANCE:**                      AE(LOCAL): Educational Philosophy and TEC §4.001, 4.002

**PAPERWORK IMPACT:**                      Updating of the 2022-2025 SISD Goals and Strategic Plan

**BUDGET IMPACT/ INFORMATION:**                      None

**EXHIBITS:**                      Presentation: SISD Strategic Plan 2025 Communication Plan

**RESOURCE PERSONNEL:**                      Dr. Matthew Gutierrez, Superintendent of Schools  
Mark Cantú, Deputy Superintendent and Chief Innovation Officer  
Sean Hoffmann, Chief Communications Officer

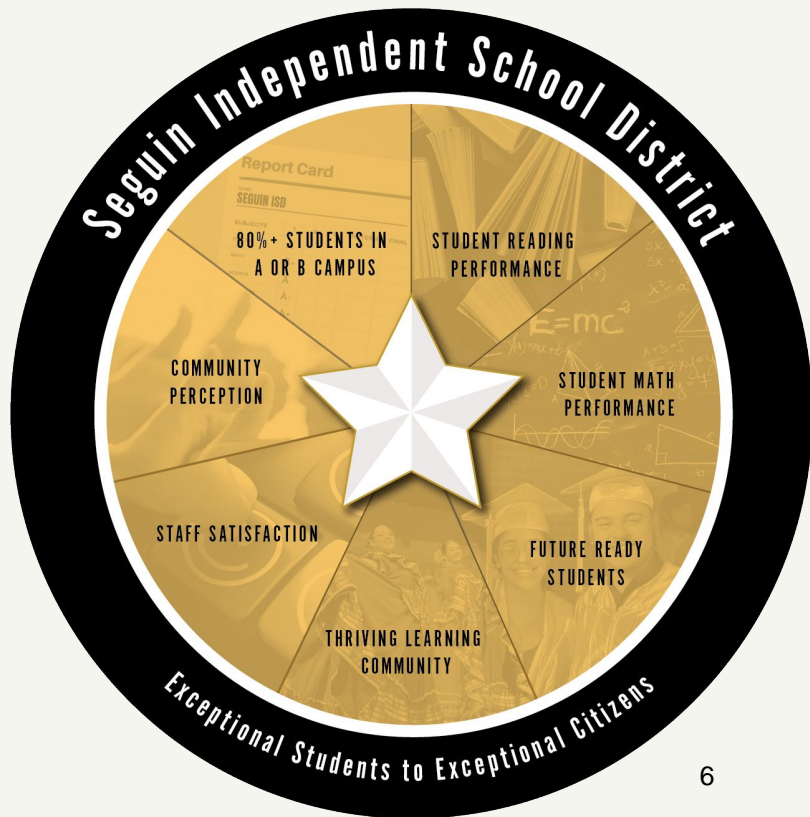
Submitted by:                       Date Submitted: 08/23/22  
(Signature)                      Dr. Matthew Gutierrez, Superintendent  
(Name)                      1221 E. Kingsbury St., Seguin, TX 78155  
(Address)                      (830) 401-8614  
(Telephone)




# Seguin ISD Strategic Plan 2025 Communication Plan

August 23, 2022

SISD Board of Trustees



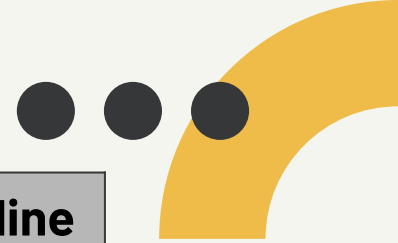


Strategic planning is an organizational management activity that is used to set **priorities, focus** energy and resources, **strengthen** operations, and ensure that employees and other stakeholders are working toward **common goals**.



It sets a **clear direction** for an organization.

# Strategic Plan 2025 Timeline



Process Step	Completion Timeline
Internal Steering Committee Formation	July 2021
Visioning Task Force Creation	September 2021
Visioning Sessions	November 2021
Goal Development	January 2022
Performance Objective Development	February 2022
Target Area Task Force Formation	March 2022
Stakeholder Feedback	March 2022
Annual Work Plan Creation	June 2022
Monthly Reports for the Board	August 2022

# Strategic Priorities

Four total

District  
Objectives

# Strategic Goals

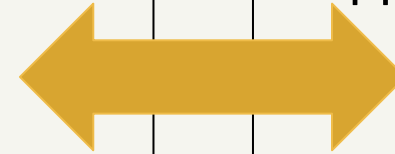
Seven total

Long-range measures

# Performance Objectives

30 total

Short-Term  
Measures



# Findings + Directions

Community Beliefs

# Seguin ISD Strategic Plan 2025

Click image for full document below.

<b>Strategic Priority 2: Supporting and Valuing Staff</b>
<p><b>Strategic Goal:</b> Goal #5: Seguin ISD will improve staff satisfaction as determined by the Organizational Health Inventory (OHI).</p>
<p><b>Performance Objectives:</b> 5.1: By Spring of 2023, campus staff surveys will show an above average organizational health index score for all Seguin ISD campuses. 5.2: By Spring of 2023, each campus' Academic Emphasis index will show that their teachers very frequently believe that their students have the ability to achieve academically. 5.3: By Spring of 2023, teacher turnover will decrease by 10% across the district.</p>
<p><b>Human Resources/Staff Culture Task Force Members:</b> Cindy Moreno (Chair), Danica Murillo, Linda Guzman, Jason Schmidt, Saray Dominguez, Lisa Weir, Reyetos Valdez, Tatum Braune, Patricia Garcia, Amy Graeber <i>Focus Finding: 2.1</i></p>

SISD Findings/Beliefs	SISD Directions	Strategic Actions <i>(Aligns to above performance objectives)</i>	Person(s) Responsible	Implementation Timeline	ESF Lever
2.1 We believe investing in the well-being of staff is critical to creating a culture of success for all.	Create a climate where staff voice is valued.	<b>5.1.1.</b> Embed team building opportunities specific to campus need during the school day.	Campus Administrators	Fall 2022	<p><b>Lever 1: Strong School Leadership and Planning</b> Effective campus instructional leaders with clear roles and responsibilities develop, implement, and monitor focused improvement plans that address the causes of low performance.</p> <p><b>District Commitments:</b> The district policies and practices prioritize principal and principal supervisor instructional leadership (e.g. manageable span of control, time dedicated to instructional practices). <b>Lever 2: Strategic</b></p>
	Foster a culture where staff is engaged in meaningful work.	<b>5.1.2.</b> Administer short and specific surveys twice yearly for staff feedback.	Chief Human Resources Officer	Fall 2022	
	Provide systems of support, value, and growth where teachers thrive and therefore, choose to stay in the profession and in the district.	<b>5.1.3.</b> Every campus will send a representative to be a part of the district TCC.	Campus Administrators	Fall 2022	
		<b>5.1.4.</b> District SGS work will focus on Talent Pipeline development.	Chief Human Resources Officer/Chief Innovation Officer	Spring 2023	
		<b>5.2.1.</b> Every teacher PK-12 will be a part of a weekly campus/departmental PLC	Chief Human Resources Officer/Chief Innovation Officer	Fall 2022	
	<b>5.2.2.</b> Every teacher PK-12 will be a part of a SUPER PLC or Faculty Meeting every month as part of job embedded PL/training.	Chief Human Resources Officer/Chief Innovation Officer	Fall 2022		
	<b>5.3.1.</b> Every new teacher with less than 2 years of experience will be given a mentor, for the first two years of employment.	Director of PL	Fall 2022		

# Communication Plan

Action Step	Completion Timeline
Review Plan with Campus and District Staff	September 2022
Goals Poster in Every SISD Classroom	September 2022
Begin Monthly Updates to Board	September 2022
Quarterly Board Updates: Goals Progress	October 2022 December 2022 March 2022 June 2023
Include updates in Lunch and Learns, Town Hall Meetings, Superintendent Video Blogs	As Scheduled

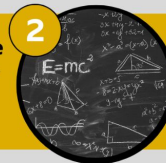
## STRATEGIC GOALS



1

### Student Reading Performance

Increase the percentage of third grade students who score meets grade level or above on STAAR (State of Texas Assessment of Academic Readiness) Reading from 40% to 54% by August 2025.



2

### Student Math Performance

Increase the percentage of third grade students who score meets grade level or above on STAAR Mathematics from 35% to 49% by August 2025.



3

### Future Ready (College, Career, Military)

Increase the percentage of graduates who meet the College, Career, or Military Readiness (CCMR) requirements from 39% to 73% by August 2024.



4

### Thriving Learning Community

Seguin ISD will build a thriving learning community as indicated on a numerical score of 80 or higher on the balanced scorecard.



5

### Staff Satisfaction

Seguin ISD will improve staff satisfaction as determined by the Organizational Health Inventory (OHI).



6

### Community Perception

Seguin ISD will improve student, staff, parent, and community perception as determined by the Net Promoter score.



7

### 80% Students in A or B campuses

80% or more of SISD students will be enrolled in a campus that is rated A or B by August 2025.

# Monitoring Plan



## RSSP

Resilient Schools  
Support Program

- Bellwether is meeting with Task Force Chairs to develop monitoring plan
- August: Weekly meetings
- September: begin monthly stepbacks
- Task Force Chairs have workbooks to monitor the work

**BELLWETHER**  
EDUCATION PARTNERS

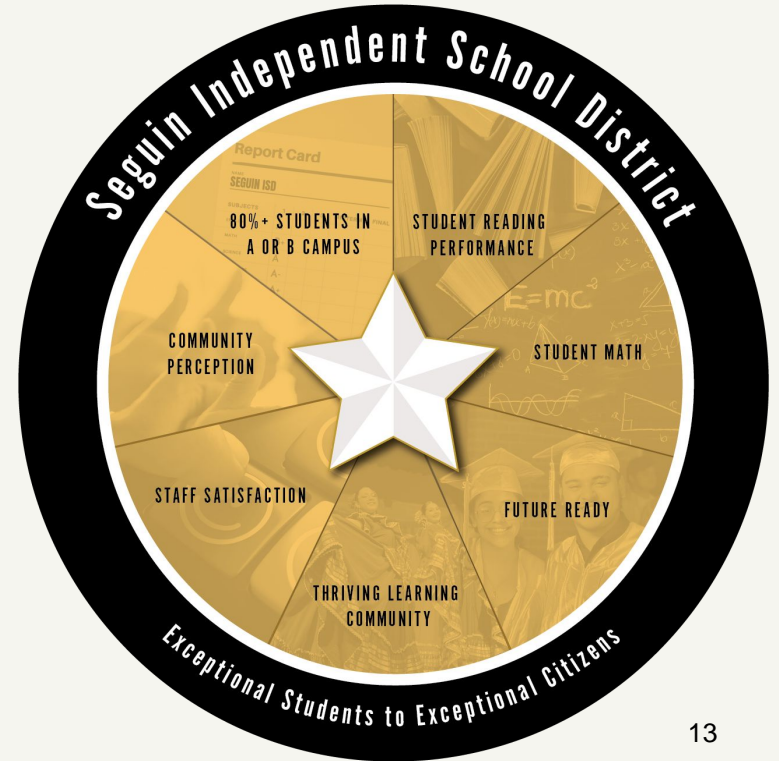
Implementation	
Strategic Actions	Status
f 4.3.1: Identify Seguin ISD's pathways to an exceptional future.	Off Track
f 4.3.2: Identify existing programming, PK-12, that aligns to pathways.	Nearly Off Track
f 4.3.3: Identify and connect all students to pathways based on their interest(s), taking into consideration students' unique circumstances and backgrounds.	Complete
f 4.3.4: Develop district-wide plan for student goal setting practices, focusing on life goals (vs. academic goals)	On Track
s 4.3.5: Develop resources accessible to all stakeholders to support students connecting district pathways to high school graduation and beyond.	N/A



Emily Shisler, *Academ12* and  
Program Strategy Specialist

# Monthly Board Updates

- Dashboard at a glance
- Bright Spots: progress highlights
- Area of Focus: actions that need re-focusing



**INFORMATION ITEM:**      **Middle School Monthly Report**

**RECOMMENDATION:**      That the Board of Trustees receives an update regarding both middle schools, Briesemeister and Jim Barnes.

**RATIONALE:**                      The purpose of this report is to share information regarding the strong start, PBIS (Positive Behavior Intervention and Supports) and additional campus information from both campuses.

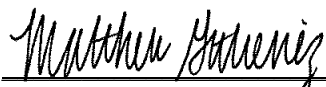
**REFERENCE and COMPLIANCE:**      Strategic Priority #1 Creating and Supporting Future Students

**PAPERWORK IMPACT:**                      None

**BUDGET IMPACT/ INFORMATION:**                      None

**EXHIBITS:**                                      Briesemeister Presentation  
Jim Barnes Presentation

**RESOURCE PERSONNEL:**                      Andrea Jaramillo, Deputy Chief of Innovation and Learning

Submitted by:  Date Submitted: 08/23/22  
(Signature) \_\_\_\_\_  
(Name) Dr. Matthew Gutierrez, Superintendent  
(Address) 1221 E. Kingsbury St., Seguin, TX 78155  
(Telephone) (830) 401-8614

# Seguin ISD Middle Schools' Update

## August 23, 2022

Christine Perez, Director of School Leadership  
Linda Guzman, Principal, A.J. Briesemeister MS  
Jason Schmidt, Principal, Barnes MS



# Alignment Across Campuses

Both AJB and Barnes MS are implementing and/or reinvigorating::

A strong start- leveraging each school's playbook for continuous improvement, achievement, and growth throughout the school year

PBIS (positive behavioral interventions and supports)- evidence-based framework that improves outcomes for students while maximizing equity, effectiveness, and efficiency

A laser-like focus on multiple data points: campus educators use academic, PBIS, attendance (staff and students), SEL, and other impactful data

Alignment across both campuses improves cohesiveness, efficiency in programming, collaboration, and continuous improvement in our instructional practices for increase student outcomes and educator efficacy.



# A.J. Briesemeister MS

Linda Guzman, Principal, A.J. Briesemeister MS



# A.J. Briesemeister MS

## A Strong Start Highlights:

- Showcase of completed learning spaces during Meet the Parent/Launch Party
- Prescriptive First Day procedures, prescriptive First Friday procedures
- Showcasing student outcomes at Meet the Teacher Night/Launch Party



# A.J. Briesemeister MS

## PBIS Opportunities and Quick Wins

- Faculty continued professional learning on PBIS ACHIEVE expectations and restorative practices to set the foundation for success for all students
- A whole child focus is strengthened through Character Strong professional development



# A.J. Briesemeister MS

A laser-like focus on multiple data points:

- Daily formative assessments
- CFAs
- Attendance (staff and students)
- Discipline
- Scheduled celebrations



# Barnes MS

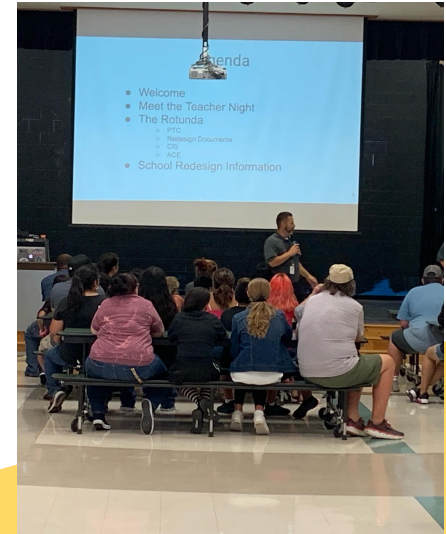
Jason Schmidt, Principal, Barnes MS



# Barnes MS

## A Strong Start Highlights:

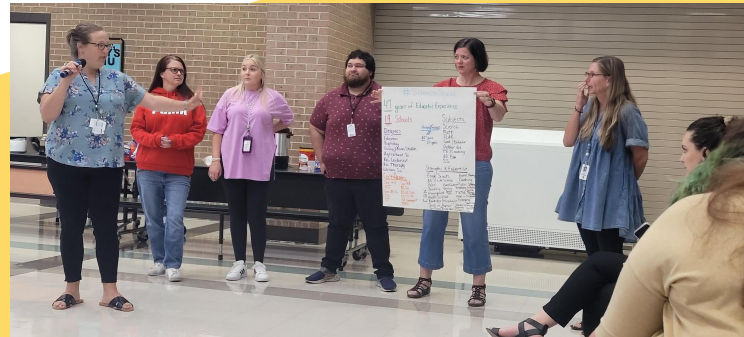
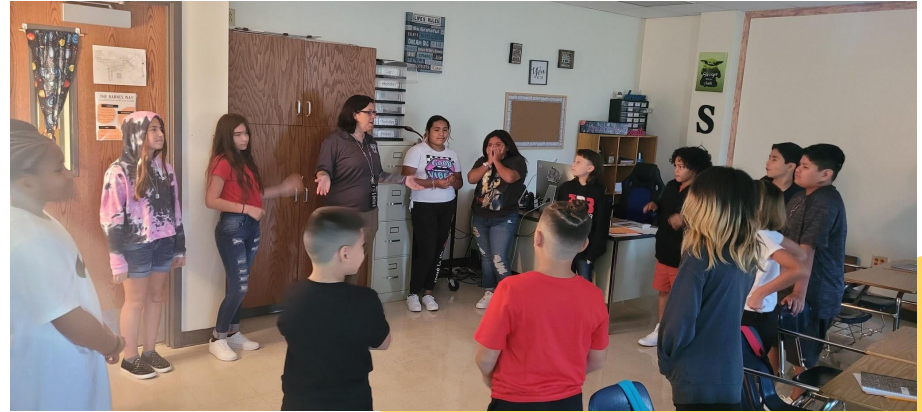
- Prescriptive Day One procedures for all educators
- Prescriptive First Friday procedures for all educators
- Continual conferring of administrative team to refine procedures for day two
- Launch Party success
- First period schedule pickup= students in class ready for learning quickly



# Barnes MS

## PBIS Opportunities and Quick Wins:

- Leveraging educator leadership through identification of the strengths they bring to the campus for enhanced student outcomes
- Immediate relationship building with students
- Continued PBIS learning by students and educators



# Barnes MS

A laser-like focus on multiple data points:

- Daily formative assessments
- CFAs
- Attendance (staff and students)
- Discipline
- Scheduled celebrations



# Minutes of Board Workshop

## The Board of Trustees

### Seguin ISD

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A board workshop of the Board of Trustees of Seguin ISD was held Tuesday, July 19, 2022 beginning at 6:30 PM in the Board Room, 1221 E. Kingsbury, Seguin, Texas.

Present: Ben Amador, Denise Crettenden, Linda Duncan, Alejandro R. Guerra (virtual), 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; Steve Gonzalez, Chief Technology Officer; Anthony Hillberg, Chief Financial Officer (virtual); Sean Hoffmann, Chief Communications Officer; Andrea Jaramillo, Deputy Chief of Innovation and Learning; Bill Lewis, Chief Operating Officer & Associate Superintendent; Cindy Moreno, Chief Human Resources Officer; Florin and Robyn Popa, Partners with PB Group LLC and Pfluger Architects; Members of the Facilities Planning Committee, and Nancy Ramirez Superintendent Secretary.

#### 1. Call to Order

A. Mrs. Thomas-Jimenez called the meeting to order at 6:30 p.m. and a quorum was established.

B. 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.

C. The pledges were led by Mr. Lewis, followed by a moment of silence.

#### 2. Audience with the Board

No one signed up to address the Board.

#### 3. Board Workshop

A. Discussion Regarding Bond and Facilities Planning

The Board and Superintendent's Leadership Team received an overview from Mr. Lewis regarding the facilities and bond planning process, goals and next steps. All Board questions and comments were addressed.

#### 4. Adjourn

The meeting adjourned at 8:05 p.m.

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Secretary/August 23, 2022

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President/August 23, 2022

# 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 26, 2022, 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 (virtual) and Dr. Matthew Gutierrez, Superintendent

Absent:

Also Present: Nikki Bittings, Chief Student Services Officer; Mark Cantu, Chief Innovation Officer; Steve Gonzalez, Chief Technology Officer, Anthony Hillberg, Chief Financial Officer; Sean Hoffmann, Chief Communications Officer; Andrea Jaramillo, Deputy Chief Innovation & Learning; Cindy Moreno, Chief Human Resources Officer; Dr. Hector Esquivel, Seguin High School Principal; Coach Craig Dailey, Athletic Director/Head Football Coach; Dr. Carolyn Castillo, Deputy Director for Administrative & Instructional Service at ESC, Region 20; Nancy Ramirez, Superintendent Secretary and media.

#### 1. Call to Order

A. Mr. Jenkins 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. Guerra, 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 is looking forward to seeing our students back in action on the first day of school, August 15.

D. Board Member Reports:

The Board provided updates and information on recent activities, meetings, conferences, and school events they have participated in or attended.

#### 2. Recognition/Campus Presentations

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

The Board of Trustees recognized the following students and staff for their outstanding accomplishments:

- **ESC Region 20 School Board of the Year**

The Board was recognized with a banner and trophy presented by Dr. Carolyn Castillo on behalf of ESC Region 20 for the Regions' School Board of the Year.

#### 3. Audience with the Board

Dr. Paul Martin addressed the Board regarding growth and donut economics.

**4. Reports/Information Items:**

**A. Introduction of Newly Appointed Administrators**

The Board of Trustees acknowledged the newly appointed 2022-2023 Administrative Hires.

- **Carlie Tucker-Barnes Assistant Principal**
- **Lesli Mahaffey-Koennecke Principal**
- **Trisha Eckols-McQueeney Principal**
- **Christine Perez-Director of School Leadership**

**B. Introduction of New Coaching Staff**

The Board of Trustees acknowledged the new Coaching Staff for 2022-2023 school year.

- **Sylvia Villasenor SHS-Spanish, Assistant Girls Soccer**
- **Leonor Alejandro SHS-Math, Girls Basketball**
- **Chris Rodriguez SHS-Social Studies, Football / Boys Soccer**
- **Clifford Crews SHS-Football / Track**
- **Daniel Perez SHS-SPED, Volleyball and Girls Basketball**
- **De'Janae Gilmore SHS-CTE**
- **Andrew Duong SHS-Math, Tennis**
- **Jessica Aguilar SHS-SPED, Volleyball and Softball**
- **Joseph Castillo SHS-SPED, Football + 2<sup>nd</sup> Sport**
- **Valerie Flores BARNES-Barnes Girls Basketball and Girls Soccer**
- **Caleb Applewhite SHS-Science, Football / Boys Basketball**
- **Jessie Behal SHS-English, Girls Basketball + 2<sup>nd</sup> Sport**
- **Trevor Roberts AJB-AJB Coordinator, PE**
- **Travis Roberts BARNES-Barnes Coordinator, PE**
- **Daryl Faulks SHS-Social Studies, Head Girls Soccer Coach**
- **Mike Gonzales SHS-PE, Head Baseball**
- **Veronda Kendall SHS-Credit Recovery/Flex School English, Head Girls Basketball Coach**
- **Rick Camacho SHS-SPED, Head Tennis**
- **Ashley Farris SHS-Assistant AD / Head Volleyball Coach**

The Board recessed from 7:05p.m. - 7:20 p.m.

**5. Closed Meeting –The Board went into closed session at 7:21 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.

1. Emergency Operations and Safety Protocols

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).

C. Pursuant to Texas Government Code Section § 551.072 - Discuss the sale, purchase, exchange, lease, or value of real property.

**6. Reconvene to Open Meeting – The Board reconvened at 8:35 p.m. No action was taken.**

- A. Possible action to approve professional personnel, including appointment, employment, evaluation, assignment, duties, discipline or dismissal of employee(s).

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

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

Special Meeting, June 23, 2022

Public Meeting, June 28, 2022

Regular Meeting, June 28, 2022

**B. Approval of Investment Report for the Fourth Quarter Ended June 30, 2022**

The Board of Trustees approved the Investment Report for the Fourth Quarter ended June 30, 2022. 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, 2022. 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.

**C. Approval of Investment Report for the Year Ended June 30, 2022**

The Board of Trustees approved the Investment Report for the Year Ended June 30, 2022. 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, 2022. 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.

**D. 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: FastSigns of New Braunfels. 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.

**E. Approval of Property, Liability, and Fleet Insurance for 2022-23**

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 \$386,146. The cost is \$6,388 higher than 2021-2022. Coverages under the plan include the following: property, school liability, privacy & information security, auto, and violent acts. Part of the cost reflects an option to buy down the Weather Perils deductible from \$500,000 to \$250,000 at a cost of \$47,305.

**F. Consideration of Approval of Certified Appraisers for 2022-2023**

The Board of Trustees approved 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 2022-2023 school year:

<b>Barnes Middle School</b>	<b>Briesemeister Middle School</b>
Jason Schmidt, Principal	Linda Guzman, Principal
Tori Beutnagel, Associate Principal	Robert Arriola, Associate Principal
Andrew Mason, Assistant Principal	Christopher Podorsky, Academic Dean
Shara Wade, Assistant Principal	Bianca Duvall, Assistant Principal
Cheryl Schriewer, Academic Dean	Natalie McFadden, Assistant Principal
<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	Christine Perez, Director of School Leadership
Aaron Hannah, Assistant, Principal	Monica Franco, Elementary Coordinator
Joshua Peters, Assistant. Principal	Richard Bough, Director of CTE
Angel Guadarrama, Assistant. Principal	Nilda Vella, Secondary Science Coordinator
<b>Ball Early Childhood Center</b>	Kathy Kober, Middle School Math Coordinator
Debra Reiley, Principal	Pete Silvius, Director of Whole Child
Maria Guerra, Assistant. Principal	Amanda Hartwick, Secondary ELAR Coordinator
<b>Student Services</b>	<b>Student Services</b>
Sandra Reyes, Student Services Coordinator	Allison Willemine, RTI and Instructional Materials Specialist
<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, Assistant Principal
<b>Koennecke Elementary</b>	<b>Patlan Elementary</b>
Lesli Mahaffey, Interim Principal	Annaliza Rangel, Principal
David Lopez, Assistant Principal	Erica Villarreal, Assistant Principal
<b>McQueeney Elementary</b>	<b>Rodriguez Elementary</b>
Trisha Eckols, Interim Principal	Yolanda Grijalva, Principal
Sharon Johnson, Assistant Principal	LeAnn Dunn, Assistant Principal
<b>Weinert Elementary</b>	<b>Vogel Elementary</b>
Tiffany Wehe, Principal	Rhonda Jubela, Principal
Tanya Webb, Assistant Principal	Emilie Rohde, Assistant Principal
<b>Information Systems and Instructional Technology</b>	<b>Saegert MBLC Learning Center and District Alternative School</b>
Stephen Gonzalez, Chief Technology Officer	Jay Law, Principal
Don Hastings, Director of Integrated Support Services	Amy Graeber, Principal, DAEP
	Dr. James Diaz, Transition Coordinator DAEP
<b>Matador Special Services</b>	<b>Matador Special Services</b>
Halcy Martin Dean, Director of Special Education	Michele Castillo, ARD Facilitator Middle Schools
Rebecca Bloxham, Special Education Coordinator	Sharon Feuge, SPED Administrator
Allison Higginbotham, Special Programs Coordinator	De'Ana Brock, Secondary SPED Coordinator

**G. First Reading for Consideration or Approval of Local District Update (LDU) - AE**

The Board of Trustees approved the amended board policy AE (LOCAL) regarding the District Vision, Mission Statement, Beliefs and Goals to align with the Strategic Plan approved June 28, 2022.

**H. Approval of Credit by Exam Dates for 2022-2023**

The Board of Trustees approved the Credit by Exam dates. 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 1 – 12, 2022
<b>October 1 – December 31</b>	October 31 – November 11, 2022
<b>January 1 - March 31</b>	February 27 – March 10, 2023
<b>April 1 - June 30</b>	May 15 – 26, 2023

**I. Information Regarding Seguin ISD Purchase of Technical Assistance Support from Westat, Inc.**

The Board of Trustees received information regarding Seguin ISD purchase of technical assistance support for the Texas COVID Learning Acceleration Supports (TCLAS) Decision 11: High-Quality Afterschool Program at a cost of \$100,000. The Texas Education Agency (TEA) has provided local education agencies (LEAs) with several vetted technical assistance vendors, such as Westat, Inc. Westat provides expert technical assistance to design and implement a high-quality summer learning program (ACE) that aligns with research-based best practices. Summer learning programs help to prevent learning loss between grades.

**J. Information Regarding Purchases Through the BuyBoard Purchasing Cooperative for at a total cost of \$170,900**

The Board of Trustees received information regarding the BuyBoard Purchasing Cooperative references below:

\* Azteca Designs: Reference #657-21 Building Maintenance, Repair, Operations Supplies, and Equipment - \$56,250

\* Wenger Corporation: Reference #619-20 Musical Instruments, Equipment, Supplies, and Repair - \$114,650

**K. Information Regarding Seguin ISD Purchase of Pre-Bond Conceptual Designs from PB Group, LLC.**

The Board of Trustees received information regarding the Seguin ISD purchase of pre-bond conceptual designs for eight (8) district facilities at a cost of \$87,500. PB Group provided conceptual designs for potential Bond projects. These designs provided preliminary information for project(s) and focused on the following: McQueeney Elementary, Jefferson Elementary, Seguin ISD Transportation, a future Seguin ISD Ag Facility, Ball Early Childhood Center, Seguin ISD Central Office, and Barnes Middle School.

**L. Information Regarding Purchases Through the Omnia Partners Purchasing Cooperative for a total cost of \$243,858**

The Board of Trustees received information regarding the purchases made through the Omnia Partners Purchasing Cooperative:

Garland/DBS Inc.: Reference #PW1925 Roofing Supplies and Services, Waterproofing, and Related Products and Services

**M. Information Regarding Purchases Through the DIR Purchasing Cooperative for a total cost of \$266,570**

The Board of Trustees received information regarding the DIR Purchasing Cooperative references below:

- \* Apple Computer Inc.: Reference #DIR-TSO-3789 Apple Branded Products - \$147,000
- \* Netsync Network Solutions: Reference #DIR-TSO-4167 Cisco Branded Hardware, Networking Equipment, Services, Data Storage Solutions, and Related Services (Reseller) - \$119,570

**N. Information Regarding the Purchases Through the Choice Partners Purchasing Cooperative for a total cost of \$72,500**

The Board of Trustees received information regarding the Choice Partners Purchasing Cooperative with Panorama Education, Inc.: Reference #18/056kd-46 Technology Hardware, Software, and Services.

**O. 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 \$244,678.44 for the annual payment. The total cost is an increase of \$3,615.94 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.

**P. Personnel Information-Professional Employees**

The Board of Trustees recognized and acknowledged the new hires for the 2022-2023 school year and the resignations listed below:

**New Hire Elections:**

Name	Campus	Effective
Bailey, Hiliary	Weinert Elementary	8/4/2022
Castillo, Rosario	Patlan Elementary	8/4/2022
Cowey, Kambri	Patlan Elementary	8/4/2022
Freeman, Erma	AJB Middle School	7/1/2022
Hadamek, Jacqueline	Jefferson Elementary	8/4/2022
Haynes, Kathryn	Patlan Elementary	8/4/2022
Hollinger, Elizabeth	Barnes Middle School	8/4/2022
Kendrick, Jennifer	MBLC	8/4/2022
Knapp, Joan	Seguin High School	8/4/2022
Lackorn, Brandon	Vogel Elementary	8/4/2022
Loftin, Skylar	Koennecke Elementary	8/4/2022
Martinez, Abby	Jefferson Elementary	8/4/2022
Martinez, Christopher	Barnes Middle School	8/4/2022
Mates, Tahnika	Patlan Elementary	8/4/2022

Moreno, Yolanda	Ball Early Childhood	8/4/2022
Mullen, Diann	Jefferson Elementary	8/4/2022
Perez, Christine	LLI	7/11/2022
Ramirez, Melissa	Koennecke Elementary	8/4/2022
Saunders, Trista	LLI	7/6/2022
Tillman, James	LLI	8/1/2022
Villasenor, Sylvia	Seguin High School	8/4/2022
Whitecotton, Ymana	Seguin High School	8/4/2022
Winslow, Joseph	AJB Middle School	8/4/2022

**Resignations:**

**Adam, Jason, Technology Dept., effective 6/30/22**

Mr. Adam, Fine Arts Director, has resigned and accepted a position with Hays ISD.

Mr. Adam has 3 years with Seguin ISD.

**Barrera, Estevan, Seguin High School, effective 6/28/22**

Mr. Barrera, Social Studies Teacher/Coach, has resigned to accept a position in another district.

Mr. Barrera has 3 years with Seguin ISD.

**Bloch, Chanda, LLI, effective 6/28/22**

Ms. Bloch, Director of Secondary Education, has resigned to accept a position with San Marcos ISD.

Ms. Bloch has 16 years with Seguin ISD.

**Castillo, Michele, Matador Special Services, effective 7/12/22**

Ms. Castillo, Elementary Special Programs Supervisor, has resigned due to personal reasons.

Ms. Castillo has 5 years.

**Clough, Hali, Rodriguez Elementary, effective 7/6/22**

Ms. Clough, KG Teacher, has resigned to accept a position with Marion ISD.

Ms. Clough has 5 years with Seguin ISD.

**Copeland, Sheila, Jefferson Elementary, effective 6/28/22**

Ms. Copeland, 2<sup>nd</sup> Grade Teacher, has resigned to personal reasons.

Ms. Copeland has 2 years with Seguin ISD.

**Cunningham, Jason, McQueeney, effective 6/29/22**

Mr. Cunningham, Principal, has resigned to accepted a position with La Vernia ISD.

Mr. Cunningham has 4 years with Seguin ISD.

**De La Rosa, Mikaela, Seguin High School, effective 6/29/22**

Ms. De La Rosa, Math Teacher, has resigned to accept a position in another district.

Ms. De La Rosa has 3 years with Seguin ISD.

**Graeber, Amy, DAEP, effective 7/18/22**

Ms. Graeber, Principal, has resigned and accepted a position with Poth ISD.

Ms. Graeber has 2 years with Seguin ISD

**Guinto, Amalia, Barnes Middle School, effective 6/30/22**

Ms. Guinto, Math Teacher, has resigned due to personal reasons.

Ms. Guinto has 2 years with Seguin ISD.

**Holland, Jordan, Jefferson Elementary, effective 6/3/22**

Ms. Holland, 2<sup>nd</sup> Grade Teacher, has resigned due to personal reasons.

Ms. Holland has 3 years with Seguin ISD.

**Jackson, Tommie, AJB Middle School, effective 6/28/22**

Mr. Jackson, Theatre Teacher, has resigned to accept a position with San Marcos ISD.

Mr. Jackson has 7 years with Seguin ISD.

**Jones, Tiffany, Seguin High School, effective 6/3/22**

Ms. Jones, Math Teacher, has resigned due to personal reasons.

Ms. Jones has 5 years with Seguin ISD

**Kelley, Brandon, Barnes Middle School, effective 6/28/22**

Mr. Kelley, PE Teacher, has resigned to accept a position in another district.

Mr. Kelley has 3 years with Seguin ISD.

**Leon, Melina, Ball Early Childhood, effective 6/30/22**

Ms. Leon, Pre-K Teacher, has resigned due to personal reasons.

Ms. Leon has 15 years with Seguin ISD.

**Lovell, Amy, Jefferson Elementary, effective 6/30/22**

Ms. Lovell, 5<sup>th</sup> Grade, has resigned to accept a position closer to home.

Ms. Lovell has 10 years with Seguin ISD.

**McGee, Kelly, Weinert Middle School, effective 6/28/22**

Ms. McGee, Special Education EA Teacher, has resigned to accept a position in another district.

Ms. McGee has 5 years with Seguin ISD.

**Montoya, Tommy, Barnes Middle School, effective 7/1/22**

Mr. Montoya, 6<sup>th</sup> Grade Teacher/Athletic Coordinator, has resigned to accept a position with San Antonio Highlands High School.

Mr. Montoya has 14 years with Seguin ISD.

**Nowlin, Terrie, Seguin High School, effective 6/28/22**

Ms. Nowlin, ISS Teacher/Coach, has resigned to accept a position with another district.

Ms. Nowlin has 8 years with Seguin ISD.

**Pogue, Tara, Barnes Middle School, effective 6/28/22**

Ms. Pogue, Math Teacher, has resigned to accept a position with another district.

Ms. Pogue has 3 years with Seguin ISD.

**Ramirez, Debbi, Patlan Elementary, effective 7/1/22**

Ms. Ramirez, Dual Language Interventionist, has resigned due to personal reasons.

Ms. Ramirez has 2 years with Seguin ISD.

**Ricks, Brittany, AJB Middle School, effective 6/30/22**

Ms. Ricks, ELA/Dyslexia Teacher, has resigned due to personal reasons.

Ms. Ricks has 9 years with Seguin ISD.

**Smith, Sherie, Patlan Elementary, effective 6/28/22**

Ms. Smith, Music Teacher, has resigned due to relocation.

Ms. Smith has 7 years with Seguin ISD.

**Stadler, Meredith, Koennecke Elementary, effective 7/1/22**

Ms. Stadler, Principal, has resigned to accept a position with Region 20.

Ms. Stadler has 7 years with Seguin ISD.

**Stamm, Laci, Vogel Elementary, effective 7/1/22**

Ms. Stamm, 5<sup>th</sup> Grade Teacher, has resigned due to personal reasons.

Ms. Stamm has 8 years with Seguin ISD.

**Vielma, Esmeralda, Koennecke Elementary, effective 7/1/22**

Ms. Vielma, 3<sup>rd</sup> Grade Dual Language Teacher, has resigned to accept a position with another district.

Ms. Vielma has 5 years with Seguin ISD.

**Weems, Diana, Seguin High School, effective 6/29/22**

Ms. Weems, Art Teacher, has resigned to accept a position with San Marcos ISD.

Ms. Weems has 3 years with Seguin ISD

#### **Q. Acknowledge Public Information Act Requests June-July 2022**

The Board of Trustees received information regarding the Public Information Act requests received since June 8, 2022. 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:**

**Special Meeting, June 23, 2022**

**Public Meeting, June 28, 2022**

**Regular Meeting, June 28, 2022**

#### **B. Approval of Investment Report for the Fourth Quarter Ended June 30, 2022**

#### **C. Approval of Investment Report for the Year Ended June 30, 2022**

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

#### **E. Approval of Property, Liability, and Fleet Insurance for 2022-23**

#### **F. Consideration of Approval of Certified Appraisers for 2022-2023**

#### **G. First Reading for Consideration or Approval of Local District Update (LDU) - AE**

#### **H. Approval of Credit by Exam Dates for 2022-2023**

#### **I. Information Regarding Seguin ISD Purchase of Technical Assistance Support from Westat, Inc.**

#### **J. Information Regarding Purchases Through the BuyBoard Purchasing Cooperative for at a total cost of \$170,900**

#### **K. Information Regarding Seguin ISD Purchase of Pre-Bond Conceptual Designs from PB Group, LLC.**

#### **L. Information Regarding Purchases Through the Omnia Partners Purchasing Cooperative for a total cost of \$243,858**

#### **M. Information Regarding Purchases Through the DIR Purchasing Cooperative for a total cost of \$266,570**

#### **N. Information Regarding the Purchases Through the Choice Partners Purchasing Cooperative for a total cost of \$72,500**

#### **O. Information Regarding an Interlocal Agreement with Communities in Schools for**

**Integrated Student Support (ISS)**

**P. Personnel Information-Professional Employees**

**Q. Acknowledge Public Information Act Requests June-July 2022**

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

**Nays: None**

**8. Action Items:**

**A. Review of the 2021-2022 Optional Flexible School Day Program and Approval of the 2022-2023 Application for Seguin High School and Mercer Blumberg Learning Center at Saegert**

Mr. Amador moved, seconded by Ms. Duncan to review the 2021-2022 Optional Flexible School Day Program and approve the 2022-2023 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. Amador 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. Designate Official Voting Delegate and Alternate to the 2022 TASB Delegate Assembly in San Antonio, Texas September 23<sup>rd</sup> – 25<sup>th</sup>, 2022**

Ms. Duncan moved, seconded by Mr. Amador to designate Glenda Moreno as the delegate and Denise Crettenden as the alternate to the 2022 TASB Delegate Assembly held in San Antonio. The names of the official voting delegate and alternate will be submitted to the Texas Association of School Boards.

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

**Nays: None**

**9. Board Comments and Request**

Mrs. Crettenden would like the Board to have an opportunity to visit the Optional Flexible School Day Program while school is in session.

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**

# Minutes of Special Meeting

## The Board of Trustees

### Seguin ISD

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A Special Meeting of the Board of Trustees of Seguin ISD was held Thursday, August 4, 2022, beginning at 6:30 PM in the Board Room, 1221 E. Kingsbury, Seguin, Texas.

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

Absent:

Also Present: Nikki Bittings, Chief Student Services Officer; Mark Cantu, Deputy Superintendent and 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; Rosemarie Kanusky, McCall, Parkhurst & Horton Bond Council, Nancy Ramirez, Superintendent Secretary, Members of the Facilities and Planning Committee 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.

B. 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.

C. The pledges were led by Mrs. Crettenden, followed by a moment of silence.

#### 2. Audience with the Board

No one signed up to address the Board.

#### 3. Action Item:

**A. Consideration and Approval of An Order Calling a Bond Election to be Held by the Seguin Independent School District, Making Provision for the Conduct of the Election, and Resolving Other Matters Incident and Related to Such Election**

Ms. Duncan moved, seconded by Mr. Guerra to approve an Order calling a bond election for November 8, 2022 with the propositions as included in the Order, making provision for the conduct of the election, and resolving other matters incident and related to such election. The Order calling the election for November 8, 2022, a uniform election date under the Texas Election Code, as amended, must be passed and approved seventy-eight (78) or more days prior to the election date. Mr. Jenkins encouraged the community to get involved.

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

The Board recessed from 6:52 p.m. until 7:05 p.m.

#### 4. Reports/Information Items:

**A. Review and Discuss 2021-2022 STAAR Accountability Standards, Data and Ratings**

The Board received information from Mr. Cantu and Ms. Jaramillo regarding the 2021-2022 STAAR Accountability standards, data, ratings and student achievement domains. Ms.

Jaramillo also shared some of the changes that will take place to improve monitoring and overall growth for the district. All board questions and comments were addressed.

**5. Adjourn**

Mr. Amador moved, seconded by Mr. Jenkins to adjourn meeting. The meeting adjourned at 8:12 p.m.

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

**Nays:**

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Secretary/August 23, 2022

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President/August 23, 2022

**ACTION ITEM:**

**Approval of Tax Collection Reports for June 2022**

**RECOMMENDATION:**

That the Board of Trustees approve the Guadalupe County Tax Office Monthly Recap from Daryl John, Guadalupe County Tax Assessor-Collector for June, 2022

**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 June, 2022:

Current	\$	320,105
Delinquent		22,207
Penalty and Interest		60,796
Total Monthly Collections	\$	<u>403,108</u>
Total Tax Collections Year to Date	\$	<u>52,872,145</u>
Delinquent Tax Levy		2,202,258
Percent Collected through June 2022		81.95%
Percent of Tax Levy Collected last year		73.86%

**EXHIBITS:**

None

**RESOURCE PERSONNEL:**

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

Submitted by:

(Signature)

(Name)

(Address)

(Telephone)



Date Submitted: 08/23/22

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

**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 response 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: American Abatement, 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.

**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, RTSBA  
James Pizana, Director of Maintenance and Operations  
Jennifer Raske Martinez, Purchasing Coordinator, CTSBO

Submitted by: \_\_\_\_\_ Date Submitted: 08/23/22  
(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
American Abatement, LLC	Asbestos removal company	<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 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: Jackson Wiggins. 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, RTSBA  
Halcey Dean, Director of Matador Special Services  
Jennifer Raske Martinez, Purchasing Coordinator, CTSBO

Submitted by: \_\_\_\_\_ Date Submitted: 08/23/22  
(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
Jackson Wiggins	LMSW Clinical Supervision	<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:**

**First Reading for Consideration or Approval of the Texas Association of School Boards (TASB) Policy Update 119, affecting LEGAL and LOCAL Policies**

**RECOMMENDATION:**

Recommend that the Board of Trustees review updated (LEGAL) policies and replace, delete, or add (LOCAL) policies as recommended by TASB Policy Service and according to the Instruction Sheet for TASB Localized Policy Manual Update 119.

Local policies may be adopted or amended by a majority of the Board at any regular or special meeting, provided that Board members have had advance written notice of the proposed change.

Members of the Superintendent's Leadership Team, as pertinent, have received policies applicable to their functional areas and have reviewed the policies with their staff as appropriate.

**RATIONALE:**

Update 119 includes policy recommendations to address the remainder of the legislative changes from the 87th Legislature, Regular Session; other revisions resulting from legislation enacted during the special sessions; and revisions based on updates to the Texas Administrative Code. Recommended changes to local policies address the following topics: Records management; Required staff development; Required instruction; Gifted and talent students; Graduation; Trauma-informed care; and Freedom from discrimination, harassment, and retaliation

The update includes fifty-one (51) LEGAL policies, and nine (9) LOCAL policies.

**REPLACE:**

AIB(LEGAL) – Accountability: Performance Reporting

BBB(LEGAL) – Board Members: Elections

BBBA(LEGAL) – Elections: Conducting Elections

BBE(LEGAL) – Board Members: Authority

BBG(LEGAL) – Board Members: Compensation and Expenses

BBI(LEGAL) – Board Members: Technology Resources and Electronic Communications

BDAA(LEGAL) – Officers and Officials: Duties and Requirements of Board Officers

BDB(LEGAL) – Board Internal Organization: Internal Committees

BE(LEGAL) – Board Meetings

BQ(LEGAL) – Planning and Decision-Making Process

CCGA(LEGAL) – Ad Valorem Taxes: Exemptions and Payments

CDB(LEGAL) – Other Revenues: Sale, Lease, or Exchange of School-Owned Property

CDC(LEGAL) – Other Revenues: Gifts and Solicitations

CH(LEGAL) – Purchasing and Acquisition

CI(LEGAL) – School Properties Disposal

CPC(LEGAL) – Office Management: Records Management

CPC(LOCAL) – Office Management: Records Management

CQA(LEGAL) – Technology Resources: District, Campus, and Classroom Websites

CRD(LEGAL) – Insurance and Annuities Management: Health and Life Insurance

**REPLACE (con'td):**

CS(LEGAL) – Facility Standards  
CV(LEGAL) – Facilities Construction  
DC(LEGAL) – Employment Practices  
DEAA(LEGAL) – Compensation and Benefits: Incentives and Stipends  
DECB(LEGAL) – Compensations and Benefits: Military Leave  
DFE(LEGAL) – Termination of Employment: Resignation  
DHC(LEGAL) – Employee Standards of Conduct: Reports to Texas Education Agency  
DMA(LEGAL) – Professional Development: Required Staff Development  
DP(LEGAL) – Personnel Positions  
E(LEGAL) – Instructions  
EF(LEGAL) – Instructional Resources  
EHAA(LEGAL) – Basic Instructional Program: Required Instruction (All Levels)  
EHAA(LOCAL) – Basic Instructional Program: Required Instruction (All Levels)  
EHBAA (LEGAL) – Special Education: Identification, Evaluation, and Eligibility  
EHBAB (LEGAL) – Special Education: ARD Committee and Individualized Education Program  
EHBAC (LEGAL) – Special Education: Students in Nondistrict Placement  
EHBB(LOCAL) – Special Programs: Gifted and Talented Students  
EHBC(LEGAL) – Special Programs: Compensatory/Accelerated Services  
EHDE(LEGAL) – Alternative Methods for Earning Credit: Distance Learning  
EIF(LEGAL) – Academic Achievement: Graduation  
EIF(LOCAL) – Academic Achievement: Graduation  
EKB(LEGAL) – Testing Programs: State Assessment  
EMB(LEGAL) – Miscellaneous Instructional Policies: Teaching About Controversial Issues  
FEC(LEGAL) – Attendance: Attendance for Credit  
FFBA(LOCAL) – Crisis Intervention: Trauma-Informed Care  
FFG(LEGAL) – Student Welfare: Child Abuse and Neglect  
FFH(LEGAL) – Student Welfare: Freedom from Discrimination, Harassment, and Retaliation  
FFH(LOCAL) – Student Welfare: Freedom from Discrimination, Harassment, and Retaliation  
FM(LEGAL) – Student Activities  
FNA(LEGAL) – Student Rights and Responsibilities: Student Expression  
FOC(LEGAL) – Student Discipline: Placement in a Disciplinary Alternative Education Setting  
FOCA(LEGAL) – Placement in a Disciplinary Alternative Education Setting: Disciplinary Alternative Education Program Operations  
FOF(LEGAL) – Student Discipline: Students with Disabilities  
GKA(LEGAL) – Community Relations: Conduct on School Premises  
GKD(LEGAL) – Community Relations: Nonschool Use of School Facilities

**ADD**

DMA(LOCAL) – Professional Development: Required Staff Development  
EHB(LOCAL) – Curriculum Design: Special Programs  
EHBAA (LOCAL) – Special Education: Identification, Evaluation, and Eligibility  
EHDF(LEGAL) – Alternative Methods for Earning Credit: Local Remote Learning Program

**REFERENCE and COMPLIANCE**

BF(LOCAL) BOARD MEMBERS: ETHICS, BF (LOCAL)  
BOARD POLICIES, BP(LOCAL) ADMINISTRATIVE REGULATIONS

**PAPERWORK  
IMPACT:**

Routine paperwork is required in the updating of the policy manuals.

**BUDGET IMPACT/  
INFORMATION:**

No significant impact.

**EXHIBITS:**

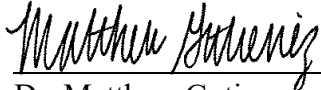
TASB Instruction Sheet, Explanatory Notes for Update 119

**RESOURCE  
PERSONNEL :**

Mark Cantú, Deputy Superintendent and Chief Innovation Officer

Submitted by:

(Signature)



Date Submitted: 08/23/22

(Name)

Dr. Matthew Gutierrez, Superintendent

(Address)

1221 E. Kingsbury St., Seguin, TX 78155

(Telephone)

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# Instruction Sheet

## TASB Localized Policy Manual Update 119

### Seguin ISD

<b>Code</b>	<b>Type</b>	<b>Action To Be Taken</b>	<b>Note</b>
ATTN	(NOTE)	No policy enclosed	See explanatory note
AIB	(LEGAL)	Replace policy	Revised policy
BBB	(LEGAL)	Replace policy	Revised policy
BBBA	(LEGAL)	Replace policy	Revised policy
BBE	(LEGAL)	Replace policy	Revised policy
BBG	(LEGAL)	Replace policy	Revised policy
BBI	(LEGAL)	Replace policy	Revised policy
BDAA	(LEGAL)	Replace policy	Revised policy
BDB	(LEGAL)	Replace policy	Revised policy
BE	(LEGAL)	Replace policy	Revised policy
BQ	(LEGAL)	Replace policy	Revised policy
CCGA	(LEGAL)	Replace policy	Revised policy
CDB	(LEGAL)	Replace policy	Revised policy
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CPC	(LEGAL)	Replace policy	Revised policy
CPC	(LOCAL)	Replace policy	Revised policy
CQA	(LEGAL)	Replace policy	Revised policy
CRD	(LEGAL)	Replace policy	Revised policy
CS	(LEGAL)	Replace policy	Revised policy
CV	(LEGAL)	Replace policy	Revised policy
DC	(LEGAL)	Replace policy	Revised policy
DEAA	(LEGAL)	Replace policy	Revised policy
DECB	(LEGAL)	Replace policy	Revised policy
DFE	(LEGAL)	Replace policy	Revised policy
DG	(LEGAL)	Replace policy	Revised policy
DHC	(LEGAL)	Replace policy	Revised policy
DMA	(LEGAL)	Replace policy	Revised policy
DMA	(LOCAL)	ADD policy	See explanatory note
DP	(LEGAL)	Replace policy	Revised policy
E	(LEGAL)	Replace table of contents	Revised table of contents
EF	(LEGAL)	Replace policy	Revised policy
EHAA	(LEGAL)	Replace policy	Revised policy

# Instruction Sheet

## TASB Localized Policy Manual Update 119

### Seguin ISD

<b>Code</b>	<b>Type</b>	<b>Action To Be Taken</b>	<b>Note</b>
EHAA	(LOCAL)	Replace policy	Revised policy
EHB	(LOCAL)	ADD policy	See explanatory note
EHBAA	(LEGAL)	Replace policy	Revised policy
EHBAA	(LOCAL)	ADD policy	See explanatory note
EHBAB	(LEGAL)	Replace policy	Revised policy
EHBAC	(LEGAL)	Replace policy	Revised policy
EHBB	(LOCAL)	Replace policy	Revised policy
EHBC	(LEGAL)	Replace policy	Revised policy
EHDE	(LEGAL)	Replace policy	Revised policy
EHDF	(LEGAL)	ADD policy	See explanatory note
EIF	(LEGAL)	Replace policy	Revised policy
EIF	(LOCAL)	Replace policy	Revised policy
EKB	(LEGAL)	Replace policy	Revised policy
EMB	(LEGAL)	Replace policy	Revised policy
FEC	(LEGAL)	Replace policy	Revised policy
FFBA	(LOCAL)	Replace policy	Revised policy
FFG	(LEGAL)	Replace policy	Revised policy
FFH	(LEGAL)	Replace policy	Revised policy
FFH	(LOCAL)	Replace policy	Revised policy
FM	(LEGAL)	Replace policy	Revised policy
FNA	(LEGAL)	Replace policy	Revised policy
FOC	(LEGAL)	Replace policy	Revised policy
FOCA	(LEGAL)	Replace policy	Revised policy
FOF	(LEGAL)	Replace policy	Revised policy
GKA	(LEGAL)	Replace policy	Revised policy
GKD	(LEGAL)	Replace policy	Revised policy
GKG	(LEGAL)	Replace policy	Revised policy

# Explanatory Notes

## TASB Localized Policy Manual Update 119

### Seguin ISD

#### **ATTN(NOTE)**

#### **GENERAL INFORMATION ABOUT THIS UPDATE**

**Please note:** Unless otherwise noted, references to legislative bills throughout these explanatory notes refer to Senate Bills (SB) or House Bills (HB) from the 87th Legislature Regular and Special Sessions.

#### **AIB(LLEGAL)**

#### **ACCOUNTABILITY: PERFORMANCE REPORTING**

Quality of learning indicators for remote instruction performance reporting have been added from SB 15 (Second Called Session). (See page 6.)

#### **BBB(LLEGAL)**

#### **BOARD MEMBERS: ELECTIONS**

Provisions have been added to this legally referenced policy on elections for a more complete presentation of applicable legal content.

#### **BBBA(LLEGAL)**

#### **ELECTIONS: CONDUCTING ELECTIONS**

Upon the board's receipt of certification that a candidate is unopposed in an election, SB 1 (Second Called Session) requires the board to cancel the election and declare each unopposed candidate elected to office.

SB 1 also changed the definition for *eligible county polling place*. Other revisions are to better match legal sources.

#### **BBE(LLEGAL)**

#### **BOARD MEMBERS: AUTHORITY**

Provisions on board authority that are addressed at other codes have been removed to eliminate duplication.

#### **BBG(LLEGAL)**

#### **BOARD MEMBERS: COMPENSATION AND EXPENSES**

A revision clarifies that an officer *or employee* may participate in the comptroller's contract for travel services when traveling for official business. The comptroller can no longer charge fees for these services.

#### **BBI(LLEGAL)**

#### **BOARD MEMBERS: TECHNOLOGY RESOURCES AND ELECTRONIC COMMUNICATIONS**

Revisions are to update citations and better reflect legal sources.

#### **BDAA(LLEGAL)**

#### **OFFICERS AND OFFICIALS: DUTIES AND REQUIREMENTS OF BOARD OFFICERS**

Revisions are to better reflect legal sources.

#### **BDB(LLEGAL)**

#### **BOARD INTERNAL ORGANIZATION: INTERNAL COMMITTEES**

Provisions on board committees have been revised based on current legal authority.

#### **BE(LLEGAL)**

#### **BOARD MEETINGS**

This legally referenced policy on board meetings has been revised to reorder and add some existing legal provisions, delete nonessential provisions, and better reflect legal sources.

#### **BQ(LLEGAL)**

#### **PLANNING AND DECISION-MAKING PROCESS**

Revised Administrative Code rules resulted in changes to shared services arrangements for DAEP services.

# Explanatory Notes

## TASB Localized Policy Manual Update 119

### Seguin ISD

#### CCGA(LLEGAL)

#### AD VALOREM TAXES: EXEMPTIONS AND PAYMENTS

As provided by SB 611 (Regular Session) and Senate Joint Resolution 35 and approved by voters in November 2021, the surviving spouse of a member of the U.S. armed forces who is fatally injured in the line of duty is entitled to the residence homestead property tax exemption as long as the surviving spouse remains unmarried. (See page 5.)

#### CDB(LLEGAL)

#### OTHER REVENUES: SALE, LEASE, OR EXCHANGE OF SCHOOL-OWNED PROPERTY

Revisions are to better reflect statutory sources.

#### CDC(LLEGAL)

#### OTHER REVENUES: GIFTS AND SOLICITATIONS

SB 3 (Second Called Session) revised the provisions on prohibited use of private funding for certain curriculum and professional development purposes.

#### CH(LLEGAL)

#### PURCHASING AND ACQUISITION

We have added a reference on page 12 to amended rules from the Texas Department of Information Resources on purchasing information technology commodity items.

#### CI(LLEGAL)

#### SCHOOL PROPERTIES DISPOSAL

Revisions are to better reflect statutory sources.

#### CPC(LLEGAL)

#### OFFICE MANAGEMENT: RECORDS MANAGEMENT

Revisions to this legally referenced policy are based on revised Administrative Code rules from the Texas State Library and Archives Commission (TSLAC) published in [Bulletin B: Electronic Records Standards and Procedures](#). An [overview of Bulletin B](#) is available on the TSLAC website.

#### CPC(LOCAL)

#### OFFICE MANAGEMENT: RECORDS MANAGEMENT

Recent updates by the Texas State Library and Archives Commission (TSLAC) to [Bulletin B: Electronic Records Standards and Procedures](#) prompted recommended revisions to this local policy on records management. The new rules add local policy requirements for district management of electronic records.

To meet these requirements, new policy provisions delegate to the records management officer the responsibility to develop procedures for the management of electronic records that comply with the district's records control schedules and meet minimum components required by law.

The [Regulations Resource Manual](#) includes updated sample procedures on this topic, and the *Legal Issues in Update 119* memo describes common legal concerns and best practices specific to [this policy topic](#).

#### CQA(LLEGAL)

#### TECHNOLOGY RESOURCES: DISTRICT, CAMPUS, AND CLASSROOM WEBSITES

Based on HB 1525 (Regular Session) and SB 9 (Second Called Session), we have added the requirement to post curriculum materials on human sexuality instruction and instruction related to the prevention of child abuse, family violence, dating violence, and sex trafficking to the extent the materials are in the public domain. (See item 42.)

# Explanatory Notes

## TASB Localized Policy Manual Update 119

### Seguin ISD

#### CRD(LEGAL)

#### **INSURANCE AND ANNUITIES MANAGEMENT: HEALTH AND LIFE INSURANCE**

Revisions to TRS-ActiveCare provisions are based on amended Administrative Code rules. New text addresses prohibitions on offering alternative group health coverage (see page 2) and highlights the information that must be submitted with written elections to participate in TRS-ActiveCare (see page 3).

#### CS(LEGAL)

#### **FACILITY STANDARDS**

Changes throughout this legally referenced policy on facility standards are from new Administrative Code rules that add extensive standards for capital improvement projects on or after November 1, 2021, and revised Administrative Code rules on the standards applicable to these projects before November 1, 2021.

#### CV(LEGAL)

#### **FACILITIES CONSTRUCTION**

Changes to this legally referenced policy on facilities construction are from new Administrative Code rules that add extensive facility standards for construction of capital improvement projects on or after November 1, 2021.

An existing provision has been added on page 3 regarding the board's notice of delegation.

#### DC(LEGAL)

#### **EMPLOYMENT PRACTICES**

We have added on page 4 new Administrative Code rules addressing the monthly certified statement of employment the district must submit to TRS for retirees employed by the district.

#### DEAA(LEGAL)

#### **COMPENSATION PLAN: INCENTIVES AND STIPENDS**

Changes reflect revised Administrative Code rules on the local optional teacher designation system and mentor teacher programs.

#### DECB(LEGAL)

#### **LEAVES AND ABSENCES: MILITARY LEAVE**

This legally referenced policy on military leave has been updated based on revisions to the Uniformed Services Employment and Reemployment Rights Act (USERRA).

#### DFE(LEGAL)

#### **TERMINATION OF EMPLOYMENT: RESIGNATION**

Provisions on contract abandonment are revised based on amended rules from the State Board for Educator Certification. The reasons an educator may abandon a contract for good cause now include the educator's reasonable belief that the educator had written permission from the district to resign. Several new mitigating factors have also been added.

#### DG(LEGAL)

#### **EMPLOYEE RIGHTS AND PRIVILEGES**

SB 3 (Second Called Session) broadened a provision from HB 3979 (Regular Session) so that a teacher may not be compelled to discuss a widely debated and controversial issue of public policy or social affairs for any course or subject. The provision is no longer limited to social studies courses in the required curriculum. (See page 5.)

#### DHC(LEGAL)

#### **EMPLOYEE STANDARDS OF CONDUCT: REPORTS TO TEXAS EDUCATION AGENCY**

Amended Administrative Code rules revise terminology from *solicitation of sexual conduct* to *solicitation of sexual contact* to better align with statute.

# Explanatory Notes

## TASB Localized Policy Manual Update 119

### Seguin ISD

#### **DMA(LEGAL)                      PROFESSIONAL DEVELOPMENT: REQUIRED STAFF DEVELOPMENT**

Revisions are to update citations and better reflect statutory wording.

#### **DMA(LOCAL)                      PROFESSIONAL DEVELOPMENT: REQUIRED STAFF DEVELOPMENT**

SB 1267 (Regular Session) requires the board to annually review the State Board for Educator Certification (SBEC) clearinghouse regarding best practices and industry recommendations for professional development and adopt a professional development policy based on the training recommendations in the clearinghouse.

To meet the policy requirements, the recommended local policy text reflects that the board shall annually approve the district's professional development plan, which must be guided by the clearinghouse; note any differences from the clearinghouse recommendations; and include a schedule of required professional development.

**Please note:** SB 1267 requires SBEC to publish the clearinghouse by June 1, 2022, and districts to adopt a professional development policy by August 1, 2022. TASB Policy and Legal Services recommend that the board adopt DMA(LOCAL) and approve the district professional development plan by August 1, or as soon as possible thereafter, to ensure compliance with the bill.

#### **DP(LEGAL)                      PERSONNEL POSITIONS**

Provisions on school psychological services have been updated based on revised Administrative Code rules.

#### **E(LEGAL)                      INSTRUCTION**

The E section table of contents has been updated to add the new code EHDF, which includes provisions on local remote learning programs, and to update the subtitle for EFB, Library Materials.

#### **EF(LEGAL)                      INSTRUCTIONAL RESOURCES**

SB 3 (Second Called Session) requires a district to provide login credentials to parents to access learning management or online learning portals used for student instructional materials.

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

Effective with the 2022–23 school year, SB 9 (Second Called Session) provides that the SHAC must recommend the appropriate grade levels and curriculum for instruction on child abuse, family violence, dating violence, and sex trafficking.

The bill also imposes several requirements regarding curriculum materials on those topics, including:

- Revised parental notification and new parental consent provisions;
- Posting of proposed and adopted curriculum materials and options for a parent to purchase copyrighted materials from the publisher; and
- New board policy on adopting curriculum materials [see EHAA(LOCAL), below].

The [Regulations Resource Manual](#) includes a sample board resolution for convening the SHAC and a sample parental consent form.

# Explanatory Notes

## TASB Localized Policy Manual Update 119

### Seguin ISD

#### **EHAA(LOCAL) BASIC INSTRUCTIONAL PROGRAM: REQUIRED INSTRUCTION (ALL LEVELS)**

New provisions are recommended based on SB 9 (Second Called Session), which imposes several requirements for instruction on the prevention of child abuse, family violence, dating violence, and sex trafficking, including a board policy on adopting curriculum materials. The policy follows the steps required by law, including board adoption of a resolution to convene the school health advisory council (SHAC) to hold meetings and make recommendations to the board at a public meeting, as well as board confirmation that the recommendations meet the requirements in law before taking action by a record vote.

The [Regulations Resource Manual](#) includes a sample board resolution for convening the SHAC and a sample parental consent form.

#### **EHB(LOCAL) CURRICULUM DESIGN: SPECIAL PROGRAMS**

This policy requiring the district to provide regular training opportunities for teachers of students with dyslexia is recommended to meet TEA policy requirements for the ongoing TEA special education [cyclical monitoring reviews](#).

**Please note:** This policy will need to be adopted by the board and linked to the [Legal Framework](#) by the August 31, 2022, deadline. See TEA's FAQ on [Special Education Operating Procedures](#).

#### **EHBA(LEGAL) SPECIAL EDUCATION: IDENTIFICATION, EVALUATION, AND ELIGIBILITY**

Amended Administrative Code rules now refer to a student with an *auditory impairment* as a student who is *deaf or hard of hearing* to match statute. (See page 5.)

#### **EHBA(LOCAL) SPECIAL EDUCATION: IDENTIFICATION, EVALUATION, AND ELIGIBILITY**

This policy requiring the district to ensure that a student who is transitioning from early childhood intervention (ECI) has an individualized education program (IEP) developed and implemented by the child's third birthday is recommended to meet TEA policy requirements for the ongoing TEA special education [cyclical monitoring reviews](#).

**Please note:** This policy will need to be adopted by the board and linked to the [Legal Framework](#) by the August 31, 2022, deadline. See TEA's FAQ on [Special Education Operating Procedures](#).

#### **EHB(LEGAL) SPECIAL EDUCATION: ARD COMMITTEE AND INDIVIDUALIZED EDUCATION PROGRAM**

Amended Administrative Code rules revise the list of individuals who must be included in ARD committee meetings for students with deaf-blindness and revise terminology addressing students who are deaf or hard of hearing. Participating special education teachers or providers must be appropriately certified or licensed as required by federal law. The rules also address, as reflected on page 5, IEP implementation for students who enroll in a new district during the summer.

A new Administrative Code rule prohibits consideration of eligibility for supplemental special education services when developing or revising a student's IEP, determining the appropriate educational setting, or in the provision of a free appropriate public education. (See page 8.)

#### **EHB(LEGAL) SPECIAL EDUCATION: STUDENTS IN NONDISTRICT PLACEMENT**

We have removed a repealed Administrative Code provision on out-of-state placement.

# Explanatory Notes

## TASB Localized Policy Manual Update 119

### Seguin ISD

#### **EHBB(LOCAL) SPECIAL PROGRAMS: GIFTED AND TALENTED STUDENTS**

HB 1525 (Regular Session) removed the statutory requirement for a district to annually certify to the commissioner of education that the district's gifted and talented program is consistent with the Texas State Plan for the Education of Gifted/Talented Students. We recommend deletion of the corresponding local policy provision.

#### **EHBC(LEGAL) SPECIAL PROGRAMS: COMPENSATORY/ACCELERATED SERVICES**

Reporting provisions on expenditure of the state compensatory education allotment have been added from the Administrative Code.

#### **EHDE(LEGAL) ALTERNATIVE METHODS FOR EARNING CREDIT: DISTANCE LEARNING**

A new provision from SB 15 (Second Called Session) explains how off-campus electronic courses or programs are counted for purposes of average daily attendance. (See page 12.)

#### **EHDF(LEGAL) ALTERNATIVE METHODS FOR EARNING CREDIT: LOCAL REMOTE LEARNING PROGRAM**

Provisions on local remote learning programs from SB 15 (Second Called Session) are reflected in this new legally referenced policy. All provisions in the bill expire on September 1, 2023.

#### **EIF(LEGAL) ACADEMIC ACHIEVEMENT: GRADUATION**

Revised Administrative Code rules provide additional detail on the requirement for a student to complete a financial aid application to meet graduation requirements. The rules, beginning on page 3 of this policy, require the board to adopt the TEA-provided form a student may submit to opt out of the financial aid application requirement and require adoption of a board policy to address the methods by which a student can confirm submission of a financial aid application. See EIF(LOCAL), below.

#### **EIF(LOCAL) ACADEMIC ACHIEVEMENT: GRADUATION**

Revised Administrative Code rules require a board policy to address the methods by which a student can confirm completion and submission of a financial aid application to meet graduation requirements. The recommended text aligns with TEA guidance and addresses methods for both the free application for federal financial aid (FAFSA) and the Texas application for state financial aid (TASFA). Please contact your policy consultant if you have questions or need additional edits to this policy.

Additional [TEA guidance](#) on this topic is available.

In addition, we recommend deleting provisions that repeat from statute the circumstances under which a student would be allowed to graduate without earning the distinguished level of achievement. This information is generally found in the student handbook or other administrative regulations and is not necessary in board policy.

The [Regulations Resource Manual](#) includes sample procedures on this topic, and the *Legal Issues in Update 119* memo describes common legal concerns and best practices specific to [this policy topic](#).

#### **EKB(LEGAL) TESTING PROGRAMS: STATE ASSESSMENT**

HB 3261 (Regular Session) allows a district to administer a state assessment instrument on the first instructional day of the week upon authorization by the commissioner of education.

# Explanatory Notes

## TASB Localized Policy Manual Update 119

### Seguin ISD

#### **EMB(LEGAL)**

#### **MISCELLANEOUS INSTRUCTIONAL POLICIES: TEACHING ABOUT CONTROVERSIAL ISSUES**

SB 3 (Second Called Session) revised provisions on instructional requirements and prohibitions, including prohibited concepts and activities.

#### **FEC(LEGAL)**

#### **ATTENDANCE: ATTENDANCE FOR CREDIT**

From SB 15 (Second Called Session) we have added a provision permitting a district to exempt students from the 90 percent attendance requirement for courses that are offered under a local remote learning program.

#### **FFBA(LOCAL)**

#### **CRISIS INTERVENTION: TRAUMA-INFORMED CARE**

SB 1267 (Regular Session) requires training in trauma-informed care to be provided in accordance with the board's professional development policy. Therefore, at Training, a reference has been added to the district's professional development plan. See DMA(LOCAL), above, for more information.

SB 1267 also repealed the requirement for a district to annually report to TEA the number of employees who participated in trauma-informed care training. We recommend deleting the local policy provision.

#### **FFG(LEGAL)**

#### **STUDENT WELFARE: CHILD ABUSE AND NEGLECT**

Revisions are to update citations and better reflect legal sources.

#### **FFH(LEGAL)**

#### **STUDENT WELFARE: FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION**

From SB 9 (Second Called Session) we have added the following on page 2:

- New policy requirements on dating violence, including parental notification upon a report of dating violence [see FFH(LOCAL), below]; and
- A provision requiring districts to make available to students age-appropriate materials on the dangers of dating violence and resources for students seeking help.

Other revisions are to better reflect legal sources.

#### **FFH(LOCAL)**

#### **STUDENT WELFARE: FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION**

To meet new board policy requirements from SB 9 (Second Called Session), we recommend text at Notice to Parents, which requires the district, upon receipt of a report of dating violence, to immediately notify the parent of the student identified as the alleged victim or perpetrator.

District policy must also include reporting procedures and guidelines for students who are victims of dating violence and include a clear statement that dating violence is not tolerated at school. No changes to your district's policy are recommended regarding these elements based on the district's existing policy provisions, which include reporting procedures and a statement of nondiscrimination that specifically prohibits dating violence.

Additional revisions are recommended to clarify the definition of prohibited conduct and the district's response to such conduct.

#### **FM(LEGAL)**

#### **STUDENT ACTIVITIES**

Provisions from HB 25 (Third Called Session) address transgender students in athletic activities sponsored or authorized by a district and prohibit a student from participating in an athletic competition that is

# Explanatory Notes

## TASB Localized Policy Manual Update 119

### Seguin ISD

designated for a biological sex that differs from the biological sex stated on the student's official birth certificate. (See page 8.)

#### **FNA(LLEGAL)                      STUDENT RIGHTS AND RESPONSIBILITIES: STUDENT EXPRESSION**

We have added the recent U.S. Supreme Court case on student speech, *Mahanoy Area School District v B.L.* The case holds that public schools may have a special interest in regulating some off-campus student speech where the district's interest is sufficient to overcome the student's interest in free expression, such as in situations of serious or severe bullying or harassment, threats, or breaches of school security devices.

#### **FOC(LLEGAL)                      STUDENT DISCIPLINE: PLACEMENT IN A DISCIPLINARY ALTERNATIVE EDUCATION SETTING**

Revisions are to better reflect legal sources.

#### **FOCA(LLEGAL)                      PLACEMENT IN A DISCIPLINARY ALTERNATIVE EDUCATION SETTING: DISCIPLINARY ALTERNATIVE EDUCATION PROGRAM OPERATIONS**

Amended Administrative Code rules resulted in revisions to shared services arrangements for DAEP services and to provisions regarding transitions for students in DAEP.

#### **FOF(LLEGAL)                      STUDENT DISCIPLINE: STUDENTS WITH DISABILITIES**

From HB 785 (Regular Session) we have added a provision requiring the commissioner of education to adopt rules regarding the use of restraint and time-out with a student who is receiving special education services. (See page 8.)

#### **GKA(LLEGAL)                      COMMUNITY RELATIONS: CONDUCT ON SCHOOL PREMISES**

An existing statutory provision has been added to clarify the effect of failing to post signs at each entrance to the premises or other property indicating that firearms and other weapons are prohibited. (See page 8.)

#### **GKD(LLEGAL)                      COMMUNITY RELATIONS: NONSCHOOL USE OF SCHOOL FACILITIES**

We have added existing statutory provisions regarding the use of district facilities by places of worship.

#### **GKG(LLEGAL)                      COMMUNITY RELATIONS: SCHOOL VOLUNTEER PROGRAM**

We have updated for clarification the provisions on obtaining criminal history record information.



## (LOCAL) Policy Comparisons

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

In this packet, you will find:

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

Annotations are shown as follows:

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

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

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

<b>Contact:</b>	<b>School Districts and Education Service Centers</b>	<b>Community Colleges</b>
	<a href="mailto:policy.service@tasb.org">policy.service@tasb.org</a>	<a href="mailto:colleges@tasb.org">colleges@tasb.org</a>
	800.580.7529 512.467.0222	800.580.1488 512.467.3689

The Superintendent shall oversee the performance of records management functions prescribed by state and federal law:

- Records ~~administrator~~ **Administrator**, as prescribed by Local Government Code 176.001 and 176.~~0065.007~~ [See BBFA and CHE]
- Officer for ~~public information~~ **Public Information**, as prescribed by Government Code 552.201–.205. [See GBAA]
- Public ~~information coordinator~~ **Information Coordinator**, as prescribed by Government Code 552.012. [See BBD]

**Local Government  
Records Act**

The term “local government record” shall pertain to all items identified as such by the Local Government Records Act.

“Local Government  
Record”

Records  
Management  
Officer

The ~~Superintendent~~ **Superintendent** shall serve as and perform the duties of the District’s records management officer as prescribed by Local Government Code 203.023, and shall administer the District’s records management program pertaining to local government records in compliance with the Local Government Records Act.

*Notification*

The records management officer shall file his or her name with the Texas State Library and Archives Commission (TSLAC) within 30 days of assuming the position.

**Electronic Records**

The records management officer shall develop procedures for the management of electronic records that comply with the District’s records control schedules and meet the minimum components required by law.

The procedures shall:

1. Specify the objectives of the electronic records management program;
2. Identify the responsibilities of employees who create, receive, or maintain electronic records;
3. Ensure the maintenance of electronic records until the expiration of the applicable retention period and final disposition; and
4. Ensure that electronic records that must be protected from unauthorized use or disclosure are appropriately protected as required by law, regulation, or other applicable requirements.

Records Control  
Schedules

The records management officer shall file with the TSLAC a written declaration that the District has adopted records control schedules

that comply with records retention schedules issued by the TSLAC as provided by law.

**Website Postings**

The District's records management program shall address the length of time records will be posted on the District's website when the law does not specify a posting period.

**Records Destruction Practices**

All local government records shall be considered District property and any unauthorized destruction or removal shall be prohibited. The District shall follow its records control schedules, records management program, and all applicable laws regarding records destruction. However, the District shall preserve records, including electronically stored information, and suspend routine record destruction practices where appropriate and in accordance with procedures developed by the records management officer. Such procedures shall describe the circumstances under which local government records scheduled for destruction must be retained. Notification shall be given to appropriate staff when routine record destruction practices must be suspended and when they may be resumed.

**Training**

The records management officer shall receive appropriate training regarding the Local Government Records Act and shall ensure that custodians of records, as defined by law, and other applicable District staff are trained on the District's records management program, including this policy and corresponding procedures.

PROFESSIONAL DEVELOPMENT  
REQUIRED STAFF DEVELOPMENT

DMA  
(LOCAL)

The Superintendent shall recommend the District's professional development plan for all District employees. The Board shall annually review the professional development clearinghouse published by the State Board for Educator Certification (SBEC) and annually approve the District's professional development plan. The District's professional development plan must:

1. Be guided by the SBEC clearinghouse training recommendations;
2. Note any differences in the District's plan from the clearinghouse recommendations; and
3. Include a schedule of the required professional development for all District employees.

**Human Sexuality  
Instruction**

The following process shall apply regarding the adoption of curriculum materials for the ~~District's~~ district's human sexuality instruction:

1. The Board shall adopt a resolution convening the District's school health advisory council (SHAC) to recommend curriculum materials for the instruction.
2. The SHAC shall hold at least two public meetings on the curriculum materials before adopting recommendations to present to the Board.
3. The SHAC recommendations must comply with the instructional content requirements in law, be suitable for the subject and grade level for which the materials are intended, and be reviewed by academic experts in the subject and grade level for which the materials are intended.
4. The SHAC shall present its recommendations to the Board at a public meeting.
5. After the Board ensures the recommendations from the SHAC meet the standards in law, the Board shall take action on the recommendations by a record vote at a public meeting.

**Instruction on  
Prevention of Child  
Abuse, Family  
Violence, Dating  
Violence, and Sex  
Trafficking**

The following process shall apply regarding the adoption of curriculum materials for the District's instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking:

1. The Board shall adopt a resolution convening the District's SHAC to recommend curriculum materials for the instruction.
2. The SHAC shall hold at least two public meetings on the curriculum materials before adopting recommendations to present to the Board.
3. The SHAC recommendations must comply with the instructional content requirements in law, be suitable for the subject and grade level for which the materials are intended, and be reviewed by academic experts in the subject and grade level for which the materials are intended.
4. The SHAC shall present its recommendations to the Board at a public meeting.
5. After the Board ensures the recommendations from the SHAC meet the standards in law, the Board shall take action on the recommendations by a record vote at a public meeting.

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

When a student transitions from early childhood intervention (ECI) to early childhood special education (ECSE) services, the District shall develop and implement an individualized education program (IEP) by the child's third birthday.

<b>Referral</b>	Students may be referred for the gifted and talented program at any time by teachers, school counselors, parents, or other interested persons.
Screening and Identification Process	<p>The District shall provide assessment opportunities to complete the screening and identification process for referred students at least once per school year.</p> <p>The District shall schedule a gifted and talented program awareness session for parents that provides an overview of the assessment procedures and services for the program prior to beginning the screening and identification process.</p>
Parental Consent	The District shall obtain written parental consent before any special testing or individual assessment is conducted as part of the screening and identification process. All student information collected during the screening and identification process shall be an educational record, subject to the protections set out in policies at FL.
<b>Identification Criteria</b>	The Board-approved program for the gifted and talented shall establish criteria to identify gifted and talented students. The criteria shall be specific to the state definition of gifted and talented and shall ensure the fair assessment of students with special needs, such as the culturally different, the economically disadvantaged, and students with disabilities.
<b>Assessments</b>	Data collected through both objective and subjective assessments shall be measured against the criteria approved by the Board to determine individual eligibility for the program. Assessment tools may include, but are not limited to, the following: achievement tests, intelligence tests, creativity tests, behavioral checklists completed by teachers and parents, student/parent conferences, and available student work products.
<b>Selection</b>	A selection committee shall evaluate each referred student according to the established criteria and shall identify those students for whom placement in the gifted and talented program is the most appropriate educational setting. The committee shall be composed of at least three professional educators who have received training in the nature and needs of gifted students, as required by law.
<b>Notification</b>	The District shall provide written notification to parents of students who qualify for services through the District's gifted and talented program. Participation in any program or services provided for gifted students shall be voluntary, and the District shall obtain written permission from the parents before placing a student in a gifted and talented program.

<b>Reassessment</b>	If the District reassesses students in the gifted and talented program, the reassessment shall be based on a student's performance in response to services and shall occur no more than once in elementary grades, once in middle school grades, and once in high school grades.
<b>Transfer Students</b>	When a student identified as gifted by a previous school district enrolls in the District, the selection committee shall review the student's records and conduct assessment procedures when necessary to determine if placement in the District's program for gifted and talented students is appropriate.
Interdistrict	[See FDD(LEGAL) for information regarding transfer students and the Interstate Compact on Educational Opportunities for Military Children]
Intradistrict	A student who transfers from one campus in the District to the same grade level at another District campus shall continue to receive services in the District's gifted and talented program.
<b>Furloughs</b>	The District may place on a furlough any student who is unable to maintain satisfactory performance or whose educational needs are not being met within the structure of the gifted and talented program. A furlough may be initiated by the District, the parent, or the student.  In accordance with the Board-approved program, a furlough shall be granted for specified reasons and for a specified period of time. At the end of a furlough, the student may reenter the gifted and talented program, be placed on another furlough, or be exited from the program.
<b>Exit Provisions</b>	The District shall monitor student performance in response to gifted and talented program services. If at any time the selection committee or a parent determines it is in the best interest of the student to exit the program, the committee shall meet with the parent and student before finalizing an exit decision.
<b>Appeals</b>	A parent, student, or educator may appeal any final decision of the selection committee regarding selection for or exit from the gifted and talented program. Appeals shall be made first to the selection committee. Any subsequent appeals shall be made in accordance with FNG(LOCAL) beginning at Level Two.
<b>Program Evaluation</b>	The District shall annually evaluate the effectiveness of the District's gifted and talented program, and the results of the evaluation shall be used to modify and update the District and campus improvement plans. The District shall include parents in the evaluation process and shall share the information with Board members,

administrators, teachers, school counselors, students in the gifted and talented program, and the community.

### Funding

The District's gifted and talented program shall address effective use of funds for programs and services consistent with the standards in the state plan for gifted and talented students.

~~The District shall annually report to the Texas Education Agency (TEA) regarding funding used to implement the District's gifted and talented program. The District shall annually certify to TEA:~~

- ~~1. The establishment of a gifted and talented program by the District; and~~
- ~~2. That the District's program is consistent with the state plan for gifted and talented students.~~

### Community Awareness

The District shall ensure that information about the District's gifted and talented program is available to parents and community members and that they have an opportunity to develop an understanding of and support for the program.

<b>Course Requirements</b>	To graduate, a student must complete the courses required by the District in addition to those mandated by the state.
<b>Foundation Program</b>	<p><del>A student shall enroll in courses specified by the District to complete the distinguished level of achievement under the foundation program.</del></p> <p><del>A student may graduate under the foundation program without earning the distinguished level of achievement if:</del></p> <ol style="list-style-type: none"><li><del>1. The student and the student's parent or person standing in parental relation to the student are advised by the school counselor of the specific benefits of graduating from high school under the distinguished level of achievement; and</del></li><li><del>2. The student's parent or person standing in parental relation to the student files with a school counselor written permission, on a form provided by the District, allowing the student to graduate with an endorsement without earning the distinguished level of achievement.</del></li></ol> <p>The courses that satisfy District requirements under the foundation program, including courses for the distinguished level of achievement and courses for endorsements offered by the District, shall be listed in appropriate District publications.</p>
Without an Endorsement	The District requires no additional credits beyond the number mandated by the state to graduate under the foundation program without an endorsement. Graduation under the foundation program without an endorsement shall be permitted only as authorized under state law and rules.
With an Endorsement	The District requires no additional credits beyond the number mandated by the state to graduate under the foundation program with an endorsement.
Distinguished Level of Achievement	The District requires no additional credits beyond the number mandated by the state to graduate under the foundation program with the distinguished level of achievement.
<b>Fine Arts Substitutions</b>	To the extent permitted by state rules, the District shall award state graduation credit in fine arts for participation in an approved community-based fine arts program.
<b>Physical Education Substitutions</b> Activities and Courses	To the extent permitted by state rules, the District shall award state graduation credit in physical education for participation in approved activities and elective courses.

Private or  
Commercial  
Programs

The District shall award state graduation credit in physical education for appropriate private or commercially sponsored physical activity programs conducted either on or off campus, upon approval by the commissioner of education. [See also EHAC]

**Financial Aid  
Application  
Confirmation**

As confirmation of a student's completion and submission of a free application for federal student aid (FAFSA) or a Texas application for state financial aid (TASFA), the District shall accept the following:

1. A screenshot that includes the processed date field in ApplyTexas Counselor Suite FAFSA data;
2. Notification, such as a copy of an email, from the United States Department of Education verifying completion of the FAFSA;
3. A copy or screenshot of the FAFSA acknowledgment page;
4. A screenshot of the TASFA submission acknowledgment page (from those institutions that offer an electronic form);
5. An acknowledgment receipt from an institution of higher education (IHE); or
6. A copy of a financial aid award letter from an IHE.

[For students who choose not to complete and submit a FAFSA or a TASFA, see EIF(LEGAL).]

The District shall maintain individual student documentation of the financial aid application requirement as an education record. [See FL]

**Trauma-Informed  
Care Program**

The District's trauma-informed care program, as included in the District improvement plan, shall provide for the integration of trauma-informed care practices in the school environment, including increasing staff and parent awareness of trauma-informed care, implementation of trauma-informed practices and care by District and campus staff, and providing information about available counseling options for students affected by trauma or grief.

Training

The District shall provide training in trauma-informed care to District educators as required by law [and the Board-approved District professional development plan](#). The District improvement plan shall specify required training for any other District employees as applicable.

Annual Report

~~The District shall provide an annual report to the Texas Education Agency on the number of employees who have participated in trauma-informed care training.~~

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**Note:** This policy addresses discrimination, including harassment, and retaliation against District students. For provisions regarding discrimination, including harassment, and retaliation against District employees, see DIA. For reporting requirements related to child abuse and neglect, see FFG. Note that FFH shall be used in conjunction with FFI (bullying) for certain prohibited conduct.

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**Statement of  
Nondiscrimination**

~~The District prohibits discrimination, including harassment, against any student on the basis of race, color, religion, sex, gender, national origin, age, disability, or any other basis prohibited by law. The District prohibits dating violence, as defined by this policy. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.~~

**Discrimination**

~~Discrimination against a student is defined as conduct directed at a student on the basis of race, color, religion, sex, gender, national origin, age, disability, or any other basis prohibited by law, that adversely affects the student.~~

**Prohibited Conduct**

In this policy, the term “prohibited conduct” includes discrimination, harassment, dating violence, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.

Prohibited conduct also includes sexual harassment as defined by Title IX. [See FFH(LEGAL)]

**Prohibited  
Harassment  
Prohibited  
harassment**  
**Statement  
of  
Nondiscrimination**

The District prohibits discrimination, including harassment, against any student. Discrimination is defined as treating a student or group of students differently from similarly situated students on the basis of race, color, religion, sex, gender, national origin, age, disability, or any other basis prohibited by law. One type of harassment this policy prohibits is dating violence, as defined below. Retaliation against anyone exercising their rights under this policy is a violation of District policy and is prohibited.

**Harassment**

**Harassment** of a student is defined as physical, verbal, or nonverbal conduct based on the student’s race, color, religion, sex, gender, national origin, age, disability, or any other basis prohibited by law, when the conduct is so severe, persistent, or pervasive that the conduct:

1. Affects a student’s ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;

2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

**Harassment**~~Prohibited harassment~~ includes dating violence as defined by law and this policy.

Examples

Examples of prohibited harassment may include offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, or need for accommodation; threatening, intimidating, or humiliating conduct; offensive jokes, name calling, slurs, or rumors; cyberharassment; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or other kinds of aggressive conduct such as theft or damage to property.

**Title IX Sexual  
Based Harassment**

As required by law, the District shall follow the procedures below at Response to **Title IX Sexual Harassment**~~—Title IX~~ upon a report of sex-based harassment, including sexual harassment, gender-based harassment, and dating violence, when such allegations, if proved, would meet the definition of sexual harassment **in an education program or activity and against a person in the United States** under Title IX. [See FFH(LEGAL)]

**Other Sexual  
Harassment**

By an Employee

Sexual harassment of a student by a District employee includes both welcome and unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. A District employee causes the student to believe that the student must submit to the conduct in order to participate in a school program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct; or
2. The conduct is so severe, persistent, or pervasive that it:
  - a. Affects the student's ability to participate in or benefit from an educational program or activity, or otherwise adversely affects the student's educational opportunities; or
  - b. Creates an intimidating, threatening, hostile, or abusive educational environment.

Romantic or other inappropriate social relationships between students and District employees are prohibited. Any sexual relationship between a student and a District employee is always prohibited, even if consensual. [See DH]

By Others

Sexual harassment of a student, including harassment committed by another student, includes unwelcome sexual advances; requests for sexual favors; or sexually motivated physical, verbal, or nonverbal conduct when the conduct is so severe, persistent, or pervasive that it:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

Examples

Examples of sexual harassment of a student may include sexual advances; touching intimate body parts or coercing physical contact that is sexual in nature; jokes or conversations of a sexual nature; and other sexually motivated conduct, contact, or communications, including electronic communication.

Necessary or permissible physical contact such as assisting a child by taking the child's hand, comforting a child with a hug, or other physical contact not reasonably construed as sexual in nature is not sexual harassment.

**Gender-Based Harassment**

Gender-based harassment includes physical, verbal, or nonverbal conduct based on the student's gender, the student's expression of characteristics perceived as stereotypical for the student's gender, or the student's failure to conform to stereotypical notions of masculinity or femininity. For purposes of this policy, gender-based harassment is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

Examples	Examples of gender-based harassment directed against a student, regardless of the student's or the harasser's actual or perceived sexual orientation or gender identity, may include offensive jokes, name-calling, slurs, or rumors; cyberharassment; physical aggression or assault; threatening or intimidating conduct; or other kinds of aggressive conduct such as theft or damage to property.
<b>Dating Violence</b>	<p>Dating violence occurs when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control the other person in the relationship. Dating violence also occurs when a person commits these acts against a person in a marriage or dating relationship with the individual who is or was once in a marriage or dating relationship with the person committing the offense.</p> <p>For purposes of this policy, dating violence is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct:</p> <ol style="list-style-type: none"><li>1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;</li><li>2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or</li><li>3. Otherwise adversely affects the student's educational opportunities.</li></ol>
Examples	Examples of dating violence against a student may include physical or sexual assaults; name-calling; put-downs; or threats directed at the student, the student's family members, or members of the student's household. Additional examples may include destroying property belonging to the student, threatening to commit suicide or homicide if the student ends the relationship, attempting to isolate the student from friends and family, stalking, threatening a student's spouse or current dating partner, or encouraging others to engage in these behaviors.
<b>Reporting Procedures</b>	Any student who believes that he or she has experienced prohibited conduct <del>and any person who</del> believes that <del>a</del> another student
Student Report	has experienced prohibited conduct should immediately report the alleged acts to a teacher, school counselor, principal, other District employee, or the appropriate District official listed in this policy.
Employee Report	Any District employee who suspects or receives direct or indirect notice that a student or group of students has or may have experienced prohibited conduct shall immediately notify the appropriate District official listed in this policy and take any other steps required by this policy.

STUDENT WELFARE  
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH  
(LOCAL)

Definition of District Officials	For the purposes of this policy, District officials are the Title IX coordinator, the ADA/Section 504 coordinator, and the Superintendent.
<i>Title IX Coordinator</i>	Reports of discrimination based on sex, including sexual harassment, gender-based harassment, or dating violence, may be directed to the designated Title IX coordinator for students. [See FFH(EXHIBIT)]
<i>ADA / Section 504 Coordinator</i>	Reports of discrimination based on disability may be directed to the designated ADA/Section 504 coordinator for students. [See FFH(EXHIBIT)]
<i>Superintendent</i>	The Superintendent shall serve as coordinator for purposes of District compliance with all other nondiscrimination laws.
<b>Alternative Reporting Procedures</b>	<p>An individual shall not be required to report prohibited conduct to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the Title IX coordinator or ADA/Section 504 coordinator, may be directed to the Superintendent.</p> <p>A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.</p>
<b>Timely Reporting</b>	To ensure the District's prompt investigation, reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act.
<b>Notice to Parents</b>	<p>The District official or designee shall promptly notify the parents of any student alleged to have experienced prohibited conduct by a District employee or another adult.</p> <p>[For parental notification requirements regarding an allegation of educator misconduct with a student, see FFF.]</p> <p>When the District receives a report of prohibited conduct that includes dating violence, the appropriate District official shall immediately notify the parent or guardian of the student who has been identified in the report as the alleged victim or perpetrator.</p>
<b>Investigation of Reports Other Than Title IX</b>	The following procedures apply to all allegations of prohibited conduct other than allegations of harassment prohibited by Title IX. [See FFH(LEGAL)] For allegations of sex-based harassment that, if proved, would meet the definition of sexual harassment under Title IX, including sexual harassment, gender-based harassment, and dating violence, see the procedures below at Response to <a href="#">Title IX Sexual Harassment—Title IX</a> .

	<p>The District may request, but shall not require, a written report. If a report is made orally, the District official shall reduce the report to written form.</p>
Initial Assessment	<p>Upon receipt or notice of a report, the District official shall determine whether the allegations, if proved, would constitute prohibited conduct as defined by this policy. If so, the District shall immediately undertake an investigation, except as provided below at Criminal Investigation.</p> <p>If the District official determines that the allegations, if proved, would not constitute prohibited conduct as defined by this policy, the District official shall refer the complaint for consideration under FFI.</p>
Interim Action	<p>If appropriate and regardless of whether a criminal or regulatory investigation regarding the alleged conduct is pending, the District shall promptly take interim action calculated to address prohibited conduct or bullying prior to the completion of the District's investigation.</p>
District Investigation	<p>The investigation may be conducted by the District official or a designee, such as the principal, or by a third party designated by the District, such as an attorney. When appropriate, the principal shall be involved in or informed of the investigation.</p> <p>The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.</p>
Criminal Investigation	<p>If a law enforcement or regulatory agency notifies the District that a criminal or regulatory investigation has been initiated, the District shall confer with the agency to determine if the District investigation would impede the criminal or regulatory investigation. The District shall proceed with its investigation only to the extent that it does not impede the ongoing criminal or regulatory investigation. After the law enforcement or regulatory agency has finished gathering its evidence, the District shall promptly resume its investigation.</p>
Concluding the Investigation	<p>Absent extenuating circumstances, such as a request by a law enforcement or regulatory agency for the District to delay its investigation, the investigation should be completed within ten District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.</p>

	<p>The investigator shall prepare a written report of the investigation. The report shall include a determination of whether prohibited conduct or bullying occurred. The report shall be filed with the District official overseeing the investigation.</p>
<i>Notification of Outcome</i>	<p>Notification of the outcome of the investigation shall be provided to both parties in compliance with FERPA.</p>
District Action <i>Prohibited Conduct</i>	<p>If the results of an investigation indicate that prohibited conduct occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the Student Code of Conduct and may take corrective action reasonably calculated to address the conduct.</p>
Corrective Action	<p>Examples of corrective action may include a training program for those involved in the report, a comprehensive education program for the school community, counseling to the victim and the student who engaged in prohibited conduct, follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where prohibited conduct has occurred, and reaffirming the District's policy against discrimination, <del>and</del> harassment, <del>and</del> retaliation.</p>
<i>Bullying</i>	<p>If the results of an investigation indicate that bullying occurred, as defined by FFI, the District official shall refer to FFI for appropriate notice to parents and District action. The District official shall refer to FDB for transfer provisions.</p>
<i>Improper Conduct</i>	<p>If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take disciplinary action in accordance with the Student Code of Conduct or other corrective action reasonably calculated to address the conduct.</p>
Confidentiality	<p>To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.</p>
Appeal	<p>A student or parent who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level. A student or parent <del>has the</del> <del>shall be informed of his or her</del> right to file a complaint with the United States Department of Education Office for Civil Rights.</p>

**Response to Title IX  
Sexual Harassment–  
Title IX**

General Response

For purposes of the District’s response to reports of harassment prohibited by Title IX, definitions can be found in FFH(LEGAL).

When the District receives notice or an allegation of conduct that, if proved, would meet the definition of sexual harassment under Title IX, the Title IX coordinator shall promptly contact the complainant to:

- Discuss the availability of supportive measures and inform the complainant that they are available, with or without the filing of a formal complaint;
- Consider the complainant’s wishes with respect to supportive measures; and
- Explain to the complainant the option and process for filing a formal complaint.

The District’s response to sexual harassment shall treat complainants and respondents equitably by offering supportive measures to both parties, as appropriate, and by following the Title IX formal complaint process before imposing disciplinary sanctions or other actions that are not supportive measures against a respondent.

If a formal complaint is not filed [or dismissed](#), the District reserves the right to investigate and respond to prohibited conduct in accordance with Board policies and the Student Code of Conduct. [The Title IX coordinator also reserves the right to sign a formal complaint, initiating the Title IX grievance process, if it would be deliberately indifferent not to investigate and respond to the prohibited conduct in accordance with Board policies and the Student Code of Conduct.](#)

Title IX Formal  
Complaint Process

To distinguish the process described below from the District’s general grievance policies [see DGBA, FNG, and GF], this policy refers to the grievance process required by Title IX regulations for responding to formal complaints of sexual harassment as the District’s “Title IX formal complaint process.”

The Superintendent shall ensure the development of a Title IX formal complaint process that complies with legal requirements. [See FFH(LEGAL)] The formal complaint process shall be posted on the District’s website. In compliance with Title IX regulations, the District’s Title IX formal complaint process shall address the following basic requirements:

1. Equitable treatment of complainants and respondents;
2. An objective evaluation of all relevant evidence;

3. A requirement that the Title IX coordinator, investigator, decision-maker, or any person designated to facilitate an informal resolution process not have a conflict of interest or bias;
4. A presumption that the respondent is not responsible for the alleged sexual harassment until a determination is made at the conclusion of the Title IX formal complaint process;
5. Time frames that provide for a reasonably prompt conclusion of the Title IX formal complaint process, including time frames for appeals and any informal resolution process, and that allow for temporary delays or the limited extension of time frames with good cause and written notice as required by law;
6. A description of the possible disciplinary sanctions and remedies that may be implemented following a determination of responsibility for the alleged sexual harassment;
7. A statement of the standard of evidence to be used to determine responsibility for all Title IX formal complaints of sexual harassment;
8. Procedures and permissible bases for the complainant and respondent to appeal a determination of responsibility or a dismissal of a Title IX formal complaint or any allegations therein;
9. A description of the supportive measures available to the complainant and respondent;
10. A prohibition on using or seeking information protected under a legally recognized privilege unless the individual holding the privilege has waived the privilege;
11. Additional formal complaint procedures in 34 C.F.R. 106.45(b), including written notice of a formal complaint, consolidation of formal complaints, recordkeeping, and investigation procedures; and
12. Other local procedures as determined by the Superintendent.

Standard of  
Evidence

The standard of evidence used to determine responsibility in a Title IX formal complaint of sexual harassment shall be the preponderance of the evidence.

**Retaliation**

The District prohibits retaliation by a student or District employee against a student alleged to have experienced discrimination or harassment, including dating violence, or another student who, in good faith, makes a report of harassment or discrimination, files a complaint of harassment or discrimination, serves as a witness, or participates in an investigation. The definition of prohibited retaliation under this policy also includes retaliation against a student

who refuses to participate in any manner in an investigation under Title IX. [In the absence of a formal complaint, allegations of retaliation shall be investigated under Investigation of Reports Other Than Title IX, above.](#)

**Examples**

Examples of retaliation may include threats, intimidation, coercion, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.

**False Claim**

A student who intentionally makes a false claim or offers false statements in a District investigation regarding discrimination or harassment, including dating violence, shall be subject to appropriate disciplinary action in accordance with law.

**Records Retention**

The District shall retain copies of allegations, investigation reports, and related records regarding any prohibited conduct in accordance with the District's records control schedules, but for no less than the minimum amount of time required by law. [See CPC]

[For Title IX recordkeeping and retention provisions, see FFH(LEGAL) and the District's Title IX formal complaint process.]

**Access to Policy and Procedures**

Information regarding this policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the District's website, to the extent practicable, and readily available at each campus and the District's administrative offices.

**ACTION ITEM:**

**Extra-Curricular Activity Listing for 2022-2023**

**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:**

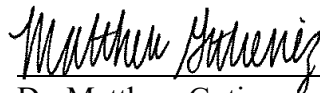
The listing of organizations is attached as an exhibit.

**RESOURCE PERSONNEL:**

Mark Cantú, Deputy Superintendent and Chief Innovation Officer

Submitted by:

(Signature)



Date Submitted: 08/23/22

(Name)

Dr. Matthew Gutierrez, Superintendent

(Address)

1221 E. Kingsbury St., Seguin, TX 78155

(Telephone)

(830) 401-8614

## Extracurricular Organizations Approved for Excused Absences 2022 - 2023

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  
American Quarter Horse Association  
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 Barrel Horse Association  
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 High School Rodeo  
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 High School Rodeo  
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 Quarter Horse 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  
Youth Rodeo Association (YRA)

**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, and Matthew Miranda.

**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 1: Creating and Supporting Future Ready Students

**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 attached.

**RESOURCE PERSONNEL:**

Mark Cantú, Deputy Superintendent and Chief Innovation Officer  
Cindy Moreno, Chief Human Resources Officer

Submitted by:

(Signature)

Date Submitted: 08/23/22

(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 \_\_\_\_\_, 2022.

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

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

**ACTION ITEM:**                    **2022–2023 Student Code of Conduct**

**RECOMMENDATION:**        Recommend that the Board of Trustees approve revisions to the Student Code of Conduct for the 2022 - 2023 school year.

**RATIONALE:**                    Administrative staff along with the District Educational Improvement Council (DEIC), as presented on August 8, 2022, recommends no changes from 2021-2022 school year.

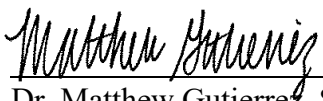
**REFERENCE and COMPLIANCE:**        TEC §11.252(a)(3)(E); §37.001(a); FO (LEGAL; LOCAL)

**PAPERWORK IMPACT:**                    None

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

**EXHIBITS:**                        The proposed Student Code of Conduct is provided as an exhibit.

**RESOURCE PERSONNEL:**                    Mark Cantú, Deputy Superintendent and Chief Innovation Officer

Submitted by:                                        Date Submitted: 08/23/22  
    (Signature)                    Dr. Matthew Gutierrez, Superintendent  
    (Name)                        1221 E. Kingsbury St., Seguin, TX 78155  
    (Address)                     (830) 830-401-8614  
    (Telephone)

# SEGUIN ISD STUDENT CODE OF CONDUCT

2021 – 2022 School Year

The SISD Board of Trustees adopted the following *Student Code of Conduct* (the *Code*) at a meeting held ~~August 24, 2021~~.

## **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 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. It provides information to parents and students regarding standards of conduct, consequences of misconduct, and procedures for administering discipline. 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 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 campus principal’s office. Additionally, the Code shall be available at the campus behavior coordinator’s office and posted on the district’s website. Parents shall be notified of any conduct violation that may result in a student being suspended, placed in a DAEP, 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. In the event 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.

## **School District Authority and Jurisdiction**

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

The district has disciplinary authority over a student:

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

## **Campus Behavior Coordinator**

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

## **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.

## **Searches**

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

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

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

### **Reporting Crimes**

The principal or 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 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 eligible, a student shall not have engaged in any misconduct that resulted in an out-of-school suspension, removal to a DAEP, or expulsion during the semester immediately preceding graduation.

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

### **Unauthorized Persons**

In accordance with Education Code 37.105, a school administrator, 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 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 hearing.

See **DAEP – Restrictions During Placement** on page 123 for information regarding a student assigned to DAEP at the time of graduation.

## Standards for Student Conduct

Each student is expected to:

- Demonstrate courtesy, even when others do not.
- Behave in a responsible manner.
- Exercise self-discipline.
- Attend all classes regularly and on time.
- 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 117, **DAEP Placement** on page 119, **Placement and/or Expulsion for Certain Offenses** on page 125, and **Expulsion** on page 127, those offenses that require or permit specific consequences are listed. Any offense, however, may be severe enough to result in **Removal from the Regular Educational Setting** as detailed on page 116.

### Disregard for Authority

Students shall not:

- Fail to comply with directives given by school personnel.
- Leave school grounds or school-sponsored events without permission.
- Disobey rules for conduct 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 125.)
- Threaten a district student, employee, or volunteer, including off school property if the conduct causes a substantial disruption to the educational environment.
- Engage in bullying, cyberbullying, harassment, or making hit lists. (See **glossary** for all four terms)
- Release or threaten to release intimate visual material of a minor or a student who is 18 years of

age or older without the student's consent.

- Engage in sexual or gender-based harassment or sexual abuse, whether by word, gesture, or any other conduct directed toward another person, including a district student, employee, board member, or volunteer.
- Engage in conduct that constitutes dating violence. (See **glossary**)
- Engage in inappropriate or indecent exposure of private body parts.
- Participate in hazing. (See **glossary**)
- Coerce an individual to act through the use of or threat of force.
- Commit extortion or blackmail.
- Engage in inappropriate verbal, physical, or sexual conduct directed toward another person, including a district student, employee, or volunteer.
- Record the voice or image of another without the prior consent of the individual being recorded or in any way that disrupts the educational environment or invades the privacy of others.

### **Property Offenses**

Students shall not:

- Damage or vandalize property owned by others. (For felony criminal mischief see **DAEP - Placement and/or Expulsion for Certain Offenses** on page 125.)
- 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 125.)
- 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;
- \*A location-restricted knife;
- \*A club;
- \*A firearm;
- A stun gun;
- Knuckles;
- A pocketknife or any other small knife;
- Mace or pepper spray;
- Pornographic material;
- Tobacco products, cigarettes, e-cigarettes, and any component, part, or accessory for an e-cigarette device;
- Matches or a lighter;
- A laser pointer 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 125. 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 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 119 and **Expulsion** on page 127 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.
- 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 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. In the event of any conflict, 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 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 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 117.
- Placement in a DAEP, as specified in the **DAEP** on page 119.
- Explosion and/or placement in an alternative educational setting, as specified in the **Placement and/or Expulsion for Certain Offenses** on page 125.
- Expulsion, as specified in the **Expulsion** on page 127.
- 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, for delivery to the student's parent. If the parent has not been reached by telephone or in person by 5:00 p.m. of the first business day after the day the disciplinary action was taken, the 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.

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.

### **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 the class or with the student's classmates' ability to learn; or
2. The behavior is so unruly, disruptive, or abusive that the teacher cannot teach, and the students in the classroom cannot learn.

Within three school days of the formal removal, the 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**

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

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

## **Out-of-School Suspension**

### **Misconduct**

Students may be suspended for behavior listed in the Code 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, 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** 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 [127](#).) (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 127.)
- 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 six and nine years of age.
- Commits a federal firearms violation and is younger than six years of age.
- Engages in conduct that contains the elements of the offense of retaliation against any school employee or volunteer on or off school property. (Committing retaliation in combination with another expellable offense is addressed in **Expulsion** on page 127.)
- Engages in conduct punishable as aggravated robbery or a felony listed under Title 5 (see **glossary**) of the Penal Code when the conduct occurs off school property and not at a school-sponsored or school-related event and:
  1. The student receives deferred prosecution (see **glossary**),
  2. A court or jury finds that the student has engaged in delinquent conduct (see **glossary**), or
  3. The superintendent or designee has a reasonable belief (see **glossary**) that the student engaged in the conduct.

### **Sexual Assault and Campus Assignments**

A student shall be transferred to another campus if:

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

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

### **Process**

Removals to a DAEP shall be made by the 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:

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

Following valid attempts to require attendance, the district may hold the conference and make a

placement decision regardless of whether the student or the student's parents attend the conference.

### ***Consideration of Mitigating Factors***

In deciding whether to place a student in a DAEP, regardless of whether the action is mandatory or discretionary, the 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.

### ***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.

### ***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 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 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.

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 as any other newly enrolled student if the behavior committed is a reason for DAEP placement in the receiving district.

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

### **Emergency Placement Procedure**

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

### **Transition Services**

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

## **Placement and/or Expulsion for Certain Offenses**

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

### **Registered Sex Offenders**

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

If the student is under any form of court supervision, including probation, community supervision, or parole, the 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 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 [119](#).)

### ***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.
- Aggravated robbery.
- Continuous sexual abuse of a young child or disabled individual.
- 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 Education Code 37.152; or
  - e. Harassment under Penal Code 42.07(a)(1), of a student or district employee.

### **Mandatory Expulsion: Misconduct That Requires Expulsion**

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

#### ***Under Federal Law***

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

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

#### ***Under the Penal Code***

- Unlawfully carrying on or about the student's person the following, in the manner prohibited by Penal Code 46.02:
  - A handgun, defined by state law as any firearm designed, made, or adapted to be used with one hand. (See **glossary**.) Note: A student may not be expelled solely on the basis of the student's use, exhibition, or possession of a firearm that occurs at an approved target range facility that is not located on a school campus, while participating in or preparing for a school-sponsored, shooting sports competition or a shooting sports educational activity that is sponsored or supported by the Parks and Wildlife Department, or a shooting sports sanctioning organization working with the department. [See policy [FNCG\(LEGAL\)](#).]
  - A location-restricted knife, as defined by state law. (See **glossary**.)
- Possessing, manufacturing, transporting, repairing, or selling a prohibited weapon, as defined in state law. (See **glossary**.)
- Behaving in a manner that contains elements of the following offenses under the Penal Code:
  - Aggravated assault, sexual assault, or aggravated sexual assault.
  - Arson. (See **glossary**)
  - Murder, capital murder, or criminal attempt to commit murder or capital murder.
  - Indecency with a child.
  - Aggravated kidnapping.
  - Aggravated robbery.
  - Manslaughter.
  - Criminally negligent homicide.

- Continuous sexual abuse of a young child or disabled individual.
- Behavior punishable as a felony that involves selling, giving, or delivering to another person, or possessing, using, or being under the influence of 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 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 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. Starting a fire or causing an explosion with intent to destroy or damage:
  - a. Any vegetation, fence, or structure on open-space land; or
  - b. Any building, habitation, or vehicle:
    - 1) Knowing that it is within the limits of an incorporated city or town,
    - 2) Knowing that it is insured against damage or destruction,
    - 3) Knowing that it is subject to a mortgage or other security interest,
    - 4) Knowing that it is located on property belonging to another,
    - 5) Knowing that it has located within it property belonging to another, or
    - 6) When the person starting the fire is reckless about whether the burning or explosion will endanger the life of some individual or the safety of the property of another.
2. Recklessly starting a fire or causing an explosion while manufacturing or attempting to manufacture a controlled substance and the fire or explosion damages any building, habitation, or vehicle; or
3. Intentionally starting a fire or causing an explosion and in so doing:
  - a. Recklessly 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 as intentionally, knowingly, or recklessly causing bodily injury to another; intentionally or knowingly threatening another with imminent bodily injury; or intentionally or knowingly causing physical contact with another that can reasonably be regarded as offensive or provocative.

**Breach of Computer Security** includes knowingly accessing a computer, computer network, or computer system without the effective consent of the owner as defined in Penal Code 33.02, if the conduct involves accessing a computer, computer network, or computer system owned by or operated on behalf of a school district; and the student knowingly alters, damages, or deletes school district property or information; or commits a breach of any other computer, computer network, or computer system.

**Bullying** is defined as a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal

expression, expression through electronic means, or physical conduct that:

1. Has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or 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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Such term does not include an antique firearm.

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

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

**Harassment** includes:

1. Conduct that meets the definition established in district policies [DIA\(LOCAL\)](#) and [FFH\(LOCAL\)](#);
2. Conduct that threatens to cause harm or bodily injury to another person, including a district student, employee, board member, or volunteer; is sexually intimidating, causes physical damage to the property of another student, subjects another student to physical confinement or restraint, or maliciously and substantially harms another student's physical or emotional health or safety, as defined in 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;
  - 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 Education Code 37.151 as an intentional, knowing, or reckless act, on or off campus, by one person alone or acting with others, directed against a student for the purpose of pledging, initiation into, affiliation with, holding office in, or maintaining membership in a student organization if the act meets the elements in Education Code 37.151, including:

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

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

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

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

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

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

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

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

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

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

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

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

**Prohibited weapon** under Penal Code 46.05(a) means:

1. The following items unless registered with the U.S. Bureau of Alcohol, Tobacco, Firearms, and Explosives or otherwise not subject to that registration requirement or unless the item is classified as a curio or relic by the U.S. Department of Justice: An explosive weapon;
  - a. A machine gun;

- b. A short-barrel firearm;
2. Armor-piercing ammunition;
3. A chemical dispensing device;
4. A zip gun;
5. A tire deflation device; or
6. An improvised explosive device.

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

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

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

**Serious misbehavior** means:

1. Deliberate violent behavior that poses a direct threat to the health or safety of others;
2. Extortion, meaning the gaining of money or other property by force or threat;
3. Conduct that constitutes coercion, as defined by Section 1.07, Penal Code; or
4. Conduct that constitutes the offense of:
  - a. Public lewdness under Penal Code 21.07;
  - b. Indecent exposure under Penal Code 21.08;
  - c. Criminal mischief under Penal Code 28.03;
  - d. Hazing under 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 under Section 21.02;
- Bestiality under Section 21.09;
- Improper relationship between educator and student under Section 21.12;
- Voyeurism under Section 21.17;
- Indecency with a child under Section 21.11;
- Invasive visual recording under Section 21.15;
- Disclosure or promotion of intimate visual material under Section 21.16;
- Sexual coercion under Section 21.18;
- Injury to a child, an elderly person, or a disabled person of any age under Section 22.04;
- Abandoning or endangering a child under Section 22.041;

- Deadly conduct under Section 22.05;
- Terroristic threat under Section 22.07 ;
- Aiding a person to commit suicide under Section 22.08; and
- Tampering with a consumer product under Section 22.09.

**Under the influence** means lacking the normal use of mental or physical faculties. Impairment of a person’s physical or mental faculties may be evidenced by a pattern of abnormal or erratic behavior, the presence of physical symptoms of drug or alcohol use, or by admission. A student “under the 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 and is adapted to expel a projectile through a smooth-bore barrel by using the energy generated by an explosion or burning substance.

**INFORMATION ITEM:** **Information Regarding Purchases Through the 2013 Purchasing Cooperative for a total cost of \$83,220**

**RECOMMENDATION:** The following purchases were made through the 2013 Purchasing Cooperative:

\* iStation: Reference #17022 Instructional Supplies and Services - \$83,220

**RATIONALE:** Seguin ISD participates in several purchasing cooperatives. A purchasing cooperative is an administrative agency created in accordance with various state statutes. All catalogs and items available for purchase on the cooperative are competitively procured and awarded by the cooperative's board of trustees.

Additional information regarding these purchases is provided below:

\* iStation is a universal screening software used to assess student needs and improve comprehension for reading levels kindergarten through eighth grade. This is an annual renewal of an ongoing contract.

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

**BUDGET IMPACT / INFORMATION:** Funds are provided by the ESSER II fund.

**EXHIBITS:** None

**RESOURCE PERSONNEL:** Anthony Hillberg, Chief Financial Officer, CPA, RTSBA  
Jennifer Raske Martinez, Purchasing Coordinator, CTSBO

Submitted by:  
(Signature)



Date Submitted: 08/23/22

(Name)  
(Address)  
(Telephone)

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

**INFORMATION ITEM:**      **Information Regarding Purchases Through the Allied States Purchasing Cooperative for a total cost of \$52,813**

**RECOMMENDATION:**      The following purchases were made through the Allied States Purchasing Cooperative:  
                                         \* Frontline Education: Reference #17-7247 Student and Finance Systems - \$52,813

**RATIONALE:**                      Seguin ISD participates in several purchasing cooperatives. A purchasing cooperative is an administrative agency created in accordance with various state statutes. All catalogs and items available for purchase on the cooperative are competitively procured and awarded by the cooperative's board of trustees.

Additional information regarding these purchases is provided below:  
                                         \* Frontline Education provides school administration software for managing human resources and business operations.

**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, RTSBA  
                                         Jennifer Raske Martinez, Purchasing Coordinator, CTSBO

Submitted by:  
                                         (Signature)



Date Submitted: 08/23/22

(Name)  
(Address)  
(Telephone)

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

**INFORMATION ITEM:** **Information Regarding Purchases Through the BuyBoard Purchasing Cooperative for a total cost of \$125,125**

**RECOMMENDATION:** The following purchases were made through the BuyBoard Purchasing Cooperative:

- \* Imagine Learning, LLC: Reference #653-21 Instructional Materials and Classroom Teaching Supplies and Equipment
- \* Renaissance Learning: Reference #661-22 Technology Equipment, Products, Services, and Software - \$67,125

**RATIONALE:** Seguin ISD participates in several purchasing cooperatives. A purchasing cooperative is an administrative agency created in accordance with various state statutes. All catalogs and items available for purchase on the cooperative are competitively procured and awarded by the cooperative's board of trustees.

Additional information regarding these purchases is provided below:

- \* Imagine Learning provides online adaptive curriculum and assessments for students pre-kindergarten through eighth grade.
- \* Renaissance Learning provides technology-based educational programs for students in pre-kindergarten through twelfth grade.

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

**BUDGET IMPACT / INFORMATION:** Funds are provided by General Operating Funds and ESSER II funds.

**EXHIBITS:** None

**RESOURCE PERSONNEL:** Anthony Hillberg, Chief Financial Officer, CPA, RTSBA  
Jennifer Raske Martinez, Purchasing Coordinator, CTSBO

Submitted by:  
(Signature)



Date Submitted: 08/23/22

(Name)  
(Address)  
(Telephone)

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

**INFORMATION ITEM:**      **Information Regarding Purchases Through the Choice Partners Purchasing Cooperative for a total cost of \$175,000**

**RECOMMENDATION:**      The following purchases were made through the Choice Partners Purchasing Cooperative:  
                                         \* MSB Consulting Group: Reference #19/028KC-02 Medicaid Claiming & Billing Services - \$175,000

**RATIONALE:**                      Seguin ISD participates in several purchasing cooperatives. A purchasing cooperative is an administrative agency created in accordance with various state statutes. All catalogs and items available for purchase on the cooperative are competitively procured and awarded by the cooperative's board of trustees.

Additional information regarding these purchases is provided below:  
                                         \* MSB Consulting provides Medicaid billing, claiming, and audit reporting services.

**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:**              Halcy Dean, Director of Special Education  
                                         Anthony Hillberg, Chief Financial Officer, CPA, RTSBA  
                                         Jennifer Raske Martinez, Purchasing Coordinator, CTSBO

Submitted by:  
                                         (Signature)



Date Submitted: 08/23/22

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

**INFORMATION ITEM:** **Information Regarding Purchases Through the DIR Purchasing Cooperative for a total cost of \$159,786**

**RECOMMENDATION:** The following purchases were made through the DIR Purchasing Cooperative:

\* Toshiba Business Solutions: Reference #DIR-CPO-4426 Hardware and Related Services for Copiers, Printers, Scanners, and Document Management - \$159,786

**RATIONALE:** Seguin ISD participates in several purchasing cooperatives. A purchasing cooperative is an administrative agency created in accordance with various state statutes. All catalogs and items available for purchase on the cooperative are competitively procured and awarded by the cooperative's board of trustees.

Additional information regarding these purchases is provided below:

\* Toshiba Business Solutions provides the district copier lease that was previously awarded through RFP #17-04. This is the annual renewal of an ongoing lease and maintenance contract.

**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, RTSBA  
Jennifer Raske Martinez, Purchasing Coordinator, CTSBO

Submitted by:  
(Signature)



Date Submitted: 08/23/22

(Name)  
(Address)  
(Telephone)

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

**INFORMATION ITEM:**      **Information Regarding Purchases Through the Pace Purchasing Cooperative for a total cost of \$83,251**

**RECOMMENDATION:**      The following purchases were made through the Pace Purchasing Cooperative:  
                                         \* CDW LLC: Reference #P00185 Computer Hardware, Software, Services, and Supplies - \$83,251

**RATIONALE:**                      Seguin ISD participates in several purchasing cooperatives. A purchasing cooperative is an administrative agency created in accordance with various state statutes. All catalogs and items available for purchase on the cooperative are competitively procured and awarded by the cooperative's board of trustees.

Additional information regarding these purchases is provided below:  
                                         \* CDW LLC provides technology products and services. Dell Chromebooks were purchased for the district.

**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, RTSBA  
                                         Jennifer Raske Martinez, Purchasing Coordinator, CTSBO

Submitted by:  
                                         (Signature)



Date Submitted: 08/23/22

(Name)  
(Address)  
(Telephone)

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

**INFORMATION ITEM:** **Information Regarding Purchases Through the Sourcewell Purchasing Cooperative for a total cost of \$131,977**

**RECOMMENDATION:** The following purchases were made through the Sourcewell Purchasing Cooperative:

- \* Johnson Controls Fire Protection, LP: Reference #031517-SGL Facility Security Equipment, Systems, & Services - \$58,205
- \* Tyler Technologies, Inc: #090320-TTI Public Administration Software - \$73,772

**RATIONALE:** Seguin ISD participates in several purchasing cooperatives. A purchasing cooperative is an administrative agency created in accordance with various state statutes. All catalogs and items available for purchase on the cooperative are competitively procured and awarded by the cooperative's board of trustees.

Additional information regarding these purchases is provided below:

- \* Johnson Controls Fire Protection provides fire protection systems and annual inspections for the district.
- \* Tyler Technologies provides the MUNIS Financial and Human Resources System software used to manage all accounting transactions for Seguin ISD. This is an annual software renewal.

**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, RTSBA  
Jennifer Raske Martinez, Purchasing Coordinator, CTSBO

Submitted by:  
(Signature)



Date Submitted: 08/23/22

(Name)  
(Address)  
(Telephone)

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

**INFORMATION ITEM:** **Information Regarding Purchases Through the Texas 20 Purchasing Cooperative for a total cost of \$2,146,500**

**RECOMMENDATION:** The following purchases were made through the Texas 20 Purchasing Cooperative:

- \* Brothers Produce of Austin: Reference #3226 Produce - \$76,000
- \* Gulf Coast Paper Company, Inc: Reference #3221 Chemical and Paper - \$103,000
- \* Kurz & Co.: Reference #3117-E1 Bread and Tortillas - \$77,500
- \* Labatt Food Service, LLC: Reference #3015-E2 Main Food & #3221 Chemical and Paper - \$1,585,000
- \* New Dairy Holdco, LLC: Reference #3118-E1 Milk - \$305,000

**RATIONALE:** Seguin ISD participates in several purchasing cooperatives. A purchasing cooperative is an administrative agency created in accordance with various state statutes. All catalogs and items available for purchase on the cooperative are competitively procured and awarded by the cooperative's board of trustees.

Additional information regarding these purchases is provided below:

- \* Brothers Produce provides fresh vegetables and fruit for meals for all campuses.
- \* Gulf Coast Paper provides chemical, paper, plastic, and kitchen products for all campuses for meal preparation and cleaning.
- \* Kurz & Co provides bread products and tortillas for meals for all campuses.
- \* Labatt Food Service is the main food supplier for the district and also supplies paper, plastic, chemical, and kitchen products for all campuses.
- \* New Dairy Holdco (also known as Borden Dairy) provides milk products for meals and drinks for all campuses.

**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:** Anthony Hillberg, Chief Financial Officer, CPA, RTSBA  
Jennifer Raske Martinez, Purchasing Coordinator, CTSBO

Submitted by:  
(Signature)



Date Submitted: 08/23/22

(Name)  
(Address)  
(Telephone)

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

**INFORMATION ITEM:** **Information Regarding Seguin ISD's Purchase of Waste Removal Services from Tiger Sanitation, Inc.**

**RECOMMENDATION:** That the Board of Trustees receives information regarding Seguin ISD's purchase of waste removal services at a cost of \$100,000.

**RATIONALE:** This is year two of a three-year initial contract awarded through RFP #21-08 Waste Removal Services. Tiger Sanitation provides trash services for all campuses and district facilities for Seguin ISD.

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

**PAPERWORK IMPACT:** None

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

**EXHIBITS:** None

**RESOURCE PERSONNEL:** Anthony Hillberg, Chief Financial Officer, CPA, RTSBA  
Jennifer Martinez, Purchasing Coordinator, CTSBO

Submitted by:

(Signature)

(Name)

(Address)

(Telephone)



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

Date Submitted: 08/23/22

**INFORMATION ITEM:** **Information Regarding Seguin ISD's Purchase of the TX High Dosage Tutoring Package from BookNook, Inc.**

**RECOMMENDATION:** That the Board of Trustees receives information regarding Seguin ISD's purchase of the TX High Dosage Tutoring Package at a cost of \$117,500.

**RATIONALE:** The Texas Education Agency (TEA) has provided local education agencies (LEAs) with several vetted tutoring platform vendors, such as BookNook. BookNook provides an online tutoring platform for in-person and remote tutoring sessions that align with TEA's approved curriculum and high-impact tutoring principles. High-impact tutoring helps students to accelerate in the classroom.


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

**PAPERWORK IMPACT:** None

**BUDGET IMPACT / INFORMATION:** Funds are provided using federal grant funds received through the Texas COVID Learning Acceleration Supports (TCLAS) Decision 1.

**EXHIBITS:** None

**RESOURCE PERSONNEL:** Andrea Jaramillo, Deputy Chief of Innovation and Learning  
Anthony Hillberg, Chief Financial Officer, CPA, RTSBA  
Jennifer Martinez, Purchasing Coordinator, CTSBO

Submitted by:  Date Submitted: 08/23/22  
(Signature) \_\_\_\_\_  
(Name) Dr. Matthew Gutierrez, Superintendent  
(Address) 1221 E. Kingsbury St., Seguin, TX 78155  
(Telephone) (830) 401-8614

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

**RECOMMENDATION:**    The Board of Trustees recognizes and acknowledges the new professional hires for the 2022 – 2023 school year and the resignations listed below.

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

<b>Name</b>	<b>Campus</b>	<b>Effective</b>
Balderas, Christina	Seguin High School	8/4/22
Ceynow, Yvonne	Barnes Middle School	8/16/22
Costilla, Carol	AJB Middle School	8/4/22
Egg, Macy	Matador Special Services	8/2/22
Franzen-Beicker, Lia	Vogel Elementary	8/22/22
Garza, Maria	Weinert Elementary	8/5/22
Guadarrama, Mary	Ball Early Childhood	8/11/22
Kirby, Michelle	Matador Special Services	8/8/22
Miller, Julie	Koennecke Elementary	8/4/22
Palacin, Marilyn	Barnes Middle School	8/8/22
Perez, Crystal	Rodriguez Elementary	8/12/22
Rodriguez, Rose	Matador Special Services	8/4/22
Saldana, Joseph	AJB Middle School	8/4/22
Taylor, Barbara	DAEP	8/4/22
Wolfe, Donna	AJB Middle School	8/12/22

**BOARD’S  
ACKNOWLEDGEMENT  
RESIGNATIONS:**

**Bazan, Samantha, LLI, effective 7/25/22**

Ms. Bazan, ACE Curriculum Coordinator, has resigned due to personal reasons.

Ms. Bazan has 1 year with Seguin ISD.

**Buie, Kemesheia, Seguin High School, effective 7/25/22**

Ms. Buie, Cosmetology Teacher, has resigned due to personal reasons.

Ms. Buie has 2 years with Seguin ISD.

**Kuempel, Michelle, AJB Middle School, effective 7/25/22**

Ms. Kuempel, Librarian, has resigned to accept a position where is will work from home.

Ms. Kuempel has 9 years with Seguin ISD.

**Rios, Sara, Matador Special Services, effective 7/25/22**

Ms. Rios, Visually Impaired Teacher, has resigned due to personal reasons.

Ms. Rios never started with Seguin ISD.

**Torres, Lydia, LLI, effective 8/12/22**

Ms. Torres, Dual Language Instructional Coach, has resigned due to family circumstance.

Ms. Torres has 2 years with Seguin ISD.

**Wade, Shara, Barnes Middle School, effective 7/20/22**

Ms. Wade, Assistant Principal, has resigned and accepted a position with NEISD.

Mr. Wade has 1 year with Seguin ISD.

**Williams, Dionicia, AJB Middle School, effective 7/25/22**

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

Ms. Williams never started 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**

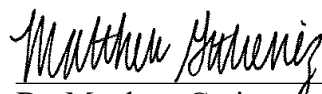
**IMPACT: EXHIBITS:**

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

**RESOURCE PERSONNEL:**

Cynthia Moreno, Chief Human Resource Officer

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



Date Submitted: 08/23/22

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



Seguin ISD PIA requests received from July 13-Aug. 10, 2022				
<u>Date</u>	<u>Requester</u>	<u>Requested documents</u>	<u>Status</u>	<u>Action</u>
071322 003	Tim Lee, TRTA	Retiree names and addresses	Completed	Document provided
072922 004	Quinn Taylor	"Information on all vendors doing business with the district."	Completed	Clarification sought 080122. Document provided.

**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 be in excess of \$2,000,000. The final amount of Defeased Obligations will be known in the spring of 2023.

**BOARD POLICY 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, RTSBA  
Victor Quiroga - Specialized Public Finance  
Clayton Binford - McCall, Parkhurst & Horton L.L.P.

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

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

Date Submitted: 08/23/2022

**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-redeemable 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 2022-2023 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 \$2,000,000 and up to \$2,500,000 (and possibly more). The final amount shall be determined by a hereinafter-defined

Authorized Official and will be known to the District after February 2023, 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. If applicable, the Escrow and Trust Agreement, dated as of August 23, 2022 (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 2023 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 23rd day of August, 2022.

SEGUIN INDEPENDENT SCHOOL DISTRICT

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President, Board of Trustees

ATTEST:

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Secretary, Board of Trustees

(DISTRICT SEAL)

**ACTION ITEM:** **Adoption of Order Setting the Tax Rate for 2022 Which Does Not Exceed the No-New Revenue Tax Rate.**

**RECOMMENDATION:** That the Board of Trustees adopt tax rates for 2022 as follows: \$0.8646 for Maintenance and Operations, and \$0.385 for Interest and Sinking, for a Total Combined Rate of \$1.2496 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 \$.0350 lower than the prior year. Additionally, the 2022 tax levy to fund maintenance and operations expenditures does not exceed the maintenance and operations tax levy of the prior year. Therefore, the order setting this tax rate does not require the statements about "tax increase" as specified in §26.05(b) of Property Tax Code.

**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, RTSBA

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



Date Submitted: 08/23/22

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 2022 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 2022 as follows:

\$0.8646 For the purpose of maintenance and operation fund

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

\$1.2496 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:**

**2022-2025 Seguin ISD Revised Goals**

**RECOMMENDATION:**

It is recommended that the Board of Trustees adopt two revised Seguin ISD Board Goals for 2022 - 2025.

**RATIONALE:**

In June 2022, the Board adopted seven new goals that serve as the foundation for the Seguin ISD Strategic Plan 2025. Preliminary STAAR data for Reading and Math show Goals 1 and 2 have almost been achieved. Therefore, revised goals are being recommended with an extended time frame to August 2025.

**REFERENCE**

**AND COMPLIANCE:**

TEC §4.001, 4.002

**BUDGET IMPACT:**

No significant impact

**PAPERWORK IMPACT:**

Updating of the 2022-2025 Board Goals

**EXHIBITS:**

2022 – 2025 Revised Seguin ISD Goals Document  
Presentation: 2021-2025 Seguin ISD Revised Goals

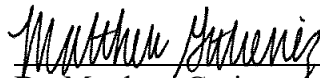
**RESOURCE**

**PERSONNEL:**

Dr. Matthew Gutierrez, Superintendent  
Mark Cantú, Deputy Superintendent and Chief Innovation Officer

Submitted by:

(Signature)



Date Submitted: 08/23/22

(Name)

Dr. Matthew Gutierrez, Superintendent

(Address)

1221 E. Kingsbury St., Seguin, TX 78155

(Telephone)

(830) 401-8614



## **2022-2025 Seguin ISD Goals**

1. **Goal:** (HB3) Increase the percentage of third grade students who score meets grade level or above on STAAR (State of Texas Assessment of Academic Readiness) Reading from 40% to 54% by August 2025.
2. **Goal:** (HB3) Increase the percentage of third grade students who score meets grade level or above on STAAR Mathematics from 35% to 49% by August 2025.
3. **Goal:** (HB3) Increase the percentage of graduates who meet the College, Career, or Military Readiness (CCMR) requirements from 39% to 73% by August 2025.
4. **Goal:** Seguin ISD will build a thriving learning community as indicated on a numerical score of 80 or higher on the balanced scorecard.
5. **Goal:** Seguin ISD will improve staff satisfaction as determined by the Organizational Health Inventory (OHI).
6. **Goal:** Seguin ISD will improve student, staff, parent, and community perception as determined by the Net Promoter score.
7. **Goal:** (SGS Goal) 80% or more of SISD students will be enrolled in a campus that is rated A or B by August 2025.

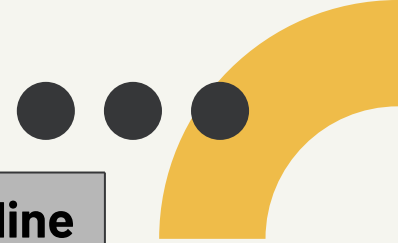


# 2021-2025 Seguin ISD Revised Goals

August 23, 2022  
SISD Board of Trustees



# Strategic Plan 2025 Timeline



Process Step	Completion Timeline
Internal Steering Committee Formation	July 2021
Visioning Task Force Creation	September 2021
Visioning Sessions	November 2021
Goal Development	January 2022
Performance Objective Development	February 2022
Target Area Task Force Formation	March 2022
Stakeholder Feedback	March 2022
Annual Work Plan Creation	June 2022
Monthly Reports for the Board	August 2022

**June 28, 2022**  
**SISD Board**  
**Approved Goals +**  
**Strategic Plan 2025**

# ••• Strategic Goals Long-range measures to achieve priorities

**Goal #1 (HB3):** Increase the percentage of third grade students who score meets grade level or above on **STAAR Reading** from 31% to 45% by August 2024.

**Goal #2 (HB3):** Increase the percentage of third grade students who score meets grade level or above on **STAAR Mathematics** from 27% to 49% by August 2024.

**Goal #3 (HB3):** Increase the percentage of graduates who meet the **College, Career, or Military Readiness (CCMR) requirements** from 39% to 73% by August 2025.

# ••• Strategic Goals Long-range measures to achieve priorities

**Goal #4:** Seguin ISD will build a thriving learning community as indicated on a numerical score of 80 or higher on the **balanced scorecard**.

**Goal #5:** Seguin ISD will improve **staff satisfaction** as determined by the Organizational Health Inventory.

**Goal #6:** Seguin ISD will improve **student, staff, parent, and community perception** as determined by the Net Promoter score.

**Goal #7: (SGS Goal)** 80% or more of SISD students will be enrolled in a campus that is **rated A or B** by August 2025.

# ••• Revised Strategic Goals

**Goal #1 (HB3):** Increase the percentage of third grade students who score meets grade level or above on **STAAR Reading** from **40% to 54%** by **August 2025**.

- Baseline revised based on 2022 STAAR data for Seguin ISD
- 2022 STAAR State average 3rd grade Reading Meets Grade Level = 50%
- Goal period was extended an additional year

# ••• Revised Strategic Goals

**Goal #2 (HB3):** Increase the percentage of third grade students who score meets grade level or above on **STAAR Mathematics** from **35%** to **49%** by **August 2025**.

- Baseline revised based on 2022 STAAR data for Seguin ISD
- 2022 STAAR State average 3rd grade Math Meets Grade Level = 41%
- Kept original goal percentage based on extended period of time

**ACTION ITEM:**

**Possible Action to Extend Superintendent Hiring Authority for Certified Personnel During the Fall of 2022**

**RECOMMENDATION:**

Possible action to grant ability to Superintendent to have final hiring authority of all contractual personnel beginning August 31, 2022 and ending on December 31, 2022.

**RATIONALE:**

Due to the increasingly competitive hiring season, this authority will allow Seguin ISD to offer immediate employment opportunities to the strongest, highly qualified teacher applicant pool.

**REFERENCE and COMPLIANCE:**

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

**PAPERWORK IMPACT:**

Minimal

**BUDGET IMPACT/ INFORMATION:**

None

**EXHIBITS:**

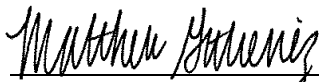
None

**RESOURCE PERSONNEL:**

Cynthia J. Moreno, Deputy Chief of Staff and Human Resources

Submitted by:

(Signature)



Date Submitted: 08/23/22

(Name)

Dr. Matthew Gutierrez, Superintendent

(Address)

1221 E. Kingsbury St., Seguin, TX 78155

(Telephone)

(830) 401-8614

**ACTION ITEM:**

**Discussion and Possible Action Find No Good Cause Exists for Educator Resignation**

**RECOMMENDATION:**

Discussion and possible action to find that no good cause exists for an educator's resignation that occurred beyond the penalty free resignation date.

**RATIONALE:**

Properly staffing classrooms with certified teachers is ever challenging. When resignations after the penalty free resignation occurs, campuses are left with the difficult task of finding a suitable replacement with a limited pool and limited timeframe.

**REFERENCE and COMPLIANCE:**

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

**PAPERWORK IMPACT:**

Minimal

**BUDGET IMPACT/ INFORMATION:**

None

**EXHIBITS:**

None

**RESOURCE PERSONNEL:**

Cynthia J. Moreno, Deputy Chief of Staff and Human Resources

Submitted by:

(Signature)



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