

# 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 29, 2023, 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. **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.

3. **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.
  - 1. Emergency Operations and Safety Protocols 5
  - 2. Safety and Security Audit Results 6
- B. Pursuant to Texas Government Code Section § 551.074 - Discuss personnel matters, including appointment, employment, evaluation, reassignment, duties, discipline or dismissal of an employee(s).
- C. Pursuant to Texas Government Code Section § 551.072 - Discuss the sale, purchase, exchange, lease, or value of real property.
- D. Pursuant to Texas Government Code Section § 551.071 - Consultation with legal counsel regarding legal issues related Texas Education Code Section 37.0814 and security matters.

- E. Pursuant to Texas Government Code Section §§ 551.076 and 551.089 - Deliberate the deployment, or specific occasions for implementation, of security personnel, critical infrastructure, or security devices.
  - F. Pursuant to Texas Government Code Section § 551.071 - Consultation with legal counsel regarding Kingsville ISD, et. al. v. Morath.
4. **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).
  - B. Possible discussion and action on joining Kingsville ISD, et. al. v. Morath.
5. **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 Special Meeting - July 12, 2023; Regular Meeting - July 18, 2023; Board Workshop - August 9, 2023, and Special Meeting - August 15, 2023. 7
  - B. Approval of Tax Collection Reports for June 2023 23
  - C. Approval of Tax Collection Reports for July 2023 24
  - D. Approval of Proposed Budget Amendments & Financial Statements for July 2023 25
  - E. Approval of District-Wide Vehicle Maintenance, Parts, And Services (RFP #: 21-01) 34
  - F. Approval of District-Wide Vehicle Maintenance, Parts, And Services (RFP #: 24-01) 36
  - G. Approval of District-Wide Special Education Services (RFP #: 21-05) 38
  - H. Approval of District-Wide Special Education Services (RFP #: 24-05) 40
  - I. Approval of District-Wide Plumbing Systems Maintenance, Equipment, Parts, And Services (RFP #: 24-02) 42
  - J. Approval of District-Wide HVAC Systems Maintenance, Equipment, Parts, & Services (RFP #: 24-03) 44
  - K. Approval of District-Wide Facilities Maintenance, Electrical Equipment, Parts, And Services (RFP #: 24-04) 46
  - L. Approval of District-Wide Educational Consulting Services (RFP #: 24-06) 48
  - M. Consideration and Possible Approval of Purchases Through the Allied States Purchasing Cooperative for a total cost of \$102,300 50
  - N. Consideration and Possible Approval of Purchases Through the BuyBoard Purchasing Cooperative for a total cost of \$248,039 51

O.	Consideration and Possible Approval of Purchases Through the Choice Partners Purchasing Cooperative for a total cost of \$247,500	52
P.	Consideration and Possible Approval of Purchases Through the Central Texas Purchasing Alliance (CTPA) Purchasing Cooperative for a total cost of \$107,421	53
Q.	Consideration and Possible Approval of Purchases Through the DIR Purchasing Cooperative for a total cost of \$470,122	54
R.	Consideration and Possible Approval of Purchases Through the Omnia Partners Purchasing Cooperative for a total cost of \$354,574	55
S.	Consideration and Possible Approval of Purchases Through the Sourcewell Purchasing Cooperative for a total cost of \$191,341	56
T.	Consideration and Possible Approval of Purchases Through the TIPS Purchasing Cooperative for a total cost of \$108,235	57
U.	Extra-Curricular Activity Listing for 2023-2024	58
V.	County Extension Agents as Adjunct Staff Members	63
W.	Information Regarding Seguin ISD's Purchase of a Math Framework and Technical Assistance Through the Strong Foundations Planning Grant Through Bellwether Education Partners, Inc.	65
X.	Personnel Information - Professional Employees	66
Y.	Acknowledge Public Information Act Requests July-August 2023	68
<b>6.</b>	<b>Action Items</b>	
A.	CONSIDERATION AND POSSIBLE APPROVAL OF MEMORANDUM OF UNDERSTANDING (MOU) WITH TEXAS WORKFORCE HOUSING FOUNDATION TO SUPPORT WORKFORCE HOUSING FOR SEGUIN ISD EMPLOYEES	70
B.	Consider and Take Possible Action to Adopt Resolution Regarding Texas Education Code Section 37.0814	85
C.	Consideration and Approval of School Health Advisory Council (SHAC) Annual Report, SHAC Goals and Committee Members	91
D.	2023–2024 Student Code of Conduct	99
E.	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	140

F. Approval of Agreement for the Purchase of Attendance Credit (Netting Chapter 48 Funding)	150
G. Adoption of Order Setting the Tax Rate for 2023 Which Does Not Exceed the No-New Revenue Tax Rate	155
H. Consideration and Possible Approval of Purchases Through the Texas 20 Purchasing Cooperative for a total cost of \$2,966,500	159
I. Adopt a Resolution for the Assignment of Fund Balance	162
J. Designation of Non-Business Days for Public Information Act (PIA) Requests	167
K. Approval of Retention Stipend for Existing Math Instructors at Seguin High School	170
L. Possible Action to Extend Superintendent Hiring Authority for Certified Personnel During the Fall of 2023	175
M. Nominate Candidate for the Guadalupe County Appraisal District Board of Directors	178
<b>7. Board Comments and Request</b>	
<b>8. Adjourn</b>	

**INFORMATION ITEM:**

**Emergency Operations and Safety Protocols (closed session)**

**RECOMMENDATION:**

That the Board of Trustees receive information regarding the safety updates to the 2023-2024 Seguin ISD Emergency Operations Plan.

**RATIONALE:**

The District's Emergency Operations Plan (EOP) is updated annually in conjunction with the District Safety and Security Committee. It is best practice for the EOP to be reviewed by the Board of Trustees.

**REFERENCE and COMPLIANCE:**

CKC (LEGAL) (LOCAL) Safety Program/Risk Management Emergency Plans

**PAPERWORK IMPACT:**

Minimal

**BUDGET IMPACT INFORMATION:**

None

**EXHIBITS:**

2023-2024 Emergency Operations Plan

**RESOURCE PERSONNEL:**

Nikki Elaine Bittings, Chief Student Services Officer

Submitted by: Matthew Gutierrez Date Submitted: 08/29/23  
(Signature) \_\_\_\_\_  
(Name) Dr. Matthew Gutierrez, Superintendent  
(Address) 1221 E. Kingsbury St., Seguin, TX 78155  
(Telephone) (830) 401-8614

**INFORMATION ITEM:**                      **Safety and Security Audit Results (closed session)**

**RECOMMENDATION:**                      That the Board of Trustees receive a report of the results of the Safety and Security audit.

**RATIONALE:**                                      School districts are required to conduct a safety and security audit of the district's facilities every three years. In following the procedures developed by the Texas School Safety Center, the results must be reported to the district's Board of Trustees and to the Texas School Safety Center.

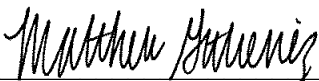
**REFERENCE and COMPLIANCE:**                      CK (LEGAL); Safety Program/Risk Management Texas Education Code §37.108

**PAPERWORK IMPACT:**                                      Minimal

**BUDGET IMPACT INFORMATION:**                      None

**EXHIBITS:**    Safety and Security Audit Results

**RESOURCE PERSONNEL:**                                      Nikki Elaine Bittings, Chief Student Services Officer

Submitted by:                                            Date Submitted: 08/29/23  
(Signature)    \_\_\_\_\_  
(Name)    Dr. Matthew Gutierrez, Superintendent  
(Address)    1221 E. Kingsbury St., Seguin, TX 78155  
(Telephone)    (830) 401-8614

# 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 Wednesday, July 12, 2023, beginning at 6:30 PM in the Board Room, 1221 E. Kingsbury, Seguin, Texas.

Present: Ben Amador, Joshua Bright, Denise Crettenden, Linda Duncan, Alejandro R. Guerra, and Dr. Matthew Gutierrez

Absent: Carl Jenkins, Cinde Thomas-Jimenez and Anthony Hillberg

Also Present: Nikki Bittings, Chief Student Services Officer; Steve Gonzalez, Chief Technology Officer; Sean Hoffmann, Chief Communications Officer; Andrea Jaramillo, Deputy Chief of Innovation and Learning; Cindy Moreno, Chief Human Resources Officer; Dr. Veronica Vijil, Deputy Superintendent; Perla Romero, Director of Business Services; Cynthia Borden, Director of Federal and State Accountability; Jennifer Hall, Walsh Gallegos, Trevino, Kyle and Robinson P.C.; Jennifer Powell, Eichelbaum Wardell Hansen Powell & Munoz, P.C.; Nancy Ramirez, Superintendent Secretary and media

#### 1. Call to Order

A. Mr. Guerra called the meeting to order at 6:33 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. Guerra, followed by a moment of silence.

#### 2. Audience with the Board

No one signed up to address the Board.

#### 3. Information Item:

##### A. A-F Refresh and “What If” Reports

The Board and Dr. Gutierrez received and update from Ms. Borden regarding the Accountability A-F Refresh and the “What If” Reports. The purpose of this presentation is to share the latest updates, proposed changes, resources and timeline information regarding the A-F Accountability System and to better understand the impact the new rules will have on campus ratings. Mrs. Crettenden would like to see a report that would show the data with the old rules instead of the new rules. All board questions and comments were addressed.

The Board recessed from 7:01 p.m. until 7:11 p.m.

#### 4. Closed Meeting: The Board went into closed session at 7:12 p.m.

A. Pursuant to Texas Government Code Section §§§ 551.071, 551.082, and 551.0821 – Level Three Parent Complaint and Consultation with legal counsel including possible telephone consultation with legal counsel, as necessary, to address legal concerns, implications, and answer any legal questions regarding the parent complaint or other posted agenda items.

#### 5. Reconvene to Open Meeting: The Board reconvened at 8:35 p.m.

A. Possible Action on Level Three Parent Complaint

Mr. Bright moved, seconded by Mrs. Crettenden to uphold the Level II grievance decision.

**Ayes: Amador, Bright, Crettenden, Duncan, and Guerra**

**Nays: None**

**6. Adjourn**

Mr. Amador moved, seconded by Mr. Bright to adjourn the meeting. The meeting adjourned at 8:36 p.m.

**Ayes: Amador, Bright, Crettenden, Duncan, and Guerra**

**Nays: None**

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Secretary/August 29, 2023

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President/August 29, 2023

# 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 18, 2023, beginning at 6:30 PM in the Board Room, 1221 E. Kingsbury, Seguin, Texas.

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

Absent: Cindy Moreno

Also Present: Nikki Bittings, Chief Student Services Officer; Steve Gonzalez, Chief Technology Officer, Anthony Hillberg, Chief Financial Officer; Sean Hoffmann, Chief Communications Officer; Andrea Jaramillo, Deputy Chief Innovation and Learning; Dr. Veronica Vijil, Deputy Superintendent; Perla Romero, Director of Business Services; Pete Silvius, Director of Whole Child Initiatives; Ofelia Santiago; Director of Teacher Incentive Allotment; Robyn Popa with Pfluger Architects; Christine Douglas, Chief Executive Officer Communities In Schools of South Central Texas, Inc.; Mark Dibble, School Health Advisory Council Chair for Seguin ISD; Nancy Ramirez, Superintendent Secretary and media.

#### 1. Call to Order

A. Mr. Guerra 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 Ms. Duncan, 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 14.

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. Audience with the Board

Katherine Bloch signed up to address the Board regarding the School Health Advisory Council presentation and cost.

#### 3. Reports/Information Items:

##### A. Introduction of Newly Appointed Administrators

The Board of Trustees acknowledged the newly appointed 2023-2024 Administrative Hires:

- **Dr. Veronica Vijil – Deputy Superintendent**
- **Jaimie Burton – Jefferson Academic Dean**
- **Cecilia Reyes – Jefferson Assistant Principal**
- **Jessica Castro – Weinert Assistant Principal**

- **Kelsey Ross - Weinert Academic Dean**
- **Maria Perales – Koennecke Assistant Principal**

**B. Teacher Incentive Allotment**

The Board of Trustees received an update on the Teacher Incentive Allotment program from Ms. Santiago, Director of Teacher Incentive Allotment.

**C. Seguin ISD Bond Construction Update**

The Board of Trustees received an update from Ms. Romero on current bond projects including progress and other related projects.

The Board recessed from 7:31 p.m. until 7:41 p.m.

4. **Closed Meeting** –The Board went into closed session at 7:42 p.m.
  - A. Pursuant to Texas Government Code Section §§ 551.071, 551.074, 551.129 - Consultation with legal counsel including possible telephone consultation with legal counsel, as necessary, to address legal concerns, implications, and answer any legal questions regarding posted agenda items.
  - B. Pursuant to Texas Government Code Section § 551.074 - Discuss personnel matters, including appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a employee(s).
  - C. Pursuant to Texas Government Code Section § 551.072 - Discuss the sale, purchase, exchange, lease, or value of real property.
5. **Reconvene to Open Meeting** –The Board reconvened at 8:11 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).
6. **Consent Agenda Items – Consider and Possible Approval:**
  - A. **Approval of Board Minutes for:**  
Public Meeting, June 20, 2023  
Regular Meeting, June 20, 2023
  - B. **Approval of Proposed Budget Amendments & Financial Statements for June 2023**  
The Board of Trustees approved the proposed budget amendments and financial statements for the General Fund, Child Nutrition Fund, and Debt Service Fund as of June 30, 2023.
  - C. **Approval of Investment Report for the Fourth Quarter Ended June 30, 2023**  
The Board of Trustees approved the Investment Report for the Fourth Quarter ended June 30, 2023. 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, 2023. 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. **Adoption of Resolution Stating Review of Investment Policy and Designation of Investment Officers**  
The Board of Trustees adopted the resolution stating review of investment policy and investment strategies for the Seguin Independent School District and naming Investment Officers for the District as the Superintendent, Chief Financial Officer, the Director of Business Services and the General Ledger Specialist.
  - E. **Consideration of Approval of Certified Appraisers for 2023-2024**

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 2023-2024 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	Tracee Gonzales, Academic Dean
Cheryl Schriewer, Academic Dean	Natalie McFadden, Assistant Principal
	Erica Villarreal, Assistant Principal
<b>Seguin High School</b>	<b>Learning and Leadership</b>
Christine Perez, Principal	Andrea Jaramillo, Deputy Chief
Dr. Cristobal Saldana, Associate Principal	Jason Mummert, Director of School Leadership
Diana Farris, Academic Dean	Cyndi Perez, RTI Specialist
Bianca Duvall, Assistant Principal	Monica Franco, Elementary Coordinator
David Lopez, Assistant Principal	Richard Bough, Director of CTE
Angel Guadarrama, Assistant Principal	Nilda Vella, Secondary Science Coordinator
DeAna Brock, Assistant Principal	Kathy Kober, Math Coordinator
<b>Ball Early Childhood Center</b>	Pete Silvius, Director of Whole Child
Debra Reiley, Principal	Amanda Hardwick, ELAR Coordinator
Maria Guerra, Assistant. Principal	
<b>Koenecke Elementary</b>	<b>Jefferson Elementary</b>
Lesli Mahaffey, Principal	Christopher Podorsky, Principal
	Cecilia Reyes, Assistant Principal
<b>Human Resources</b>	<b>Patlan Elementary</b>
Cindy Moreno, Chief HRO	Annaliza Rangel, Principal
Danica Murillo, Deputy Chief	Tanya Webb, Assistant Principal
Shantill Vann, New Teacher Specialist	Lisandra Black, Academic Dean
Ofelia Santiago, Director TIA	
<b>McQueeney Elementary</b>	<b>Rodriguez Elementary</b>
Trisha Eckols, Principal	Yolanda Grijalva, Principal
Sharon Johnson, Assistant Principal	Maegen Medrano, Assistant Principal
<b>Weinert Elementary</b>	<b>Vogel Elementary</b>
Tiffany Wehe, Principal	Rhonda Jubela, Principal
Jessica Castro, 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	Aaron Hannah, Principal, DAEP
<b>Matador Special Services</b>	<b>Matador Special Services</b>
Halcy Martin Dean, Director of Special Education	Sharon Feuge, SPED Administrator
Rebecca Bloxham, Special Education Coordinator	Dawn Lynn, Specialist
Allison Higginbotham, Coordinator	Sandra Reyes, Student Services

#### **F. Amendment to 2023-2024 Compensation Handbook**

The Board of Trustees approved the amendment of the Pay Classifications as provided.

**G. Personnel Information – Professional Employees**

The Board of Trustees recognized and acknowledged the new professional hires for the 2023-2024 school year and the resignations listed below:

**New Hire Elections:**

Name	Campus	Effective
Alexander, Robin	Weinert Elementary	7/26/2023
Alicea, Olga	Patlan Elementary	8/2/2023
Alley, Savannah	Matador Special Services	7/31/2023
Altgelt, Justin	Barnes Middle School	8/2/2023
Canal, Diana	Rodriguez Elementary	8/2/2023
Dean, Perry	Seguin High School	8/2/2023
Dziuk, Lori	McQueeney Elementary	8/2/2023
Finch, Laura	Vogel Elementary	8/2/2023
Garcia, Guillermo	Koennecke Elementary	8/2/2023
Gutierrez, Ray	AJB Middle School	8/2/2023
Hale, Cynthia	AJB Middle School	8/2/2023
Hall, Royce	DAEP	8/2/2023
Long, Amanda	Ball Early Childhood	8/2/2023
Marsh, Renelle	Seguin High School	8/2/2023
McDaniel, James	Seguin High School	8/2/2023
McKillip, Austin	Seguin High School	8/2/2023
Mendoza, Ernesto	Seguin High School	8/2/2023
Mergele, Jennifer	Seguin High School	8/2/2023
Moravits, Rosalinda	Rodriguez Elementary	8/2/2023
Parker, Andrea	Barnes Middle School	8/2/2023
Peterson, Lauren	AJB Middle School	8/2/2023
Pron, Cheryl	Matador Special Services	8/2/2023
Rivera, Tania	Seguin High School	8/2/2023
Scheele, Curtis	DAEP	8/2/2023
Shumate, Victoria	Seguin High School	8/2/2023
Tillman, Shaylor	AJB Middle School	8/2/2023
Vernon, Scott	Vogel Elementary	8/2/2023
Waggoner, Victoria	Jefferson Elementary	8/2/2023
Williams, Jha’Nann	AJB Middle School	8/2/2023
Wood, Whitney	Barnes Middle School	8/2/2023

**Resignations:**

**Almaraz, Liza, Seguin High School, effective 6/15/2023**

Ms. Almaraz, PE Teacher/Coach, has resigned due to personal reasons.  
Ms. Almaraz has 6 years with Seguin ISD.

**Alvear, Iliana, Patlan Elementary, effective 6/14/2023**

Ms. Alvear, 2<sup>nd</sup> Grade Teacher, has resigned due to certification requirements,

Ms. Alvear has 1 year with Seguin ISD.

**Balderas, Christina, Seguin High School, effective 6/20/2023**

Ms. Balderas, English Teacher, has resigned due to personal reasons.  
Ms. Balderas has 6 years with Seguin ISD.

**Bergamini, Jessie, Seguin High School, effective 6/20/2023**

Ms. Bergamini, English Teacher, has resigned due to personal reasons.  
Ms. Bergamini has 1 year with Seguin ISD.

**Bowers, Victoria, AJB Middle School, effective 6/26/2023**

Ms. Bowers, Special Education Teacher, has resigned to accept a position with a new school district.

Ms. Bowers has 4 months with Seguin ISD.

**Brandenberger, Barry, AJB Middle School, effective 6/29/2023**

Mr. Brandenberger, Math Teacher, has resigned to accept a position with Hays CISD.

Mr. Brandenberger has 16 years with Seguin ISD.

**Cantu, Cynthia, Weinert Elementary, effective 6/15/2023**

Ms. Cantu, RN, has resigned to pursue a new career path.  
Ms. Cantu has 2 years with Seguin ISD.

**De Leon, Sergio, Barnes Middle School, effective 6/29/2023**

Mr. De Leon, Mariachi Director, has resigned to accept a position as Head Mariachi Director with SAISD.

Mr. De Leon has 3 years with Seguin ISD.

**Duong, Andrew, Seguin High School, effective 6/12/2023**

Mr. Duong, Math Teacher/Coach, has resigned to accept a position closer to home.

Mr. Duong has 2 years With Seguin ISD.

**Elley, Sara, Vogel Elementary, effective 6/19/2023**

Ms. Elley, Assistant Principal, has resigned to accept a position closer to home.

Ms. Elley has 1 year with Seguin ISD.

**Garza, Amanda, Seguin High School, effective 6/28/2023**

Ms. Garza, Math Teacher, has resigned to accept a position with a new school district.

Ms. Garza has 14 years years with Seguin ISD.

**Goytia, Allyson, Patlan Elementary, effective 6/14/2023**

Ms. Goytia, 3<sup>rd</sup> grade Dual Language, has resigned due to certification requirements.

Ms. Goytia has 1 year with Seguin ISD.

**Key, Jennifer, McQueeney Elementary, effective 6/8/2023**

Ms. Key, 5<sup>th</sup> Grade Teacher, has resigned to accept a position with a new school district.

Ms. Key has 2 years with Seguin ISD.

**Kirchner, Kendall, Rodriguez Elementary, effective 6/6/2023**

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

Ms. Kirchner has 10 years with Seguin ISD.

**Mates, Tahnika, Patlan Elementary effective 6/14/2023**

Ms. Mates, KG Teacher, has resigned due to certification requirements.

Ms. Mates has 1 year with Seguin ISD.

**McKnight, Dwight, Jefferson Elementary, effective 6/14/2023**

Mr. McKnight, Assistant Principal, has resigned due to personal reasons.

Mr. McKnight has 7 months with Seguin ISD.

**Nance, Janet, Barnes Middle School, effective 6/6/2023**

Ms. Nance, Math Teacher, has resigned and elected to retire.

Ms. Nance has 14 years with Seguin ISD.

**Peters, Shelby, Weinert Elementary, effective 6/12/2023**

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

Ms. Peters has 3 years with Seguin ISD.

**Ray, Shelly, Barnes Middle School, effective 6/28/2023**

Ms. Ray, RLA Teacher, has resigned due to personal reasons.

Ms. Ray has 4 years with Seguin ISD.

**Rodriguez, Christopher, Seguin High School/DEAP, effective 6/8/2023**

Mr. Rodriguez, History Teacher, has resigned due to relocation.

Mr. Rodriguez has 4 years with Seguin ISD.

**H. Acknowledge Public Information Act Requests June 2023**

The Board of Trustees received information regarding the Public Information Act requests received since June 6, 2023. The purpose of this agenda item is to keep trustees apprised of the District's Public Information program.

**Mrs. Thomas-Jimenez moved, seconded by Ms. Duncan to approve Consent Action Items:**

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

**Public Meeting, June 20, 2023**

**Regular Meeting, June 20, 2023**

**B. Approval of Proposed Budget Amendments & Financial Statements for June 2023**

**C. Approval of Investment Report for the Fourth Quarter Ended June 30, 2023**

**D. Adoption of Resolution Stating Review of Investment Policy and Designation of Investment Officers**

**E. Consideration of Approval of Certified Appraisers for 2023-2024**

**F. Amendment to 2023-2024 Compensation Handbook**

**G. Personnel Information – Professional Employees**

**H. Acknowledge Public Information Act Requests June 2023**

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

**Nays: None**

**7. Action Items:**

**A. Approval of an Interlocal Agreement with Communities in Schools for Integrated Student Support (ISS)**

Ms. Duncan moved, seconded by Mrs. Crettenden to approve the Interlocal Agreement for Integrated Student Support (ISS) at a cost of \$294,678.44 for the annual payment. 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. In addition, the agreement is extended to serve Rodriguez Elementary & Weinert Elementary.

**Ayes: Amador, Bright, Crettenden, Duncan, Guerra, Jenkins, and Thomas-Jimenez**  
**Nays: None**

**B. Approval of the General Contractor for the Baseball & Softball Complex at Seguin High School (RFCSP #: 23-07)**

Ms. Duncan moved, seconded by Mr. Jenkins to authorize the Superintendent to negotiate and possibly execute a contract with Koehler Company as the General Contractor of the Baseball & Softball Complex project at Seguin High School (RFCSP #: 23-07).

**Ayes: Amador, Bright, Crettenden, Duncan, Guerra, Jenkins, and Thomas-Jimenez**  
**Nays: None**

**C. Approval of Authorized Representatives for First Commercial Bank, N.A., Lone Star Investment Pool, TexPool, LOGIC, and Texas Class - MBIA**

Mr. Bright moved, seconded by Mr. Amador to approve the addition of Beatriz Rodgers, General Ledger Specialist as an authorized representative for First Commercial Bank, N.A., Lone Star Investment Pool, TexPool, Local Government Investment Cooperative (“LOGIC”), and Texas CLASS – MBIA.

**Ayes: Amador, Bright, Crettenden, Duncan, Guerra, Jenkins, and Thomas-Jimenez**  
**Nays: None**

**D. Consideration and Adoption of Human Sexuality Instructional Materials Based On School Health Advisory Council Recommendation**

Mrs. Thomas-Jimenez moved, seconded by Mr. Amador to adopt the SHARE instructional materials and presentation for use in 9<sup>th</sup> grade only and the Living Well Aware instructional materials for use in the 6<sup>th</sup> grade.

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

**E. Review of the 2022-2023 Optional Flexible School Day Program and Approval of the 2023-2024 Application for Seguin High School and Mercer Blumberg Learning Center at Saegert**

Mr. Bright moved, seconded by Ms. Duncan to review the 2022-2023 Optional Flexible School Day Program and approve the 2023-2024 application for Seguin High School and Mercer Blumberg Learning Center at Saegert.

**Ayes: Amador, Bright, Crettenden, Duncan, Guerra, Jenkins, and Thomas-Jimenez**  
**Nays: None**

**F. First Reading for Consideration or Approval of the Texas Association of School Boards (TASB) Policy Update 121, affecting LEGAL and LOCAL Policies**

Ms. Duncan moved, seconded by Mrs. Thomas-Jimenez to approve the 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 121. Update 121 includes revisions to legal policies based on legislative and regulatory changes. Changes to local policies offered for consideration address the following topics: Fixed assets; Integrated pest control; Competitive bidding; Competitive sealed proposals; Compensation plans; Admissions; and Bullying. For select districts, Update 121 may also include recommended changes to one or more local policies addressing the following topics: Texas Economic Development Act; School Safety

Personnel; and Child Nutrition. The update includes forty-eight (48) LEGAL policies, and twelve (12) LOCAL policies:

**REPLACE:**

AC (LEGAL) – Geographic Boundaries  
AF (LEGAL) – Innovation Districts  
AIE (LEGAL) – Accountability: Investigations  
BBBA (LEGAL) – Elections: Conducting Elections  
BQ (LEGAL) – Planning and Decision-Making Process  
C (LEGAL) – Business and Support Services  
CBB (LEGAL) – State and Federal Revenue Sources: Federal  
CCA (LEGAL) – Local Revenue Sources: Bond Issues  
CCGA (LEGAL) – Ad Valorem Taxes: Exemptions and Payments  
CCGB (LEGAL) – Ad Valorem Taxes: Economic Development  
CCGB (LOCAL) – Ad Valorem Taxes: Economic Development  
CFB (LOCAL) – Accounting: Inventories  
CH (LEGAL) – Purchasing and Acquisition  
CL (LEGAL) – Buildings, Grounds, and Equipment Management  
CLA (LEGAL) – Buildings, Grounds, and Equipment Management: Security  
CLB (LEGAL) – Buildings, Grounds, and Equipment Management: Maintenance  
CLB (LOCAL) – Buildings, Grounds, and Equipment Management: Maintenance  
CMD (LEGAL) – Equipment and Supplies Management: Instructional Materials Care and Accounting  
CNC (LEGAL) – Transportation Management: Transportation Safety  
CO (LEGAL) – Food and Nutrition Management  
CO (LOCAL) – Food and Nutrition Management  
COA (LOCAL) – Food and Nutrition Management: Procurement  
COB (LOCAL) – Food and Nutrition Management: Free and Reduced-Price Meals  
CQ (LEGAL) – Technology Resources  
CQA (LEGAL) – Technology Resources: District, Campus, and Classroom Websites  
CRF (LOCAL) – Insurance and Annuities Management: Unemployment Insurance  
CSA (LEGAL) – Facility Standards: Safety and Security  
CVA (LOCAL) – Facilities Construction: Competitive Bidding  
CVB (LOCAL) – Facilities Construction: Competitive Sealed Proposals  
DBAA (LEGAL) – Employment Requirements and Restrictions: Pre-Employment Reviews  
DEA (LOCAL) – Compensation and Benefits: Compensation Plan  
DEAB (LEGAL) – Compensation and Benefits: Wage and Hour Laws  
E (LEGAL) – Instruction  
EF (LEGAL) – Instructional Resources  
EHAD (LEGAL) – Basic Instructional Program: Elective Instruction  
EHBAB (LEGAL) – Special Education: ARD Committee and Individualized Education Program  
EHBAB (LEGAL) – Special Education: Video/Audio Monitoring  
EHBC (LEGAL) – Special Programs: Compensatory Services and Intensive Programs  
EHBH (LEGAL) – Special Programs: Other Special Populations  
EHBI (LEGAL) – Special Programs: Adult and Community Education  
EHBJ (LEGAL) – Special Programs: Innovative and Magnet Programs  
EI (LEGAL) – Academic Achievement  
EKB (LEGAL) – Testing Programs: State Assessment  
FD (LEGAL) – Admissions

FD (LOCAL) – Admissions  
FDA (LEGAL) – Admissions: Interdistrict Transfers  
FDC (LEGAL) – Admissions: Homeless Students  
FEA (LEGAL) – Attendance: Compulsory Attendance  
FEB (LEGAL) – Attendance: Attendance Accounting  
FFAF (LEGAL) – Wellness and Health Services: Care Plans  
FFC (LEGAL) – Student Welfare: Student Support Services  
FFI (LEGAL) – Student Welfare: Freedom from Bullying  
FFI (LOCAL) – Student Welfare: Freedom from Bullying  
FL (LEGAL) – Student Records  
G (LEGAL) – Community and Governmental Relations  
GB (LEGAL) – Public Information Program  
GBA (LEGAL) – Public Information Program: Access to Public Information  
GBAA (LEGAL) – Access to Public Information: Requests for Information  
GRA (LEGAL) – Relations with Governmental Entities: State and Local Governmental Authorities

**ADD**

EHBCA (LEGAL) –Compensatory Services and Intensive Programs: Accelerated Instruction

**Ayes: Amador, Bright, Crettenden, Duncan, Guerra, Jenkins, and Thomas-Jimenez**  
**Nays: None**

**G. Approval of Retention Stipend for Existing Math Instructors at Seguin High School**

Mrs. Thomas-Jimenez moved, seconded by Mr. Jenkins to table agenda item to gather more data and to further discuss the math needs at Seguin High School.

**Ayes: Amador, Bright, Crettenden, Duncan, Guerra, Jenkins, and Thomas-Jimenez**  
**Nays: None**

**H. Nominate Candidate for the TASB Board of Directors**

Mr. Bright moved, seconded by Mrs. Thomas-Jimenez to approve the nomination and endorsement of the candidate, Rolinda Schmidt for the TASB Board of Directors. The three-year term of Region 20 position A of the TASB Board of Directors is expiring and would like the Board of Trustees endorsement.

**Ayes: Amador, Bright, Crettenden, Duncan, Guerra, Jenkins, and Thomas-Jimenez**  
**Nays: None**

**I. Designate Official Voting Delegate and Alternate to the 2023 TASB Delegate Assembly in Dallas, Texas on September 29<sup>th</sup> – October 1, 2023**

Mr. Guerra moved, seconded by Ms. Duncan to designate Denise Crettenden as the delegate and Alejandro R. Guerra as the alternate to the 2023 TASB Delegate Assembly held in Dallas. The names of the official voting delegate and alternate will be submitted to the Texas Association of School Boards.

**Ayes: Amador, Bright, Crettenden, Duncan, Guerra, Jenkins, and Thomas-Jimenez**  
**Nays: None**

**8. Board Comments and Request**

Mr. Bright announced he would be gone from the end of July until the end of September on a short-term military assignment. The Board thanked Mr. Bright for his service.  
Mrs. Thomas-Jimenez mentioned when she first became a trustee the Mariachi program was not

what it is today. She recognized the Mariachi program on all of their outstanding performances and accomplishments including the growth and thanked Dr. Gutierrez and the Board from 2016 to current for all they have done to support the program.

Mr. Guerra also recognized the Mariachi program on their most recent first place award in Albuquerque, New Mexico where they competed against Mariachi groups from all over the country.

All prior Board requests have been addressed.

## **9. Adjourn**

Mr. Amador moved, seconded by Mr. Bright to adjourn the meeting. The meeting adjourned at 9:16 p.m.

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

**Nays: None**

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Secretary/August 29, 2023

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President/August 29, 2023

# 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 Wednesday, August 9, 2023, beginning at 6:30 PM in the Board Room, 1221 E. Kingsbury, Seguin, Texas.

Present: Ben Amador, Denise Crettenden (virtual), Linda Duncan, Alejandro R. Guerra, Carl Jenkins, and Dr. Matthew Gutierrez, Superintendent

Absent: Joshua Bright, Cinde Thomas-Jimenez

Also Present: Nikki Bittings, Chief Student Services Officer; Steve Gonzalez, Chief Technology Officer; Anthony Hillberg, Chief Financial Officer; Sean Hoffmann, Chief Communications Officer; Andrea Jaramillo, Deputy Chief of Innovation and Learning; Cindy Moreno, Chief Human Resources Officer; Dr. Veronica Vijil, Deputy Superintendent; Perla Romero, Director of Business Services; Linda Guzman, A.J. Briesemeister Middle School Principal; Jason Schmidt, Jim Barnes Middle School Principal; Josh Schneuker, Executive Director Seguin Economic Development Corporation; Adam Harden, Partner with Cantu Harden Montoya LLP; Nancy Ramirez, Superintendent Secretary and Media.

#### 1. Call to Order

A. Mr. Guerra called the meeting to order at 6:33 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. Guerra, 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 Affordable Teacher Housing Through Texas Workforce Housing Foundation

The Board held a discussion with Mr. Harden with Cantu, Harden, Montoya LLP regarding the process, information and next steps for affordable teacher housing through Texas Workforce Housing Foundation. All board questions and comments were addressed.

##### B. Middle School Redesign Update

The Board received an update from Dr. Vijil, Mr. Schmidt and Mrs. Guzman regarding the campus redesign timeline, strengths, benefits, growths, modifications needed and next steps for A.J. Briesemeister and Jim Barnes Middle Schools. All Board questions and comments were addressed.

#### 4. Adjourn

Mr. Amador moved, seconded by Mr. Jenkins to adjourn meeting. The meeting adjourned at 7:28 p.m.

**Ayes: Amador, Crettenden, Duncan, Guerra, and Jenkins**

**Nays:**

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Secretary/August 29, 2023

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President/August 29, 2023

# 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 Tuesday, August 15, 2023, beginning at 6:30 PM in the Board Room, 1221 E. Kingsbury, Seguin, Texas.

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

Absent: Ben Amador and Joshua Bright

Also Present: Nikki Bittings, Chief Student Services Officer; Steve Gonzalez, Chief Technology Officer; Sean Hoffmann, Chief Communications Officer; Andrea Jaramillo, Deputy Chief of Innovation and Learning; Cindy Moreno, Chief Human Resources Officer; Dr. Veronica Vijil, Deputy Superintendent; Perla Romero, Director of Business Services and Nancy Ramirez, Superintendent Secretary

#### 1. Call to Order

A. Mr. Guerra 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. Guerra, followed by a moment of silence.

#### 2. Audience with the Board

No one signed up to address the Board.

#### 3. Action Item:

##### **A. Consider and Approve Modifications to Board Policy (LOCAL) Delegating Authority to the Superintendent to Take Action in Compliance with Chapters 2254 and 2269 of the Government Code**

Ms. Duncan moved, seconded by Mr. Jenkins to approve the updated (LOCAL) policy as recommended by District administration. The proposed local policy updates have been evaluated by the Texas Association of School Boards (TASB) and District legal counsel. All board questions and comments were addressed.

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

**Nays: None**

#### 4. Closed Meeting: The Board went into closed session at 6:45 p.m.

A. Pursuant to Texas Government Code Section §§§ 551.071, 551.074, 551.129 - Consultation with legal counsel including possible telephone consultation with legal counsel, as necessary, to address legal concerns, implications, and answer any legal questions regarding posted agenda items.

B. Pursuant to Texas Government Code Section § 551.074 - Discuss personnel matters, including appointment, employment, evaluation, reassignment, duties, discipline or dismissal of an employee(s).

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

- 5. Reconvene to Open Meeting:** The Board reconvened at 7:27 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).

**6. Adjourn**

Mr. Jenkins moved, seconded by Mrs. Crettenden to adjourn the meeting. The meeting adjourned at 7:27 p.m.

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

**Nays: None**

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Secretary/August 29, 2023

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President/August 29, 2023

**ACTION ITEM:**

**Approval of Tax Collection Reports for June 2023**

**RECOMMENDATION:**

That the Board of Trustees approves the Guadalupe County Tax Office Monthly Recap from Daryl John, Guadalupe County Tax Assessor-Collector for June 2023.

**RATIONALE:**

The Texas Property Tax Code requires the collector of taxes for a taxing unit to 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 2023:

Current	\$	822,442
Delinquent		55,196
Penalty and Interest		84,948
Total Monthly Collections	\$	<u>962,586</u>
Total Tax Collections Year to Date	\$	<u>60,749,095</u>
Delinquent Tax Levy		2,704,512
Percent Collected through June 2023		65.00%
Percent of Tax Levy Collected last year		81.95%

**EXHIBITS:**

None

**RESOURCE PERSONNEL:**

Anthony Hillberg, Chief Financial Officer, CPA, RTSBA  
Perla Romero, Director of Business Services  
Sally Eckhart, Budget Coordinator


Submitted by:

(Signature)

(Name)

(Address)

(Telephone)



Date Submitted: 08/29/23

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

**ACTION ITEM:**

**Approval of Tax Collection Reports for July 2023**

**RECOMMENDATION:**

That the Board of Trustees approves the Guadalupe County Tax Office Monthly Recap from Daryl John, Guadalupe County Tax Assessor-Collector for July 2023.

**RATIONALE:**

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

**REFERENCE and COMPLIANCE:**

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

**PAPERWORK IMPACT:**

None

**BUDGET IMPACT / INFORMATION:**

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

Total Tax Collections for the month of July 2023:

Current	\$	-
Delinquent		510,554
Penalty and Interest		73,946
Total Monthly Collections	\$	<u>584,500</u>
Total Tax Collections Year to Date	\$	<u>584,500</u>
Delinquent Tax Levy		3,740,708
Percent Collected through July 2023		15.63%
Percent of Tax Levy Collected last year		9.11%

**EXHIBITS:**

None

**RESOURCE PERSONNEL:**

Anthony Hillberg, Chief Financial Officer, CPA, RTSBA  
Perla Romero, Director of Business Services  
Sally Eckhart, Budget Coordinator

Submitted by:

(Signature)

(Name)

(Address)

(Telephone)

Date Submitted: 08/29/23

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

**ACTION ITEM:** **Approval of Proposed Budget Amendments & Financial Statements for July 2023**

**RECOMMENDATION:** That the Board of Trustees approve the proposed budget amendments and financial statements for the General Fund, Child Nutrition Fund, and Debt Service Fund as of July 31, 2023.

**RATIONALE:** The District’s official budget includes the General Fund, Child Nutrition Fund, and Debt Service Fund. The adoption of the budgets associated with these funds and subsequent amendments should be approved by the Board of Trustees. The attached budget reports and financial statements are designed to provide interim information for the Board of Trustees regarding operations of the District. The attached financial statements are unaudited and do not reflect certain required accounting entries for the official year-end financial report.


**REFERENCE and COMPLIANCE:** CE (LEGAL) and CE (LOCAL) Annual Operating Budget  
The Board shall amend the budget when a change is made increasing any one of the functional spending categories or increasing revenue object accounts and other financing sources (uses).

**PAPERWORK IMPACT:** None

**BUDGET IMPACT / INFORMATION:** Budget amendments reflected in this report require approval by the Board of Trustees.

**EXHIBITS:** Proposed Budget Amendments and Financial Statements for the General Operating Fund, Child Nutrition Fund, and Debt Service Fund are attached.

**RESOURCE PERSONNEL:** Anthony Hillberg, Chief Financial Officer, CPA, RTSBA  
Perla Romero, Director of Business Services  
Sally Eckhart, Budget Coordinator

Submitted by:  Date Submitted: 08/29/23  
(Signature) \_\_\_\_\_  
(Name) Dr. Matthew Gutierrez, Superintendent  
(Address) 1221 E. Kingsbury St., Seguin, TX 78155  
(Telephone) (830) 401-8614

**Seguin Independent School District**  
**Proposed Budget Amendments and Financial Statements**  
**General Operating Fund**  
**July 2023**

	Budget				Actual			Budget Remaining	
	Adopted Budget	July 1, 2023	Proposed Amendment(s)		July 31, 2023	July 1, 2023	Current Month		July 31, 2023
		Amended Budget	Programmatic Changes	Balance Neutral	Amended Budget	Year to Date	Activity		Year to Date
<b>REVENUE</b>									
Local									
Property Taxes-Current	40,892,558	40,892,558	-	-	40,892,558	-	-	-	40,892,558
Property Taxes-Delinquent	700,000	700,000	-	-	700,000	-	356,113	356,113	343,887
Property Taxes-Penalty & Interest	375,000	375,000	-	-	375,000	-	53,385	53,385	321,615
Interest Income	875,000	875,000	-	-	875,000	-	152,505	152,505	722,495
Other Local Income	106,000	106,000	-	-	106,000	-	14,848	14,848	91,152
State	25,804,767	25,804,767	-	-	25,804,767	-	273,352	273,352	25,531,415
Federal	1,167,000	1,167,000	-	-	1,167,000	-	88,674	88,674	1,078,326
<b>REVENUE</b>	<b>69,920,325</b>	<b>69,920,325</b>	<b>-</b>	<b>-</b>	<b>69,920,325</b>	<b>-</b>	<b>938,878</b>	<b>938,878</b>	<b>68,981,447</b>
<b>EXPENSE</b>									
11 - Instruction	38,323,483	38,323,483	3,222,740	(57,680)	41,488,543	-	810,164	810,164	40,678,379
12 - Instructional Resources & Media Svcs	1,055,793	1,055,793	29,475	-	1,085,268	-	38,475	38,475	1,046,793
13 - Curr & Instructional Staff Development	577,483	577,483	18,675	57,680	653,838	-	34,923	34,923	618,915
21 - Instructional Leadership	2,062,583	2,062,583	425,000	-	2,487,583	-	185,095	185,095	2,302,488
23 - School Leadership	4,800,008	4,800,008	292,614	500	5,093,122	-	195,354	195,354	4,897,768
31 - Guidance & Counseling Services	2,586,821	2,586,821	333,570	-	2,920,391	-	71,202	71,202	2,849,189
32 - Social Work Services	641,559	641,559	35,000	-	676,559	-	30,651	30,651	645,908
33 - Health Services	818,922	818,922	25,205	-	844,127	-	33,727	33,727	810,400
34 - Student Transportation	3,248,950	3,248,950	66,752	-	3,315,702	-	163,668	163,668	3,152,034
35 - Food Service	-	-	-	-	-	-	-	-	-
36 - Co-curricular Activities	2,097,243	2,097,243	182,172	-	2,279,415	-	183,840	183,840	2,095,575
41 - General Administration	3,028,229	3,028,229	421,986	(500)	3,449,715	-	239,252	239,252	3,210,463
51 - Plant Maintenance & Operations	7,381,576	7,381,576	153,666	-	7,535,242	-	765,022	765,022	6,770,220
52 - Security & Monitoring Services	543,577	543,577	391,500	-	935,077	-	12,757	12,757	922,320
53 - Data Services	1,993,392	1,993,392	193,512	-	2,186,904	-	265,962	265,962	1,920,942
61 - Community Services	30,022	30,022	-	-	30,022	-	411	411	29,611
71 - Debt Services	-	-	665,000	-	665,000	-	665,000	665,000	-
81 - Facilities Acquisition & Construction	-	-	359,495	-	359,495	-	3,775	3,775	355,720
99 - Intergovernmental Charges (Appraisal Svcs)	730,684	730,684	85,000	-	815,684	-	-	-	815,684
<b>EXPENSE</b>	<b>69,920,325</b>	<b>69,920,325</b>	<b>6,901,362</b>	<b>-</b>	<b>76,821,687</b>	<b>-</b>	<b>3,699,278</b>	<b>3,699,278</b>	<b>73,122,409</b>
<b>REVENUE OVER/(UNDER) EXPENSE</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ (6,901,362)</b>	<b>\$ -</b>	<b>\$ (6,901,362)</b>	<b>-</b>	<b>(2,760,400)</b>	<b>(2,760,400)</b>	<b>(4,140,962)</b>
Other Sources	-	-	-	-	-	-	-	-	-
Other Uses	-	-	-	-	-	-	-	-	-
<b>OTHER SOURCES AND USES</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>RESULT OF ACTIVITIES</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ (6,901,362)</b>	<b>\$ -</b>	<b>\$ (6,901,362)</b>	<b>\$ -</b>	<b>\$ (2,760,400)</b>	<b>\$ (2,760,400)</b>	

Note:  
Fund Balance projection data for 2023-24 will be provided upon completion of the annual financial audit for the 2022-23 fiscal year.

## Function Codes

11 – Instruction - Activities that deal directly with the interaction between teachers and students

12 – Instructional Resources/Media Services - Expenditures that are directly and exclusively used for resource centers, establishing and maintaining libraries

13 – Curriculum & Instructional Staff Development – Expenditures directly and exclusively used to aid instructional staff in planning, developing and evaluating the process of providing learning experiences for students. (Includes in-service training for instructional or instructional-related personnel (Functions 11, 12, and 13))

21 – Instructional Leadership - Expenditures that are for managing, directing, supervising, and providing leadership for staff who provide general and specific instructional services

23 – School Leadership - Expenditures to direct and manage a school campus

31 – Guidance & Counseling – Expenditures for assessing and testing students' abilities, aptitudes and interests; counseling students

32 - Social Work Services - Expenditures that for activities such as investigating and diagnosing student social needs arising out of the home, school or community: includes truant/attendance officers

33 – Health Services - Expenditures for providing physical health services to students

34 – Student Transportation - Expenditures for transporting students to and from school.

35 – Food Service – Expenditures for food service operations

36 – Extracurricular Activities - Expenditures for school-sponsored activities outside of the school day.

41 – General Administrations - Expenditures for purposes of managing or governing the school district as an overall entity

51 – Maintenance & Operations - Expenditures for activities to keep the facilities and grounds open, clean, comfortable and in effective working condition and state of repair, and insured

52 – Security & Monitoring Services – Expenditures for activities to keep student and staff surroundings safe, whether in transit to or from school, on a campus or participating in school-sponsored events at another location

53 – Data Processing Services - Expenditures for data processing services, whether in-house or contracted.

61 – Community Services - Expenditures for activities or purposes other than regular public education and includes expenditures are for services or activities relating to the whole community or some segment of the community

71 – Debt Service – Expenditures for debt service payments and related fees

81 – Facilities Acquisition and Improvements - Expenditures for acquiring, equipping, and/or making additions to real property and sites

99 – Other Governmental Charges – Expenditures for other intergovernmental charges not defined above

Seguin Independent School District  
 Budget Amendment Detail For General Operating Fund  
 July, 2023

Budget Report - Attachment 1  
 29-Aug-2023

Revenues:

Total Revenue Increase (Decrease) \$ -

Expenditures:

BUA 243

Function 11	
22-23 COVID-Funding Reserve	\$ 2,912,385
Function 12	
22-23 COVID-Funding Reserve	\$ 29,475
Function 13	
22-23 COVID-Funding Reserve	\$ 18,675
Function 21	
22-23 COVID-Funding Reserve	\$ 295,000
Function 23	
22-23 COVID-Funding Reserve	\$ 292,614
Function 31	
22-23 COVID-Funding Reserve	\$ 333,570
Function 32	
22-23 COVID-Funding Reserve	\$ 35,000
Function 33	
22-23 COVID-Funding Reserve	\$ 25,205
Function 34	
22-23 COVID-Funding Reserve	\$ 66,752
Function 36	
22-23 COVID-Funding Reserve	\$ 132,172
Function 41	
22-23 COVID-Funding Reserve	\$ 96,986
Function 51	
22-23 COVID-Funding Reserve	\$ 153,666
Function 52	
22-23 COVID-Funding Reserve	\$ 391,500
Function 53	
22-23 COVID-Funding Reserve	\$ 132,000
Function 99	
22-23 COVID-Funding Reserve	\$ 85,000



**Seguin Independent School District**  
**Proposed Budget Amendments and Financial Statements**  
**Child Nutrition Fund**  
**July 2023**

	Budget				Actual			Budget Remaining	
	Adopted Budget	July 1, 2023	Proposed Amendment(s)		July 31, 2023	July 1, 2023	Current Month		July 31, 2023
		Amended Budget	Programmatic Changes	Balance Neutral	Amended Budget	Year to Date	Activity		Year to Date
<b>REVENUE</b>									
Local									
Property Taxes-Current									
Property Taxes-Delinquent									
Property Taxes-Penalty & Interest									
Interest Income	20,000	20,000	-	-	20,000	-	15,559	15,559	4,441
Other Local Income	443,500	443,500	-	-	443,500	-	274	274	443,226
State	121,500	121,500	-	-	121,500	-	-	-	121,500
Federal	6,025,000	6,025,000	-	-	6,025,000	-	22,375	22,375	6,002,625
<b>REVENUE</b>	<b>6,610,000</b>	<b>6,610,000</b>	-	-	<b>6,610,000</b>	-	<b>38,207</b>	<b>38,207</b>	<b>6,571,793</b>
<b>EXPENSE</b>									
11 - Instruction									
12 - Instructional Resources & Media Svcs									
13 - Curr & Instructional Staff Development									
21 - Instructional Leadership									
23 - School Leadership									
31 - Guidance & Counseling Services									
32 - Social Work Services									
33 - Health Services									
34 - Student Transportation									
35 - Food Service	6,583,500	6,583,500	-	-	6,583,500	-	141,346	141,346	6,442,154
36 - Co-curricular Activities									
41 - General Administration									
51 - Plant Maintenance & Operations	19,500	19,500	-	-	19,500	-	1,137	1,137	18,363
52 - Security & Monitoring Services	7,000	7,000	-	-	7,000	-	-	-	7,000
53 - Data Services									
61 - Community Services									
71 - Debt Services									
81 - Facilities Acquisition & Construction									
99 - Intergovernmental Charges (Appraisal Servs)									
<b>EXPENSE</b>	<b>6,610,000</b>	<b>6,610,000</b>	-	-	<b>6,610,000</b>	-	<b>142,483</b>	<b>142,483</b>	<b>6,467,517</b>
<b>REVENUE OVER/(UNDER) EXPENSE</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>(104,276)</b>	<b>(104,276)</b>	<b>104,276</b>
Other Sources	-	-	-	-	-	-	-	-	
Other Uses	-	-	-	-	-	-	-	-	
<b>OTHER SOURCES AND USES</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	
<b>RESULT OF ACTIVITIES</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ (104,276)</b>	<b>\$ (104,276)</b>	

Note:  
Fund Balance projection data for 2023-24 will be provided upon completion of the annual financial audit for the 2022-23 fiscal year.

Seguin Independent School District  
Budget Amendment Detail For Child Nutrition Fund  
July, 2023

Budget Report - Attachment 1  
29-Aug-2023

Revenues:

Total Revenue Increase (Decrease) \$ -

Expenditures:

Total Expenditures Increase (Decrease) \$ -

Other Sources:

Total Other Sources Increase (Decrease) \$ -

**Seguin Independent School District**  
**Proposed Budget Amendments and Financial Statements**  
**Debt Service Fund**  
**July 2023**

	Budget				Actual			Budget Remaining	
	Adopted Budget	July 1, 2023	Proposed Amendment(s)		July 31, 2023	July 1, 2023	Current Month		July 31, 2023
		Amended Budget	Programmatic Changes	Balance Neutral	Amended Budget	Year to Date	Activity		Year to Date
<b>REVENUE</b>									
Local									
Property Taxes-Current	15,564,000	15,564,000	-	-	15,564,000			-	15,564,000
Property Taxes-Delinquent	250,000	250,000	-	-	250,000		154,440	154,440	95,560
Property Taxes-Penalty & Interest	100,000	100,000	-	-	100,000		20,561	20,561	79,439
Interest Income	-	-	-	-	-		66,248	66,248	-
Other Local Income	-	-	-	-	-		-	-	-
State	-	-	-	-	-		-	-	-
Federal									
<b>REVENUE</b>	<b>15,914,000</b>	<b>15,914,000</b>	-	-	<b>15,914,000</b>	-	<b>241,249</b>	<b>241,249</b>	<b>15,738,998</b>
<b>EXPENSE</b>									
11 - Instruction									
12 - Instructional Resources & Media Svcs									
13 - Curr & Instructional Staff Development									
21 - Instructional Leadership									
23 - School Leadership									
31 - Guidance & Counseling Services									
32 - Social Work Services									
33 - Health Services									
34 - Student Transportation									
35 - Food Service									
36 - Co-curricular Activities									
41 - General Administration									
51 - Plant Maintenance & Operations									
52 - Security & Monitoring Services									
53 - Data Services									
61 - Community Services									
71 - Debt Services	15,914,000	15,914,000	-	-	15,914,000	-	1,723,350	1,723,350	14,190,650
81 - Facilities Acquisition & Construction									
99 - Intergovernmental Charges (Appraisal Servs)									
<b>EXPENSE</b>	<b>15,914,000</b>	<b>15,914,000</b>	-	-	<b>15,914,000</b>	-	<b>1,723,350</b>	<b>1,723,350</b>	<b>14,190,650</b>
<b>REVENUE OVER/(UNDER) EXPENSE</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	-	<b>(1,482,101)</b>	<b>(1,482,101)</b>	<b>\$ 1,548,348</b>
Other Sources	-	-	-	-	-			2,308	
Other Uses	-	-	-	-	-				
<b>OTHER SOURCES AND USES</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 2,308.36</b>	
<b>RESULT OF ACTIVITIES</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ (1,482,101)</b>	<b>\$ (1,479,792)</b>	

Note:  
Fund Balance projection data for 2023-24 will be provided upon completion of the annual financial audit for the 2022-23 fiscal year.

Seguin Independent School District  
Budget Amendment Detail For Debt Service Fund  
July, 2023

Budget Report - Attachment 1  
29-Aug-2023

Revenues:

Total Revenue Increase (Decrease) \$           -

Expenditures:

Total Expenditures Increase (Decrease) \$           -

Other Sources:

Total Other Sources Increase (Decrease) \$           -

**ACTION ITEM:** **Approval of District-Wide Vehicle Maintenance, Parts, And Services (RFP #: 21-01)**

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

**RATIONALE:** A Request for Proposals (RFP#: 21-01) was issued on August 7, 2020 for Vehicle Maintenance, Parts, and Services. The bid was competitively solicited in compliance with Board Policy. Of the one responses received, all met the RFP requirements. With approval from the Board of Trustees, the following respondent will be added to the list of approved vendors for this RFP: Easy Way Safety Services. 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, and will remain active for one year thereafter.

**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  
Nikki Elaine Bittings, Deputy Chief Operations Officer  
Perla Romero, Director of Business Services  
Jennifer Raske Martinez, Purchasing Coordinator, CTSBO

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

 Date Submitted: 8/29/2023  
Dr. Matthew Gutierrez, Superintendent  
1221 E. Kingsbury St., Seguin, TX 78155  
(830) 401-8614

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

**RFP #:** 21-01, VEHICLE MAINTENANCE PARTS & SERVICES

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

**ISSUING DEPARTMENT(S):** TRANSPORTATION AND MAINTENANCE

VENDOR	SERVICES PROVIDED	Recommended
Easy Way Safety Services	Bus safety equipment (vests, belts, covers)	<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 Vehicle Maintenance, Parts, And Services (RFP #: 24-01)**

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

**RATIONALE:** A Request for Proposals (RFP#: 24-01) was issued on June 5, 2023 for Vehicle Maintenance, Parts, and Services. The bid was competitively solicited in compliance with Board Policy. Of the one responses received, all met the RFP requirements. With approval from the Board of Trustees, the following respondent will be added to the list of approved vendors for this RFP: Texas Alternator. The list of approved vendors will be 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, 2026, and will remain active for one year thereafter.

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

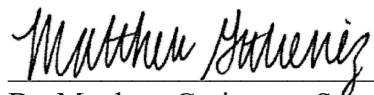
**PAPERWORK IMPACT:** None

**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  
Nikki Elaine Bittings, Deputy Chief Operations Officer  
Perla Romero, Director of Business Services  
Jennifer Raske Martinez, Purchasing Coordinator, CTSBO

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

  
Date Submitted: 8/29/2023  
Dr. Matthew Gutierrez, Superintendent  
1221 E. Kingsbury St., Seguin, TX 78155  
(830) 401-8614

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

**RFP #:** 24-01, VEHICLE MAINTENANCE PARTS & SERVICES

**BID CLOSING DATE:** June 30, 2026

**ISSUING DEPARTMENT(S):** TRANSPORTATION AND MAINTENANCE

VENDOR	SERVICES PROVIDED	Recommended
Texas Alternator	Transportation Parts	<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 three 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: Jones Telepractice Agency, LLC, Emily Diaz, and ElevatED Solutions. The list of previously approved vendors is available on the Bids page of the [District website](#). All approved vendors will continue to qualify under this RFP for the remaining contract term, which will end on June 30, 2023, and will remain active for one year thereafter.

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

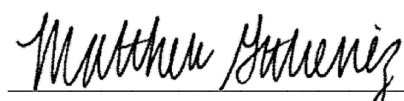
**PAPERWORK IMPACT:** None

**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  
Perla Romero, Director of Business Services  
Halcey Dean, Director of Matador Special Services  
Jennifer Raske 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: 08/29/23

**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
Jones Telepractice Agency	Speech-Language Pathologists, Diagnosticians, Psychologists, Therapists	<b>Y</b>
Emily Diaz, SLP	Speech-Language Therapy Services	<b>Y</b>
ElevatED Solutions	Diagnosticians and Therapists	<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:**                      **Approval of District-Wide Special Education Services (RFP #: 24-05)**

**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#: 24-05) was issued on June 5, 2023 for Special Education Services. The bid was competitively solicited in compliance with Board Policy. Of the four 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: Ntl Recruiting Consultants, Preferred Healthcare Registry, Healthcare Staffing Prof, YES, Inc. The list of approved vendors will be 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, 2026, and will remain active for one year thereafter.

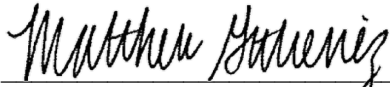
**REFERENCE and COMPLIANCE:**            CH(LEGAL) and CH(LOCAL) Purchasing and Acquisition

**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  
Perla Romero, Director of Business Services  
Halcey Dean, Director of Matador Special Services  
Jennifer Raske Martinez, Purchasing Coordinator, CTSBO

Submitted by:                                                            Date Submitted: 08/29/23  
    (Signature)                              \_\_\_\_\_  
    (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 #:** 24-05, SPED SERVICES  
**BID CLOSING DATE:** JUNE 30, 2026  
**ISSUING DEPARTMENT(S):** SPED

VENDOR	SERVICES PROVIDED	Recommended
National Recruiting Consultants	PT, OT, Speech Therapies and Specialized Therapies	<b>Y</b>
Preferred Healthcare Registry, Inc	SLP, SPED, PT, OT, BT, and Para support	<b>Y</b>
Healthcare Staffing Professionals, Inc	PT, OT, Diag, Psychology, Speech Language, Behavior Analyst, Teachers of Deaf & Hard of Hearig	<b>Y</b>
Yes, Inc	Diagnosticians, Vision, Behavior Analyst, Hearing Impaired	<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:** **Approval of District-Wide Plumbing Systems Maintenance, Equipment, Parts, And Services (RFP #: 24-02)**

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

**RATIONALE:** A Request for Proposals (RFP#: 24-02) was issued on June 5, 2023 for Plumbing Systems Maintenance, Equipment, Parts, and Services. The bid was competitively solicited in compliance with Board Policy. Of the one responses received, all met the RFP requirements. With approval from the Board of Trustees, the following respondent will be added to the list of approved vendors for this RFP: SI Mechanical. The list of approved vendors will be 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, 2026, and will remain active for one year thereafter.

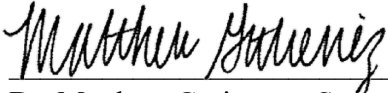
**REFERENCE and COMPLIANCE:** CH(LEGAL) and CH(LOCAL) Purchasing and Acquisition

**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  
Perla Romero, Director of Business Services  
Jennifer Raske Martinez, Purchasing Coordinator, CTSBO

Submitted by: \_\_\_\_\_ Date Submitted: 8/29/23  
(Signature)   
(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 #:** 24-02, PLUMBING

**BID CLOSING DATE:** JUNE 30, 2026

**ISSUING DEPARTMENT(S):** MAINTENANCE

VENDOR	SERVICES PROVIDED	Recommended
SI Mechanical	Plumbing services and supplies	<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 HVAC Systems Maintenance, Equipment, Parts, & Services (RFP #: 24-03)**

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

**RATIONALE:** A Request for Proposals (RFP#: 24-03) was issued on June 5, 2023 for HVAC Systems Maintenance, Equipment, Parts, & 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: SI Mechanical. The list of approved vendors will be 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, 2026, and will remain active for one year thereafter.

**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  
Perla Romero, Director of Business Services  
Jennifer Raske, 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: 08/29/23

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

**RFP #:** 24-03, HVAC

**BID CLOSING DATE:** June 30, 2026

**ISSUING DEPARTMENT(S):** MAINTENANCE

VENDOR	SERVICES PROVIDED	Recommended
SI Mechanical	HVAC services and supplies	<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 Facilities Maintenance, Electrical Equipment, Parts, And Services (RFP #: 24-04)**

**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#: 24-04) was issued on June 5, 2023 for Facilities Maintenance, Electrical Equipment, Parts, and Services. The bid was competitively solicited in compliance with Board Policy. Of the two responses received, all met the RFP requirements. With approval from the Board of Trustees, the following respondents will be added to the list of approved vendors for this RFP: KD Enterprises and Parker's Building Supply. The list of approved vendors will be 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, 2026, and will remain active for one year thereafter.

**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  
Perla Romero, Director of Business Services  
James Pizana, Director of Maintenance and Operations  
Jennifer Raske 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: 08/29/2023

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

**RFP #:** 24-04, FACILITIES & GROUNDS MAINTENANCE, EQUIPMENT, PARTS, AND SERVICES

**BID CLOSING DATE:** JUNE 30, 2026

**ISSUING DEPARTMENT(S):** MAINTENANCE

VENDOR	SERVICES PROVIDED	Recommended
KD Enterprises (The Key Depot)	Locksmith, access control, security systems	<b>Y</b>
Parker's Building Supply	Building supplies	<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 Educational Consulting Services (RFP #: 24-06)**

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

**RATIONALE:** A Request for Proposals (RFP#: 24-06) was issued on June 5, 2023 for Educational Consulting 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: Tagg Time, LLC. The list of approved vendors will be 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, 2026, and will remain active for one year thereafter.

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

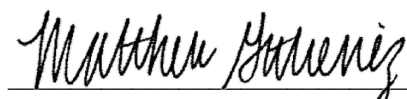
**PAPERWORK IMPACT:** None

**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  
Perla Romero, Director of Business Services  
Pete Silvius, Director of Whole Child Initiatives  
Jennifer Raske 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: 08/29/23

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

**RFP #:** 24-06, ED CONSULTANTS  
**BID CLOSING DATE:** JUNE 30, 2026  
**ISSUING DEPARTMENT(S):** LLI

VENDOR	SERVICES PROVIDED	Recommended
Tagg Time, LLC	Training on new and innovating lessons and activities for Physical Education. Programming was provided by Tim Taggert	<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:** **Consideration and Possible Approval of Purchases Through the Allied States Purchasing Cooperative for a total cost of \$102,300**

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

\*Solution Tree, Inc.: Reference #21-7409 Consulting, Contracted Services, Staff Development, & Related - \$102,300

**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:

\* Solution Tree, Inc will provide a work coach who will support and guide the principal, teacher teams and guiding coalition at SHS.

**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  
Perla Romero, Director of Business Services  
Jennifer Raske Martinez, Purchasing Coordinator, CTSBO

Submitted by:  
(Signature)



Date Submitted: 08/29/23

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

**ACTION ITEM:**

**Consideration and Possible Approval of Purchases Through the BuyBoard Purchasing Cooperative for a total cost of \$248,039**

**RECOMMENDATION:**

The following purchases were made through the BuyBoard Purchasing Cooperative:

- \*Education Advanced Inc: Reference #661-22 Technology Equipment, Products, Services, and Software - \$91,401
- \*Gunn Chevrolet, LTD: Reference #601-19 Vehicles, Heavy-Duty Trucks, Motorcycles, Parts, Service, and Labor - \$57,856
- \*Visual Techniques, Inc: Reference #644-21 Audio Visual Equipment and Supplies - \$98,782

**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:

- \* Education Advanced, Inc offers master schedule building and staffing software. SISD purchased the Cardonex subscription for district usage through the 24-25 school year.
- \*Gunn Chevrolet, LTD offers cars, trucks, and other motor vehicles. SISD purchased a Chevy Truck for district use.
- \*Visual Techniques, Inc offers audio-visual equipment and supplies. Equipment was purchased for Vogel Elementary.

**REFERENCE and COMPLIANCE:**

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

**BUDGET IMPACT / INFORMATION:**

Funds are provided by the General Operating Fund, 2022 Bond Funds, and Title I Funds.

**EXHIBITS:**

None

**RESOURCE PERSONNEL:**

Anthony Hillberg, Chief Financial Officer, CPA, RTSBA  
Perla Romero, Director of Business Services  
Jennifer Raske Martinez, Purchasing Coordinator, CTSBO

Submitted by:  
(Signature)



Date Submitted: 08/29/23

(Name)  
(Address)  
(Telephone)

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

**ACTION ITEM:**

**Consideration and Possible Approval of Purchases Through the Choice Partners Purchasing Cooperative for a total cost of \$247,500**

**RECOMMENDATION:**

The following purchases were made through the Choice Partners Purchasing Cooperative:

\*Panorama Education, Inc: Reference #21-031KN-44 Facility Technology Products and Services - \$72,500

\*MSB School Services: Reference #23/018SG-01 Medicaid Claiming and 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:

\* Panorama Education, Inc offers student, faculty, and project management software for the entire district to support whole-child initiatives.

\* MSB School Services offers School Health and Related Services (SHARS) reimbursement billing services for Matador Special 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:**

Anthony Hillberg, Chief Financial Officer, CPA, RTSBA  
Perla Romero, Director of Business Services  
Jennifer Raske Martinez, Purchasing Coordinator, CTSBO

Submitted by:  
(Signature)



Date Submitted: 08/29/23

(Name)  
(Address)  
(Telephone)

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

**ACTION ITEM:** **Consideration and Possible Approval of Purchases Through the Central Texas Purchasing Alliance (CTPA) Purchasing Cooperative for a total cost of \$107,421**

**RECOMMENDATION:** The following purchases were made through the Central Texas Purchasing Alliance (CTPA) Purchasing Cooperative:  
\*Great Minds PBC: Reference #23R-003TM Books, Textbooks, Publications, Subscriptions, and Audio/Visual Materials - \$107,421

**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:  
\* Great Minds PBC provides Eureka Math textbooks for Kindergarten through 5th grade for elementary campuses.

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

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

**EXHIBITS:** None

**RESOURCE PERSONNEL:** Anthony Hillberg, Chief Financial Officer, CPA, RTSBA  
Perla Romero, Director of Business Services  
Jennifer Raske Martinez, Purchasing Coordinator, CTSBO

Submitted by:  
(Signature)



Date Submitted: 08/29/23

(Name)  
(Address)  
(Telephone)

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

**ACTION ITEM:**

**Consideration and Possible Approval of Purchases Through the DIR Purchasing Cooperative for a total cost of \$470,122**

**RECOMMENDATION:**

The following purchases were made through the DIR Purchasing Cooperative:

\*GTS Technology Solutions, Inc.: Reference #DIR-TSO-3763 Dell Branded Devices - \$285,612; Reference #DIR-TSO-4179 - Google Chrome Management Software, SOS, and Related Services - \$99,755

\*Toshiba Business Solutions, USA: Reference #DIR-TSO-4426 Toshiba Branded Products - \$84,755

**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:

\* GTS Technology Solutions, Inc offers Dell Chromebooks and Google Chrome Licences for district usage.

\*Toshiba Business Solutions, USA provides Toshiba copiers and services for the district.

**REFERENCE and COMPLIANCE:**

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

**BUDGET IMPACT / INFORMATION:**

Funds are provided by the 2022 Bond Fund and General Operating Fund

**EXHIBITS:**

None

**RESOURCE PERSONNEL:**

Anthony Hillberg, Chief Financial Officer, CPA, RTSBA  
Perla Romero, Director of Business Services  
Jennifer Raske Martinez, Purchasing Coordinator, CTSBO

Submitted by:  
(Signature)



Date Submitted: 08/29/23

(Name)  
(Address)  
(Telephone)

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

**ACTION ITEM:** **Consideration and Possible Approval of Purchases Through the Omnia Partners Purchasing Cooperative for a total cost of \$354,574**

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

\*Schneider Electric Buildings: Reference #R220703 Facility  
Technology Integration & Security System Services - \$354,574

**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:

\* Schneider Electric Buildings provides HVAC products and services. HVAC controls were updated for Ball Early Childhood Center, Rodriguez Elementary, and Goldie Harris Gym.

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

**BUDGET IMPACT / INFORMATION:** Funds are provided by the 2022 Bond Fund.

**EXHIBITS:** None

**RESOURCE PERSONNEL:** Anthony Hillberg, Chief Financial Officer, CPA, RTSBA  
Perla Romero, Director of Business Services  
Jennifer Raske Martinez, Purchasing Coordinator, CTSBO

Submitted by:  
(Signature)



Date Submitted: 08/29/23

(Name)  
(Address)  
(Telephone)

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

**ACTION ITEM:** **Consideration and Possible Approval of Purchases Through the Sourcewell Purchasing Cooperative for a total cost of \$191,341**

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

\*Johnson Controls, Inc: Reference #070121-JHN HVAC Systems - \$113,880

\*Tyler Technologies, Inc: Reference #090320-TTI Public Administration Software - \$77,461

**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, Inc provides HVAC products and services. Johnson Controls, Inc will provide Weinert with a HVAC control upgrade.

\*Tyler Technologies, Inc provides business application software. Application service renewal for July 1, 2023, to June 30, 2024.

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

**BUDGET IMPACT / INFORMATION:** Funds are provided by the 2022 Bond Fund and General Operating Fund.

**EXHIBITS:** None

**RESOURCE PERSONNEL:** Anthony Hillberg, Chief Financial Officer, CPA, RTSBA  
Perla Romero, Director of Business Services  
Jennifer Raske Martinez, Purchasing Coordinator, CTSBO

Submitted by:  
(Signature)



Date Submitted: 08/29/23

(Name)  
(Address)  
(Telephone)

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

**ACTION ITEM:**

**Consideration and Possible Approval of Purchases Through the TIPS Purchasing Cooperative for a total cost of \$108,235**

**RECOMMENDATION:**

The following purchases were made through the TIPS Purchasing Cooperative:

\*Zeptive, Inc: Reference #221003 Electronics, Appliances, and Associated Goods and Services - \$57,571

\*BSN Corporation: Reference #210803 Sporting Goods and Exercise Equipment - \$50,664

**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:

\* Zeptive, Inc will provide 54 wireless vape sensing units for the district.

\*BSN Corporation provided weightlifting equipment at AJB Middle School.

**REFERENCE and COMPLIANCE:**

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

**BUDGET IMPACT / INFORMATION:**

Funds are provided by the Title IV Fund and 2019 Bond Fund.

**EXHIBITS:**

None

**RESOURCE PERSONNEL:**

Anthony Hillberg, Chief Financial Officer, CPA, RTSBA  
Perla Romero, Director of Business Services  
Jennifer Raske Martinez, Purchasing Coordinator, CTSBO

Submitted by:  
(Signature)



Date Submitted: 08/29/23

(Name)  
(Address)  
(Telephone)

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

**ACTION ITEM:**

**Extra-Curricular Activity Listing for 2023-2024**

**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:**

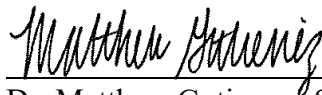
The listing of organizations is attached as an exhibit.

**RESOURCE PERSONNEL:**

Dr. Veronica Vijil, Deputy Superintendent

Submitted by:

(Signature)



Date Submitted: 08/29/23

(Name)

Dr. Matthew Gutierrez, Superintendent

(Address)

1221 E. Kingsbury St., Seguin, TX 78155

(Telephone)

(830) 401-8614

## Extracurricular Organizations Approved for Excused Absences 2023 - 2024

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  
International Thespian Honor Society Troupe 5897 (New for 2023-2024)  
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  
Meet in the Middle (New for 2023-2024)  
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, Matthew Miranda, and Dru Benavides.

**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:**

Dr. Veronica Vijil, Deputy Superintendent  
Cindy Moreno, Chief Human Resources Officer

Submitted by:

(Signature)



Date Submitted: 08/29/23

(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, as well as the approval of the County Extension Agents as Adjunct Faculty of the district. 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 \_\_\_\_\_, 2023.

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

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

**INFORMATION ITEM:** **Information Regarding Seguin ISD's Purchase of a Math Framework and Technical Assistance Through the Strong Foundations Planning Grant Through Bellwether Education Partners, Inc.**

**RECOMMENDATION:** That the Board of Trustees receives information regarding Seguin ISD's purchase of a math framework and technical assistance at a cost of \$140,000.

**RATIONALE:** The Texas Education Agency (TEA) has provided local education agencies (LEAs) with several vetted vendors, such as Bellwether to fulfill the Strong Foundations Planning grant's intention to create a subject-specific instructional framework and vision that aligns with the district's strategic plan. Bellwether provides a mathematics framework and strategic planning support system that meets TEA's approved program requirements.

**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 Strong Foundations Planning grant.

**EXHIBITS:** None

**RESOURCE PERSONNEL:** Andrea Jaramillo, Deputy Chief of Innovation and Learning  
Anthony Hillberg, Chief Financial Officer, CPA, RTSBA  
Perla Romero, Director of Business Services  
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: 08/29/23

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

**RECOMMENDATION:**    The Board of Trustees recognizes and acknowledges the new professional hires for the 2023 – 2024 school year and the resignations listed below.

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

Name	Campus	Effective
Cawley, Rebecca	Seguin High School	8/2/2023
Garza, Elissa	AJB Middle School	8/2/2023
Klaerner, Kara	Barnes Middle School	8/2/2023
Lindsey, Kelsey	Jefferson Elementary	8/2/2023
Marrou, Megan	Barnes Middle School	8/2/2023
* Ray, Shelly	Ball Early Childhood	7/31/2023
* Rodriguez, Sara	Seguin High School	8/2/2023
* Terry, Jennifer	Matador Special Services	8/2/2023

\* Returning Seguin ISD employee

**BOARD’S  
ACKNOWLEDGEMENT  
RESIGNATIONS:**

**Burkhalter, Zachary, Seguin High School, effective 8/2/2023**

Mr. Burkhalter, English Teacher, has resigned due to personal reasons.

Mr. Burkhalter has 1 year with Seguin ISD.

**Cain, Clifford, Seguin High School, effective 7/13/2023**

Mr. Cain, Special Education Teacher, has resigned to accept an administration position.

Mr. Cain has 1 year with Seguin ISD.

**Chapa, Vanessa, Seguin High School, effective 6/27/2023**

Ms. Chapa, Chemistry Teacher, has resigned to accept a position with a new school district.

Ms. Chapa has 1 year with Seguin ISD.

**Diaz, James, Student Services, effective 7/11/2023**

Dr. Diaz, Support Specialist, has resigned due to personal reasons.

Dr. Diaz has 8 years with Seguin ISD.

**Garcia, Ramiro, AJB Middle School, effective 8/18/2023**

Mr. Garcia, Social Studies Teacher, has resigned and elected to retire.  
Mr. Garcia has 13 days with Seguin ISD.

**Martinez, Andrea, Barnes Middle School, effective 8/1/2023**

Ms. Martinez, Special Education Teacher, has resigned to pursue a new career path.

Ms. Martinez has 10 years with Seguin ISD.

**Perales, Maria, Koennecke Elementary, effective 7/27/2023**

Ms. Perales, Assistant Principal, has resigned due to personal reasons.  
Ms. Perales had 3 days with Seguin ISD.

**Shirley, Kylee, Seguin High School, effective 7/26/2023**

Ms. Shirley, Credit Recovery Teacher, has resigned due to certification requirements.

Ms. Shirley has 1 year with Seguin ISD.

**Wheeler, Samantha, Koennecke Elementary, effective 7/11/2023**

Ms. Wheeler, Teacher, has resigned due to certification requirements,  
Ms. Wheeler has 1 year with Seguin ISD.

**RATIONALE:**

Strategic Priority 4: Creating a Thriving Learning Community.

**REFERENCE and COMPLIANCE:**

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

**BUDGET IMPACT/ INFORMATION:**

None

**PAPERWORK IMPACT:**

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

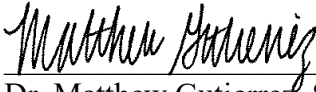
**EXHIBITS:**

Information Sheet

**RESOURCE PERSONNEL:**

Cynthia Moreno, Chief Human Resource Officer

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

  
Date Submitted: 08/29/23  
Dr. Matthew Gutierrez, Superintendent  
1221 E. Kingsbury St., Seguin, TX 78155  
(830) 401-8614

**INFORMATION ITEM:** **Acknowledge Public Information Act Requests July-August 2023**

**RECOMMENDATION:** That the Board of Trustees acknowledge Public Information Act requests received since July 6, 2023.

**RATIONALE:** The purpose of this agenda item is to keep trustees apprised of the District's Public Information program.

**REFERENCE and COMPLIANCE:** GB (LEGAL) Public Information Program

**PAPERWORK IMPACT:** None

**BUDGET IMPACT/ INFORMATION:** None

**EXHIBITS:** July 6-Aug. 16, 2023 Public Information Act request roster

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

Submitted by: Matthew Gutierrez Date Submitted: 08/29/23  
(Signature) \_\_\_\_\_  
(Name) Dr. Matthew Gutierrez, Superintendent  
(Address) 1221 E. Kingsbury St., Seguin, TX 78155  
(Telephone) (830) 401-8614

<b>Seguin ISD PIA requests received from July -Aug. 16, 2023</b>				
<b><u>Date</u></b>	<b><u>Requester</u></b>	<b><u>Requested documents</u></b>	<b><u>Status</u></b>	<b><u>Action</u></b>
003 070623	Brian Dunn, Sprinkler Fitters Union No. 669	Wage determination and certified payroll records for all work performed by Security Fire Systems at Briesemeister Middle School.	Complete	Document provided
001 070723	Tim Lee, Texas Retired Teachers Association	Names and mailing addresses of Seguin ISD 2022-23 retirees.	Complete	Document provided
002 071223	Raymond Kizer, Texas Workforce Commission	Employee directory information	Complete	Document provided
004 071823	Austin Green, Marine Corps	Class of 2022-24 directory information	Completed	Documents provided
005 080423	Milan Zivkovic, Jatheon	Email archiving product information	Completed	Response provided
005 080823	Shannon Wilson, Virtual Builders Exchange	Name of contractor for bid 21-02 June 30, 2023.	Completed	Document provided
006 081123	Katlyn Stuhaa, Teacher Retirement Group	Teacher list: name, service years, salary, email, location, grade, phone	In progress	
007 081423	Jennifer Spencer	SHS master schedules for 2018-2024	In progress	

**ACTION ITEM:** **CONSIDERATION AND POSSIBLE APPROVAL OF  
MEMORANDUM OF UNDERSTANDING (MOU) WITH TEXAS  
WORKFORCE HOUSING FOUNDATION TO SUPPORT  
WORKFORCE HOUSING FOR SEGUIN ISD EMPLOYEES**

**RECOMMENDATION:** That the Board of Trustees delegate authority to the Superintendent to possibly execute the Memorandum of Understanding (MOU) with Texas Workforce Housing Foundation.

**RATIONALE:** This partnership with the Texas Workforce Housing Foundation will provide high quality housing options for District personnel that is affordable relative to their wages and located within District boundaries. Through this partnership, Texas Essential Housing will facilitate subsidized rent rates at a local apartment complex specifically designated for our staff members.

**REFERENCE and  
COMPLIANCE:**


**PAPERWORK IMPACT:** None

**BUDGET IMPACT /  
INFORMATION:** The Memorandum of Understanding will not result in any cost to the District.

**EXHIBITS:** Memorandum of Understanding

**RESOURCE PERSONNEL:** Anthony Hillberg, Chief Financial Officer, CPA, RTSBA  
Perla Romero, Director of Business Services

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

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

Date Submitted: 08/29/23

# Texas Workforce Housing Foundation

Presented to Seguin Independent School District

Adam Harden  
[aharden@chmlp.com](mailto:aharden@chmlp.com)  
M: 469-688-4336

# Seguin ISD

## What is Texas Workforce Housing Foundation:

- The Texas Workforce Housing Foundation (the “Foundation”) is a Texas nonprofit corporation created for the purposes of providing economic development, education, and workforce housing opportunities for Texas residents.
- Workforce housing is generally aimed at individuals and families earning somewhere between 60% and 80% of the Area Median Income, which for the District’s metropolitan statistical area is \$88,600.00 for the current year, so between \$53,160 and \$70,880 per year.

# Seguin ISD

## The Foundation's Purpose:

- The Foundation was created in part to support economic development, education, and workforce housing for Texas residents.
- On November 3, 2022, the Board of Directors of the Foundation adopted a resolution to develop a workforce housing strategy to partner with and support Texas independent school districts and to exercise certain of its powers for the advancement of and for the benefit of such districts' interests, including authorization to provide financial benefits and other incentives from the Foundation to personnel of the District.

# Seguin ISD

## The Affordability Fund:

- The Foundation proposes to create an Affordability Fund to be accessed by District personnel that wish to live at a Development.
- An initial upfront contribution of \$250,000 shall be made to the Affordability Fund for every workforce housing multifamily project located within Seguin ISD, both now and in the future.
- An ongoing annual contribution of \$50,000 shall be made to the Affordability Fund for every workforce housing multifamily project located within Seguin ISD, both now and in the future.
- The Affordability Fund can be accessed by District personnel and used to subsidize rental payments, to pay moving expenses, to pay security deposits, and for downpayment assistance for District personnel who choose to move out of the workforce housing multifamily project and purchase their first or next home.

# Seguin ISD

## Additional Benefits:

- The Foundation will provide priority access to District personnel to preview units that are coming available soon and to submit applications prior to those units being marketed to the general public.
- The Foundation will work to identify and provide additional opportunities in targeted areas of interest to the District.
- The Foundation will own, operate, finance, maintain, repair, and rehabilitate the workforce housing multifamily projects with no financial assistance or any other obligations, financial or otherwise, from the District to the Foundation or the multifamily developments.

# Seguin ISD

## Example of Benefits Delivered:

- Actual Rent for a 1-Bedroom Apartment at Legends Lakeline starts at \$1,295.00 and actual rent for a 2-Bedroom Apartment at Legends Lakeline starts at \$1,829.00.
- Due to an agreement in place between the Foundation and the asset manager, there are maximum rents that can be charged for certain of the units and a specific number must be reserved for families making no more than 30% of area median income and families making no more than 60% of area median income.

Legends Lakeline - Actual Rents and Actual Rent Savings			
	Market Rent (Minimum)	30% AMI Units (Maximum Rent)	60% AMI Units (Maximum Rent)
1-Bedroom	\$1,295.00 In-Place Rent	\$621.00, or \$674.00/Mo. Savings	\$1,242.00, or \$43.00/Mo. Savings
2-Bedroom	\$1,829.00 In-Place Rent	\$744.00, or \$1,085.00/Mo. Savings	\$1,489.00, or \$340.00/Mo. Savings

- Note that these benefits are delivered before District personnel even access the Affordability Fund to further subsidize rents.

# Seguin ISD

## Arboretum Oaks – Sample Portfolio Project in Austin ISD



# Seguin ISD

## Timber Creek – Sample Portfolio Project in Austin ISD



# Seguin ISD

## Centro Apartments – Sample Portfolio Project in Austin ISD



# Seguin ISD

## Legends Lakeline – Sample Portfolio Project in Round Rock ISD



# Seguin ISD

## Legends Lake Creek – Sample Portfolio Project in Round Rock ISD



# Seguin ISD

## Lakeside at La Frontera – Sample Portfolio Project in Round Rock ISD



# **MEMORANDUM OF UNDERSTANDING (MOU) WITH TEXAS WORKFORCE HOUSING FOUNDATION TO SUPPORT WORKFORCE HOUSING FOR SEGUIN ISD EMPLOYEE**

## **PRESENTER:**

Tony Hillberg, Chief Financial Officer

## **ADMINISTRATIVE CONSIDERATIONS:**

Seguin ISD is focused on the significance of recruiting and retaining talent as a critical component to improving outcomes for students. This partnership with the Texas Workforce Housing Foundation will help us in these efforts as it will provide high quality housing options for District personnel that is affordable relative to their wages and located within District boundaries. We are excited about this intentional effort to improve the Seguin ISD employee experience by providing more opportunities for our teachers and staff to live in the communities they serve.

The Memorandum of Understanding will not result in any cost to the District.

## **BACKGROUND INFORMATION:**

The Texas Workforce Housing Foundation is a Texas nonprofit corporation dedicated to providing workforce housing that has declared a desire to assist in the provision of safe and sanitary workforce housing available to the District's workforce at multifamily residential developments previously acquired or (to the extent expressly approved by the District) additional multifamily residential developments to be developed or acquired by the Foundation, after the date of this Memorandum of Understanding, within the boundaries of the District at rent levels that its personnel can afford.

The Foundation shall be authorized to own, operate, construct, develop, and acquire Developments within the territorial boundaries of the District and shall be authorized and agrees to operate and manage such Developments in part for the benefit of District personnel residing in the District. The District will not be required to own the Developments or be obligated to provide any services in connection therewith.

The Foundation shall be solely responsible for any and all acquisition costs, development costs, rehabilitation costs, repairing, maintaining and financing for the developments and the District shall have no obligations whatsoever to the Foundation, including, but not limited to, procuring tenants, repayment of any debt incurred in relation to the Developments, collecting rents or deposits, communications with District personnel, maintaining the affordability fund, or any other responsibility, act, or omission of an act.

The Foundation agrees that it will provide upfront payments into the Affordability Fund of at least \$250,000.00 for each Development and ongoing annual payments of at least \$50,000.00 for each Development to be used by the Foundation exclusively to provide financial benefits to District personnel that live at the Developments. The Upfront Payments will be made by the Foundation within 45 days of the adoption of the MOU, and the ongoing payments will be made by the Foundation with respect to each Development on or before Anniversary Date of each subsequent year that the Foundation owns the Development. The District shall not be responsible for management or operation of the Affordability Fund.

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Seguin ISD Superintendent

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Texas Workforce Housing Foundation

**ACTION ITEM:**

**Consider and Take Possible Action to Adopt Resolution Regarding Texas Education Code Section 37.0814**

**RECOMMENDATION:**

That the Board of Trustees of the Seguin Independent School District adopt a resolution pursuant to Texas Education Code 37.0814(c), to provide armed security officers at each campus during regular school hours, and to establish a good cause exemption and alternative standards for safe and secure campuses.

**RATIONALE:**

The 88th Texas Legislature passed House Bill 3 addressing school safety and security to include amending the Texas Education code by adding Section 37.0814, effective September 1, 2023, requiring the board of trustees to determine the appropriate number of armed security officers for each district campus.

**REFERENCE and COMPLIANCE:**

TEC SECTION 37.0814

**PAPERWORK IMPACT:**

None

**BUDGET IMPACT INFORMATION:**

None

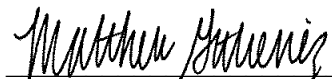
**EXHIBITS:**

Resolution

**RESOURCE PERSONNEL:**

Nikki Elaine Bittings, Chief Student Services Officer

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

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

Date Submitted: 08/29/23



# Board Meeting Action Item: Resolution

Seguin ISD



# **Consider and Take Possible Action to Adopt Resolution Regarding Texas Education Code Section 37.0814**

- Seguin ISD and the Board of Trustees are committed to the safety and security of all students and staff.
- Texas Education Code 37.0814 requires an armed security officer at each campus during regular school hours, and each armed security officer must be a school district peace officer, school resource officer, or commissioned peace officer employed as security (referred to collectively as, “commissioned peace officer”)
- Consider and take possible action to Adopt a resolution for a good cause exception for District’s that are not able to provide a commissioned officer at every campus during regular school hours due to the availability of funding or lack of qualified commissioned peace officers, and thus allows school districts to develop an alternative standard for compliance.
- Alternative Standard could be the combination of Seguin PD, Guadalupe County Sheriff’s, Private Security Firms, Guardian/Marshal program.

**RESOLUTION OF THE  
SEGUIN INDEPENDENT SCHOOL DISTRICT  
BOARD OF TRUSTEES**

**WHEREAS**, the Board of Trustees of the Seguin Independent School District (“Seguin ISD” or “District”) is committed to the safety and security of all students and staff at Seguin ISD; and

**WHEREAS**, the 88<sup>th</sup> Texas Legislature passed House Bill 3 addressing school safety and security to include amending the Texas Education Code by adding Section 37.0814, effective September 1, 2023, requiring the board of trustees of a public school district to determine the appropriate number of armed security officers for each district campus; and

**WHEREAS**, Texas Education Code 37.0814 requires an armed security officer at each campus during regular school hours, and each armed security officer must be a school district peace officer, school resource officer, or commissioned peace officer employed as security (referred to collectively as, “commissioned peace officer”); and

**WHEREAS**, Texas Education Code 37.0814(c) provides a good cause exception for District’s that are not able to provide a commissioned officer at every campus during regular school hours due to the availability of funding or lack of qualified commissioned peace officers, and thus allows school districts to develop an alternative standard for compliance; and

**WHEREAS**, the Board of Trustees has determined that the District qualifies for the good cause exceptions, due to lack of budgetary funding for additional/qualified armed security officers, and due to the shortage of available commissioned peace officers in the District’s geographical area; and

**WHEREAS**, the Board of Trustees has contracted with the City of Seguin and plans to enter into a MOU with the City to provide for off duty peace officers to serve as Armed Security Officers (“ASOs”) to report daily to the District. However, there are not sufficient peace officers available, to comply with the requirements of Texas Education Code 37.0814(c) to employ an ASO at each campus; therefore, the District has developed an alternative as outlined in Texas Education Code 37.0814(c), to provide for the safety and security of students and staff,

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Trustees of the Seguin Independent School District has determined, pursuant to Texas Education Code 37.0814(c), that the District qualifies for the good cause exception to providing armed security officers at each campus during regular school hours, and has developed a suitable alternative for providing safe and secure campuses by contracting with the City of Seguin and planning to enter into a MOU with the City to provide for off duty peace officers to serve as Armed Security Officers (“ASOs”) to report daily to the District. These peace officers will be

assigned to patrol multiple campuses to the extent necessary and as feasibly possible. In addition, since there are not sufficient peace officers available, the District will also consider authorizing the Marshal Program, Guardian Program and also hiring additional armed security guards through a private contractor to patrol campuses and District buildings as much as possible and to the extent feasible. Some campuses may share armed security officers and/or School Marshals/Guardians, if they are in close proximity to each other and subject to availability. These additional guards/School Marshals/Guardians will be trained by a qualified handgun instructor certified in school safety under Section 411.1901 of the Texas Government Code.

**BE IT FURTHER RESOLVED**, the Board of Trustees hereby finds that the District in determining this good cause exception and establishing the alternative standard is in compliance with Texas Education Code 37.0814; and

**BE IT FURTHER RESOLVED**, that a copy of this Resolution be placed in the meeting Minutes of the Seguin ISD Board of Trustees; and .

**BE IT FURTHER RESOLVED**, that the Superintendent shall take all actions necessary and appropriate to implement this Resolution in compliance with State and Federal law and District policies, in consultation with the Board of Trustees and to ensure that documentation is maintained related to the district's implementation of and compliance with these laws, including documentation related to the good cause exception and to provide said documentation to the Texas Education Agency if required.

**CERTIFICATE FOR RESOLUTION**

I hereby certify that the foregoing Resolution was presented to the Board of Trustees of the Seguin Independent School District during a lawfully called meeting on August 29, 2023. A quorum of the Board being then present, a motion was made to accept the Resolution and seconded, such Resolution was then adopted according to the following vote:

Ayes: \_\_\_\_\_  
Noes: \_\_\_\_\_

Abstentions \_\_\_\_\_

\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

**ACTION ITEM:** **Consideration and Approval of School Health Advisory Council (SHAC) Annual Report, SHAC Goals and Committee Members**

**RECOMMENDATION:** Recommended that the Board of Trustees approve the annual SHAC report and appoint the SHAC membership roster.

**RATIONALE:** Texas Education Code Chapter 28, Section 28.004 requires school boards to appoint a minimum of 5 members to the School Health Advisory Council. The majority of the members appointed must be Seguin ISD parents who are not employed by the district. One appointed member must serve as the chair or co-chair of the council.

In addition, the board of trustees is required to receive annually a written report on SHAC recommendations and activities for the past year.


**REFERENCE and COMPLIANCE:** EHAA (LEGAL)- Basic Instructional program: Required Instruction (All Levels)

**PAPERWORK IMPACT:** Routine paperwork is required to update the district website.

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

**EXHIBITS:** Exhibit 1- 2022-2023 SHAC Annual Report  
Exhibit 2- SHAC membership roster

**RESOURCE PERSONNEL:** Pete Silvius, Director of Whole Child Initiatives

Submitted by:  Date Submitted: 08/29/23  
(Signature) \_\_\_\_\_  
(Name) Dr. Matthew Gutierrez, Superintendent  
(Address) 1221 E. Kingsbury St., Seguin, TX 78155  
(Telephone) (830) 401-8614

# CONSIDERATION AND APPROVAL OF SCHOOL HEALTH ADVISORY COUNCIL ANNUAL REPORT, SHAC GOALS AND COMMITTEE MEMBERS



*August 29, 2023*

# RATIONALE

- Texas Education Code Chapter 28, Section 28.004 requires school boards to appoint a minimum of 5 members to the School Health Advisory Council.
- The majority of the members appointed must be Seguin ISD parents who are not employed by the district.
- One appointed member must serve as the chair or co-chair of the council.
- In addition, the board of trustees is required to receive annually a written report on SHAC recommendations and activities for the past year.

**2023-2024 SISD School Health Advisory Council Members  
recommended for appointment:**

<u>Name</u>	<u>Position</u>	<u>Representation</u>
Mark Dibble	Chair	Parent
Sandie Balderas	Member	Parent
Lidia Cardenas	Member (new)	Parent
Cecily Dwyer	Member	Parent
Trixie Ferguson	Member (new)	Parent
Ingrid Moreno Gutierrez	Member (new)	Parent
Ken Heebner	Member	Parent
Melina Leon	Member (new)	Parent
Leticia L. Machado	Member (new)	Parent
Nimbe Nunez	Member (new)	Parent
Angela Sjolander	Member	Parent
Edith Zeisloft	Member	Parent
Sarah Anderson	Member	Community
Veronica Blair	Member	Community
Katarina Eberhard	Member	Community
Michele Meehan	Member	Community
James Randell	Member (new)	Community
Rebecca Schroeder	Member	Community
Kara Hall	Member (new)	Staff

**Non-voting SISD advisory members:**

Pete Silvius	Facilitator	Staff
Jacob Galvan	Advisory	Staff

# 2023 - 2024 SHAC Member Roster

**Seguin ISD  
School Health Advisory Council  
2022-2023 Annual Report**

The Seguin ISD SHAC Chair- Mark Dibble.

**Ongoing SHAC goals-**

- 1.) Promote student nutrition
- 2.) Increase opportunities and access to physical activity for all students, staff and community.
- 3.) Increase parental/community involvement to include support of coordinated school health and the SHAC.
- 4.) Educate the whole child with health and wellness at the center of academic achievement.

**Notable achievements of 2022-2023**

**SHAC supports the efforts of the Child Nutrition Department-**

The SHAC continued to provide support to the efforts of the Child Nutrition Department, offering input related to menus and operations.

(SHAC Goal 1, 3, 4)

## **SHAC reviewed and provided a recommendation on instructional materials-**

In compliance with HB 1525 and SB 9 the Seguin ISD Board of Trustees passed a Resolution on June 28<sup>th</sup> 2022 directing the SHAC to review and provide a recommendation for adoption of instructional materials regarding the prevention of child abuse, family violence, dating violence, sex trafficking and human sexuality.

The SHAC reviewed potential programs and instructional materials and provided two public meetings for discussion and community input.

The SHAC recommended the following programs for adoption:

- Child Safety Matters K-5
- Teen Safety Matters 6<sup>th</sup>-12<sup>th</sup>
- RadKIDS K-5
- Living Well Aware 6<sup>th</sup>
- SHARE (Sexual Health and Relationship Education) 9<sup>th</sup>

(SHAC Goal 3, 4)

## **SHAC membership**

The SHAC welcomed a few new members and looks forward to their continued participation.

(SHAC Goal 3)

**Seguin ISD  
School Health Advisory Council  
2022-2023 Annual Report**

The Seguin ISD SHAC Chair- Mark Dibble.

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Katarina Eberhard	Member	Community
Michele Meehan	Member	Community
James Randell	Member (new)	Community
Rebecca Schroeder	Member	Community
Kara Hall	Member (new)	Staff
Bethany Polk	Member (new)	Staff
Jacob Galvan	Non-Voting Advisor	Staff
Pete Silvius	Non-Voting Facilitator	Staff

**ACTION ITEM:**                    **2023–2024 Student Code of Conduct**

**RECOMMENDATION:**        Recommend that the Board of Trustees approve revisions to the Student Code of Conduct for the 2023 - 2024 school year.

**RATIONALE:**                    Administrative staff along with the District Educational Improvement Council (DEIC), as presented on August 7, 2023, recommends no changes from 2022-2023 school year.

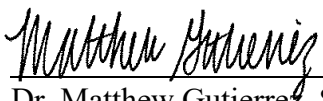
**REFERENCE and COMPLIANCE:**        TEC §11.252(a)(3)(E); §37.001(a); FO (LEGAL; LOCAL) Student Discipline

**PAPERWORK IMPACT:**                    None

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

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

**RESOURCE PERSONNEL:**                    Dr. Veronica Vijil, Deputy Superintendent

Submitted by:                                        Date Submitted: 08/29/23  
(Signature)                    Dr. Matthew Gutierrez, Superintendent  
(Name)                    1221 E. Kingsbury St., Seguin, TX 78155  
(Address)                    (830) 401-8614  
(Telephone)



# Board Meeting Agenda Item: Student Code of Conduct

Seguin ISD



...

# Minimal Changes

- campus behavior coordinator = CBC;
- school resource officer = SRO

...

Reminder  
(not new  
or  
changed)

## Possession of Telecommunications or Other Electronic Devices

- Students shall not use a telecommunication device, including a cellular telephone, or other electronic device in violation of district and campus rules.



# DAEP at Capacity

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

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



# “Harassment”

(Additions to  
definition)

...3d. Causing the telephone of another to ring repeatedly or making repeated telephone communications anonymously or in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another;

e. Making a telephone call and intentionally failing to hang up or disengage the connection;

f. Knowingly permitting a telephone under the person’s control to be used by another to commit an offense under this section

# SEGUIN ISD STUDENT CODE OF CONDUCT

202~~23~~ – 202~~34~~ School Year

The SISD Board of Trustees adopted the following *Student Code of Conduct* (the *Code*) at a meeting held August ~~23, 2022~~.

## 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 of Conduct”), ~~is the district’s response to the requirements of as required by~~ Chapter 37 of the Texas Education Code, provides methods and options for managing student behavior, preventing and intervening in student discipline problems, and imposing discipline.

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

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

In accordance with state law, the Code of Conduct shall be posted at each school campus or shall be available for review at the campus principal’s office. Additionally, the Code of Conduct shall be available at the campus behavior coordinator’s office and posted on the district’s website. Parents shall be notified of any conduct violation that may result in a student being suspended, placed in a DAEP, 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 of Conduct and the Student Handbook, the Code of Conduct shall prevail.

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

## School District Authority and Jurisdiction

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

The district has disciplinary authority over a student:

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

## Campus Behavior Coordinator

As required by law, a person at each campus must be designated to serve as the campus behavior coordinator ([CBC](#)). The designated person may be the principal or any other campus administrator selected by the principal. The [CBC 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 [CBC 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 [CBC campus behavior coordinator](#) or other appropriate administrator will work closely with the campus threat assessment [and](#) safe and supportive school team to implement the district's threat assessment policy and procedures, as required by law, and shall take appropriate disciplinary action in accordance with the Code [of Conduct](#).

## Searches

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

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

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

### **Reporting Crimes**

The principal or ~~CBC 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, t~~The board ~~utilizes~~ employs security personnel ~~to ensure the security and protection of students, staff, and property.~~ In accordance with law, the board has coordinated with the ~~CBC campus-behavior-coordinator~~ and other district employees to ensure appropriate law enforcement duties are assigned to ~~these persons~~ security staff. ~~Provisions addressing the various types of security personnel can be found in the CKE policy series. 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 of Conduct.

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

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

The valedictorian and salutatorian may also have speaking 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 [calendar](#) days, unless the complaint is resolved before a board hearing.

See **DAEP – Restrictions During Placement** on page [127](#) 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 [121](#), **DAEP Placement** on page [123](#), **Placement and/or Expulsion for Certain Offenses** on page [129](#), and **Expulsion** on page [131](#), 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 [120](#).

### 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~~ [in](#) 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 [129](#).)
- 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 129)
- 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 129.)
- 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~~ unless it is for an approved use; or
- Any articles not generally considered to be weapons, including school supplies, when the

principal or designee determines that a danger exists.

\*For weapons and firearms, see **DAEP - Placement and/or Expulsion for Certain Offenses** on page 129. 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 123 and **Expulsion** on page 131 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 [of Conduct](#). These rules may be posted in classrooms or given to the student and may or may not constitute violations of the Code [of Conduct](#).

## Discipline Management Techniques

Discipline shall be designed to improve conduct and 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 [Admission, Review and Dismissal \(ARD\)](#) committee meeting has been held to review the conduct.

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

### Techniques

The following discipline management techniques may be used alone, in combination, or as part of progressive interventions for behavior prohibited by the ~~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 ([ISS](#)).
- Assignment of school duties such as cleaning or picking up litter.
- Withdrawal of privileges, such as participation in extracurricular activities, eligibility for seeking and holding honorary offices, or membership in school-sponsored clubs and organizations.

- 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 121.
- Placement in a DAEP, as specified in the **DAEP** on page 123.
- Explosion and/or placement in an alternative educational setting, as specified in the **Placement and/or Expulsion for Certain Offenses** on page 129.
- Expulsion, as specified in the **Expulsion** on page 131.
- 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 [CBC 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 [CBC 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 ~~CBC campus behavior coordinator~~ shall send written notification by U.S. Mail. If the ~~CBC 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 ~~CBC 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 ~~CBC 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 ~~CBC campus behavior coordinator~~'s office to maintain effective discipline on the bus. The principal or ~~CBC 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 ~~(CBC) 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 ~~CBC campus behavior coordinator~~'s office as a discipline management technique. The ~~CBC 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 of Conduct 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 [CBC 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 [CBC 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 [CBC campus behavior coordinator](#) or other administrator may place the student in:

- Another appropriate classroom.
- [ISS 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 [of Conduct](#) as a general conduct violation, DAEP offense, or expellable offense.

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

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

- Conduct that contains the elements of a weapons offense, as provided in Penal Code 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 CBC 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 CBC 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 CBC 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 [ISS 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 [CBC 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 [of Conduct](#).

#### ***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 ~~CBC 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 131.) (See **glossary** for “under the~~

~~influence” “controlled substance,” and “dangerous drug.”~~) (School-related felony drug offenses are addressed in Expulsion on page 56.) (See glossary for “under the influence”, “controlled substance,” and “dangerous drug.”)

- ~~Sells, gives, or delivers to another person, or possesses, uses, or is under the influence of marijuana or THC. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision. (School-related felony drug offenses are addressed in Expulsion on page 131.) (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 131.)~~
- Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
- ~~Sells, gives, or delivers to another person or possesses or uses an e-cigarette.~~
- Behaves in a manner that contains the elements of the offense of public lewdness or indecent exposure. (See **glossary**)
- Engages in conduct that contains the elements of an offense of harassment against an employee under Penal Code 42.07(a)(1), (2), (3), or (7).
- Engages in expellable conduct and is **between** six **to** **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 131.)
- Engages in conduct punishable as aggravated robbery or a felony listed under Title 5 (see **glossary**) of the Penal Code when the conduct occurs off school property and not at a school-sponsored or school-related event and:
  1. The student receives deferred prosecution (see **glossary**),
  2. A court or jury finds that the student has engaged in delinquent conduct (see **glossary**), or
  3. The superintendent or designee has a reasonable belief (see **glossary**) that the student engaged in the conduct.

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

A student shall be transferred to another campus if:

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

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

### **Process**

Removals to a DAEP shall be made by the ~~CBC campus behavior coordinator~~.

### **Conference**

When a student is removed from class for a DAEP offense, the ~~CBC 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 CBC ~~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 CBC ~~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 CBC ~~campus behavior coordinator~~ shall write a placement order. A copy of the DAEP placement order and information for the parent or person standing in parental relation to the student regarding the process for requesting a full individual and initial evaluation of the student for purposes of special education services shall be sent to the student and the student's parent.

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

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

### ***DAEP at Capacity***

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

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

DAEP before the expiration of the period of the placement for the student removed, the student shall be returned to a DAEP for the remainder of the period.

### **Coursework Notice**

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

### **Length of Placement**

The ~~CBC 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 ~~CBC 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 of Conduct.

### **Exceeds 60 Days**

For placement in a DAEP to extend beyond 60 days or the end of the next grading period, whichever is sooner, a student's parent shall be given notice and the opportunity to participate in a proceeding before the board'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, [CBC campus behavior coordinator](#)'s office, the central administration office or through Policy [Online On-Line](#) at the following address: <http://pol.tasb.org/Home/Index/550>.

Appeals shall begin at Level One with the [CBC 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 [CBC 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 [CBC 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 [of Conduct](#) in a way that requires or permits the student to be placed in a DAEP and the student withdraws from the district before a placement order is completed, the [CBC 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 [CBC 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 is seriously interferes with classroom or school operations, the student shall be given oral notice of the reason for the action. Not later than the tenth day after the date of the placement, the student shall be given the appropriate conference required for assignment to a DAEP.

### **Transition Services**

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

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

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

### **Registered Sex Offenders**

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

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

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

1. Threatens the safety of other students or teachers,
2. Will be detrimental to the educational process, or
3. Is not in the best 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 [DAEP](#) placement or expulsion is required or permitted by one of the reasons in the DAEP Placement or Expulsion sections, in accordance with Education Code 37.0081, a student may be expelled and placed in either DAEP or JJAEP if the board or [CBC 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](#):

- ~~Have r~~Received deferred prosecution for conduct defined as aggravated robbery or a Title 5 felony offense;
- ~~Have b~~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 b~~Been charged with engaging in conduct defined as aggravated robbery or a Title 5 felony offense;
- ~~Have b~~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 r~~Received probation or deferred adjudication or have been arrested for, charged with, or convicted of aggravated robbery or a Title 5 felony offense.

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

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

### **Hearing and Required Findings**

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

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

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

### **Length of Placement**

The student is subject to the placement until:

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

### **Placement Review**

A student placed in a DAEP or JJAEP under this section is entitled to a review of his or her status, including academic status, by the [CBC 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 ~~CBC 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 [123](#).)

### ***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~~ controlled substance or dangerous drug offenses, not including THC.
- Unlawfully carrying on or about the student's person a handgun or a location-restricted knife, as these terms are defined by state law. (See **glossary**.)
- Possessing, manufacturing, transporting, repairing, or selling a prohibited weapon, as defined by state law. (See **glossary**.)
- Possession of a firearm, as defined by federal law. (See **glossary**.)

### ***Property of Another District***

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

### ***While in DAEP***

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

1. Deliberate violent behavior that poses a direct threat to the health or safety of others;
2. Extortion, meaning the gaining of money or other property by force or threat;
3. Conduct that constitutes coercion, as defined by ~~Section~~ Penal Code 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, ~~or 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~~ Ten**

When a student under the age of ten engages in behavior that is expellable behavior, the student shall not be expelled, but shall be placed in a DAEP. A student under age ~~6~~ six shall not be placed in a DAEP unless the student commits a federal firearm offense.

### **Process**

If a student is believed to have committed an expellable offense, the ~~CBC 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 ~~CBC campus behavior coordinator~~ or other administrator may place the student in:

- Another appropriate classroom
- ~~ISS 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 ~~CBC 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 **CBC 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 **CBC 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~~ shall reduce the period of the expulsion or DAEP placement so that the entire period does not exceed one year, unless after a review it is determined that:

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

## **Emergency Expulsion Procedures**

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

## **DAEP Placement of Expelled Students**

The district may provide educational services to any expelled student in a DAEP; however, educational services in the DAEP must be provided if the student is less than ~~10~~ ten years of age.

## **Transition Services**

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

## GLOSSARY

The glossary provides legal definitions and locally established definitions, and It is intended to assist in understanding help the user understand 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 as any explosive or incendiary bomb, grenade, rocket, or mine and its delivery mechanism that is designed, made, or adapted for the purpose of inflicting serious bodily injury, death, or substantial property damage, or for the principal purpose of causing such a loud report as to cause undue public alarm or terror.

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

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

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

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

Such term does not include an antique firearm.

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

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

**Harassment** includes:

1. Conduct that meets the definition established in district policies [DIA\(LOCAL\)](#) and [FFH\(LOCAL\)](#);
2. Conduct that threatens to cause harm or bodily injury to another person, including a district student, employee, board member, or volunteer; is sexually intimidating, causes physical damage to the property of another student, subjects another student to physical confinement or restraint, or maliciously and substantially harms another student's physical or emotional health or safety, as defined in 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. Causing the telephone of another to ring repeatedly or making repeated telephone communications anonymously or in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another;
  - e. Making a telephone call and intentionally failing to hang up or disengage the connection;
  - f. Knowingly permitting a telephone under the person's control to be used by another to commit an offense under this section;
  - dg. Sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another; **and**
  - eh. Publishing on an internet website, including a social media platform, repeated electronic communications in a manner reasonably likely to cause emotional distress, abuse, or torment to another person, unless the communications are made in connection with a matter of public concern, as defined by law; **or**
  - i. Making obscene, intimidating, or threatening telephone calls or other electronic communications from a temporary or disposable telephone number provided by an internet application or other technological means.

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

1. Any type of physical brutality;
2. An activity that subjects the student to an unreasonable risk of harm or that adversely affects the student's mental or physical health, such as sleep deprivation, exposure to the elements, confinement to small spaces, calisthenics, or consumption of food, liquids, drugs, or other substances;
3. An activity that induces, causes, or requires the student to perform a duty or task that violates the Penal Code; ~~and~~ or
4. Coercing a student to consume a drug or alcoholic beverage in an amount that would lead a reasonable person to believe the student is intoxicated.

**Hit list** is defined in Education Code 37.001(b)(3) as a list of people targeted to be harmed, using a firearm, a knife, or any other object to be used with intent to cause bodily harm.

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

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

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

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

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

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

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

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

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

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

1. clothing, purse, or backpack;

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

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

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

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

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

**Reasonable belief** is that which an ordinary person of average intelligence and sound mind would believe. Chapter 37 requires certain disciplinary decisions when the superintendent or designee has a reasonable belief that a student engaged in conduct punishable as a felony offense. In forming such a reasonable belief, the superintendent or designee may use all available information, and must consider the information furnished in ~~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 or rifled-bore barrel by using the energy generated by an explosion or burning substance.

**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). Current estimates of the principal amount of Defeased Obligations are disclosed in the attached Resolution for Defeasance. The final amount of Defeased Obligations will be known in the spring of 2024.


**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  
Perla Romero, Director of Business Services  
Victor Quiroga - Specialized Public Finance

Submitted by:  Date Submitted: 08/29/23  
(Signature) \_\_\_\_\_  
(Name) Dr. Matthew Gutierrez, Superintendent  
(Address) 1221 E. Kingsbury St., Seguin, TX 78155  
(Telephone) (830) 401-8614



# CONSIDERATION & APPROVAL FOR DEFEASANCE

# DEFEASANCE

## History:

- Since 2022 we have been able to pay \$6.5 million towards defeasance
- 2022-23 defeasance payment generated an interest cost saving of \$4.3 million

## Current:

- Resolution will allow us to make a defeasance payment of \$3.5 million or more in the spring of 2024

**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 2023-2024 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 \$3,100,000 and up to \$3,600,000 (and possibly more). The final amount shall be determined by a hereinafter-defined

Authorized Official and will be known to the District after February 29, 2024, 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 29, 2023 (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 29th day of August, 2023.

SEGUIN INDEPENDENT SCHOOL DISTRICT

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President, Board of Trustees

ATTEST:

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Secretary, Board of Trustees

(DISTRICT SEAL)

**EXHIBIT A**  
**DEFEASED OBLIGATIONS**

**EXHIBIT B**  
**NOTICE OF REDEMPTION**

See Tab No. \_\_

**EXHIBIT C**  
**ESCROW AGREEMENT**

See Tab No. \_\_

**ACTION ITEM:** **Approval of Agreement for the Purchase of Attendance Credit (Netting Chapter 48 Funding)**

**RECOMMENDATION:** That the Board of Trustees approve an Agreement for the Purchase of Attendance Credit (Option 3 Agreement) and to delegate contractual authority to the Superintendent.

**RATIONALE:** The agreement will enable the District to reduce the wealth per student to a level that is not greater than the equalized wealth level as determined by the Commissioner of Education in accordance with the Texas Education Code (TEC) §48.257. Renewal of the Option 3 Agreement is required by the Texas Education Agency (TEA) annually. TEA has been informed through online certification of the District's intent to exercise Option 3 in order to equalize wealth for the 2023-2024 school year.

**BOARD POLICY REFERENCE and COMPLIANCE:** CBA (LEGAL) State and Federal Revenue Sources


**PAPERWORK IMPACT:** None

**BUDGET IMPACT / INFORMATION:** None

**EXHIBITS:** Agreement for the Purchase of Attendance Credits (Netting Chapter 48 Funding)

**RESOURCE PERSONNEL:** Anthony Hillberg, Chief Financial Officer, CPA, RTSBA  
Perla Romero, Director of Business Services

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

  
\_\_\_\_\_  
Dr. Matthew Gutierrez, Superintendent  
1221 E. Kingsbury St., Seguin, TX 78155  
(830) 401-8614 Date Submitted: 08/29/23



# **APPROVAL OF AGREEMENT FOR THE PURCHASE OF ATTENDANCE CREDITS (NETTING CH 48)**

# **AGREEMENT FOR THE PURCHASE OF ATTENDANCE CREDITS NETTING CH 48**

## **History:**

- 2018-19 Board approved Agreement (Netting Ch 42)

## **Current:**

- 2023-24 Board allow Superintendent to sign off on Agreement for Purchase Credits (Netting Ch 48) - No financial impact will be incurred

## Agreement for the Purchase of Attendance Credit (Netting Chapter 48 Funding)

This agreement is entered into pursuant to the Texas Education Code (TEC), Chapter 49, Subchapters A and D, and rules adopted by the commissioner of education as authorized by the TEC, §49.006. The purpose of this agreement is to enable the district to reduce its local revenue level to a level not to exceed the level established under TEC, §48.257 for the school year.

The school year to which this agreement applies is \_\_\_\_\_ (the “school year”).

The agreement is for \_\_\_\_\_ School District (“the district”), with a county-district number of \_\_\_\_\_, to purchase attendance credit from the state for the school year.

The local revenue level in excess of entitlement will be based on the commissioner’s estimate of the cost of credit as determined under TEC, §49.153, using the district’s projected maintenance and operations tax revenue that exceeds the level established under TEC, §48.257. Provisions in the TEC, §48.257(c), allow districts to offset the reduction of excess local revenue against state aid under Chapter 48, Education Code, that is not described by TEC, §48.266(a)(3) for the school year. A district that is subject to the reduction in excess local revenue agrees to offset its obligations against state aid in accordance with the provisions specified in the TEC, §48.257(c).

When near-final data are available following the close of the school year to which this agreement applies, the district’s entitlement under Chapter 48 will be recalculated. If the district’s state aid under Chapter 48, Education Code, that is not described by TEC, §48.266(a)(3) is less than the cost of recapture as determined by the commissioner in accordance with the TEC, §49.153, using near-final data, the district will be required to have an election and the recapture balance will be recovered in accordance with TEC, §48.272, by withholding subsequent allocations of state funds or requiring and obtaining a refund.

The actual cost of credit for the school year will be determined by the commissioner in accordance with the TEC, §49.153, when final data on the district’s maintenance and operations tax revenue that exceeds the level established under TEC, §48.257 is available.

The cost of purchased attendance credit will be reduced for county appraisal district costs. The reduction will be computed in accordance with the TEC, §49.157. If the reduction exceeds the cost for the school year, the difference will be carried forward and applied to each subsequent year’s cost until the total amount of the reduction has been exhausted.

Date:

---

Signature of President, Board of Trustees

Date:

---

Signature of Secretary, Board of Trustees

---

Signature of Superintendent

Date:

---

Typed Name of Superintendent

Date:

---

Signature of Commissioner of Education or Designee

**ACTION ITEM:** **Adoption of Order Setting the Tax Rate for 2023 Which Does Not Exceed the No-New Revenue Tax Rate**

**RECOMMENDATION:** That the Board of Trustees adopt tax rates for 2023 as follows: \$0.7316 for Maintenance and Operations, and \$0.385 for Interest and Sinking, for a Total Combined Rate of \$1.1166 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. TEA has performed all calculations as required by law and published the District's Maximum Compressed Rate (MCR) in accordance with TAC 61.1000. The proposed rate is \$0.133 lower than the prior year.

This year's tax levy to fund maintenance and operations expenditures does not exceed last year's maintenance and operations tax levy. The ordinance, resolution, or order setting this year's 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  
Perla Romero, Director of Business Services

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

  
Date Submitted: 08/29/23  
Dr. Matthew Gutierrez, Superintendent  
1221 E. Kingsbury St., Seguin, TX 78155  
(830) 401-8614



# **ADOPTION OF ORDER SETTING TAX RATE FOR 2023**

# ADOPTION OF ORDER SETTING TAX RATE FOR 2023

## History:

- 2022-23 M&O : \$0.8646  
Debt: \$0.3850  
Combined: \$1.2496

## Current:

- 2023-24 M&O: \$0.7316 **-0.1330**  
Debt: \$0.3850  
Combined: \$1.1166

## 2023 Cost to Taxpayer:

- \$150,000/100 x 1.2496 = \$1,874.40
- \$200,000/100 x 1.2496 = \$2,499.20

## 2024 Cost to Taxpayer & ANNUAL SAVINGS:

- \$150,000/100 x 1.1166 = \$1,674.90 **\$200**
- \$200,000/100 x 1.1166 = \$2,233.20 **\$266**

ORDER LEVYING THE TAX RATE  
FOR THE SEGUIN INDEPENDENT SCHOOL DISTRICT  
FOR THE YEAR 2023 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 2023 as follows:

\$0.7316 For the purpose of maintenance and operation fund

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

\$1.1166 Total Tax Rate

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

---

Alejandro Guerra, President  
Board of Trustees  
Seguin Independent School District

ATTEST:

---

Linda Duncan, Secretary  
Board of Trustees  
Seguin Independent School District

(Seal)

**ACTION ITEM:**

**Consideration and Possible Approval of Purchases Through the Texas 20 Purchasing Cooperative for a total cost of \$2,966,500**

**RECOMMENDATION:**

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

- \* Gulf Coast Paper Company, Inc: Reference #3221-E1 Chemical and Paper - \$107,000
- \*Labatt Food Service, LLC: Reference #3315 Main Food - \$1,975,000 & Reference #3221-E1 Chemical and Paper - \$117,000
- \*Brothers Produce of Austin: Reference #3320 Produce - \$290,000
- \*Dairy Farmers of America, Inc: Reference #3118-E2 Milk - \$400,000
- \*The New World Bakery, Inc: Reference #3117-E2 Bread and Tortillas - \$77,500

**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:

- \* Gulf Coast Paper Company, Inc provides paper and chemical supplies
- \*Labatt Food Service, LLC provides staple food items such as frozen foods, cheeses, meats, and shelf-stable items and paper and chemical supplies
- \*Brothers Produce of Austin provides fresh vegetables and fruit
- \*Dairy Farmers of America, Inc provides carton milk products
- \*The New World Bakery, Inc provides bread and tortillas

**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  
Perla Romero, Director of Business Services  
Jennifer Raske Martinez, Purchasing Coordinator, CTSBO

Submitted by:  
(Signature)



Date Submitted: 08/29/23

(Name)  
(Address)  
(Telephone)

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



# **CONSIDERATION AND APPROVAL OF TX20 PURCHASING COOP**

# PURCHASE THROUGH TX20 PURCHASING COOP

## History:

- 2022-23 the cost was \$2,146,500

## Current:

- 2023-24 the cost is \$2,966,500 +\$820,000 from 2022-23
  - Gulf Coast Paper +\$4,000
  - Labatt +\$507,000
  - Brothers +\$214,000
  - Dairy Farmers +\$95,000
- Change in milk and bread/tortilla vendor

**ACTION ITEM:** **Adopt a Resolution for the Assignment of Fund Balance**

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

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

**REFERENCE and COMPLIANCE:** CE (LEGAL) and CE (LOCAL) Annual Operating Budget


**PAPERWORK IMPACT:** None

**BUDGET IMPACT / INFORMATION:** Funding provided by assigning unassigned fund balance.

**EXHIBITS:** Resolution

**RESOURCE PERSONNEL:** Anthony Hillberg, Chief Financial Officer, CPA, RTSBA  
Perla Romero, Director of Business Services

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

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

Date Submitted: 08/29/23



# **ADOPT A RESOLUTION OF FUND BALANCE**

# ASSIGNMENT OF FUND BALANCE

## History:

- 2022-23 Original fund balance assignments were approved in the previous year(s)

## Current:

- 2023-24 Rollover for previous approved assignments are listed in the exhibit including the COVID-19 Funding Reserve of \$5,000,000 and the QZAB payment (7 of 15) for \$665,000
- Unaudited estimated remaining fund balance: \$29,000,000
  - Estimated required fund balance (25% of total operating expense):<sup>164</sup> \$16,000,000

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

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

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

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

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

**FUND BALANCE POLICY**

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

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

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

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

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

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

Remaining 22-23 Early Education Allotment .....	310,355
Advanced Competition Reserve.....	50,000
23-24 Qualified Zone Academy Bond Payment .....	665,000
<i>(Annual payment 7 of 15)</i>	
Teacher Incentive Allotment Program Development .....	130,000
<i>(22-23 roll-forward)</i>	
Welding Project .....	359,495
<i>(22-23 roll-forward)</i>	
Holdsworth Partnership.....	300,000
<i>(2023 to 2026 Total Allotment)</i>	
Cardonex Subscription.....	61,512
<i>(22-23 roll-forward)</i>	
State & Federal Education (SAFE) Services.....	25,000
<i>(22-23 roll-forward)</i>	
22-23 COVID-19 Funding Reserve .....	<u>5,000,000</u>
<i>(22-23 roll-forward)</i>	
<b>Subtotal.....</b>	<b><u>\$6,901,362</u></b>

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

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


The undersigned, being the Secretary of the Board, hereby certifies that the foregoing represents a true copy of a Resolution of the Seguin ISD Board of Trustees, duly held on \_\_\_\_\_, 2023, which Resolution is in full force and effect, and has not been revoked or amended.

\_\_\_\_\_  
Board Secretary

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

**ACTION ITEM:**

**Designation of Non-Business Days for Public Information Act (PIA) Requests**

**RECOMMENDATION:**

In addition to all non-business days defined by §552.0031 of the Texas Government Code, the district designates the following additional 10 non-business days each calendar year:

1. The Monday, Tuesday and Wednesday of the Spring Break holiday as adopted by the Board of Trustees for each annual academic school calendar.
2. The Monday, Tuesday and Wednesday of the Thanksgiving holiday as adopted by the Board of Trustees for each annual academic calendar.
3. The first four days of the Christmas/Winter Break holiday as adopted by the Board of Trustees for each annual academic school calendar that would otherwise be considered business days for the purposes of complying with Chapter 552 of the Texas Government Code.

**RATIONALE:**

House Bill (HB) 3033, effective Sept. 1, 2023, states that school boards may designate up to 10 days that the district may consider non-business days under the Texas PIA. The PIA requires governmental entities to respond to information requests within 10 business days, or 15 business days if requesting withholding from the Attorney General. Before HB 3033, school districts did not need to count days in which the district was closed in the timelines required under the PIA. The new law now defines business days as a day other than 1) a Saturday or Sunday; 2) a national holiday under §662.003(a); or 3) a state holiday under §662.003(b).

HB 3033 allows school boards to designate no more than 10 days each calendar year on which the school district’s administrative offices are closed or operating with minimum staff as a non-business days.

**REFERENCE and COMPLIANCE:**

GB (LEGAL) Public Information Program

**PAPERWORK IMPACT:**

None

**BUDGET IMPACT/ INFORMATION:**

None

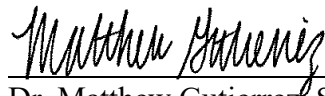
**EXHIBITS:**

None

**RESOURCE PERSONNEL:**

Sean Hoffmann, Chief Communications Officer

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



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

Date Submitted: 08/29/23



# Board Meeting Action Item: Public Information Act

Seguin ISD



# H. DESIGNATION OF NON-BUSINESS DAYS FOR PUBLIC INFORMATION ACT (PIA) REQUESTS

Before HB 3033, school districts did not need to count days in which the district was closed in the timelines required under the PIA. The new law now defines business days as a day other than 1) a Saturday or Sunday; 2) a national holiday under §662.003(a); or 3) a state holiday under §662.003(b).

HB 3033 allows school boards to designate no more than 10 days each calendar year on which the school district's administrative offices are closed or operating with minimum staff as a non-business days.

The 10 proposed non-business days for each annual academic school calendar are:

1. The Monday, Tuesday and Wednesday of the Spring Break holiday.
2. The Monday, Tuesday and Wednesday of the Thanksgiving holiday
3. The first four days of the Christmas/Winter Break holiday.

**ACTION ITEM:** **Approval of Retention Stipend for Existing Math Instructors at Seguin High School**

**RECOMMENDATION:** Recommend that the Board of Trustees approve a one-time stipend to current math teachers at Seguin High School.

**RATIONALE:** Properly staffing classrooms with certified teachers continues to be a challenge across the nation. In particular, Seguin High School has experienced significant turn over in the Math Department with minimal applicants to fill the existing vacancies. In response to the shortage of qualified instructors, existing math instructors have taken on the burden of these vacancies and adapted their master schedule to accommodate our students.

**REFERENCE and COMPLIANCE:** Strategic Goal #5: Staff Satisfaction

**PAPERWORK IMPACT:** Minimal

**BUDGET IMPACT/ INFORMATION:** General Operating Budget:

- Level 1: \$3,000 (significantly larger class sizes)
- Level 2: \$5,000 (significantly larger class sizes and planning for substitute teachers)
- Level 3: \$8,000 (significantly larger class sizes, additional planning, and curriculum writing)

**TOTAL IMPACT: \$62,000**

**EXHIBITS:** None

**RESOURCE PERSONNEL:** Cynthia J. Moreno, Chief Human Resources Officer  
Danica Murillo, Deputy Chief of Human Resources  
Dr. Veronica Vijil, Deputy Superintendent

Submitted by: Matthew Gutierrez Date Submitted: 08/29/23  
(Signature) \_\_\_\_\_  
(Name) Dr. Matthew Gutierrez, Superintendent  
(Address) 1221 E. Kingsbury St., Seguin, TX 78155  
(Telephone) (830) 401-8614



# Board Meeting Action Item: Math Retention Stipend

Seguin ISD



# SHS 23-24 Math Plan of Action

Plan of action needed to compensate for Math vacancies (7)

## **Significant resources and planning for how to launch the year and support teachers along the way:**

- Met with returning and new math educators to adjust teaching assignments in critical areas, determine planning and resources needed, and shift teaching course loads based on expertise and need
- Summer planning took place with Algebra I teachers, Algebra II teachers/substitute, and Geometry teachers
- Separated the SHS Department Lead from the Instructional Coach position so that leadership development will be uninterrupted when the IC position ends (June 2024)
- Long-term substitutes will be supported through Math Department planning lessons and Associate Principal of Instruction support through PLCs as well as before or after school
- Plan to continue to look at December graduations and recruiting opportunities

# SHS 23-24 Math Plan of Action

Plan of action needed to compensate for Math vacancies (7)

	Teachers	Curriculum	Support
Algebra I	3 veteran teachers- 2 moved from other courses; strong team Average class size by teacher: Brena-27 Godman-26 Pierson-25	HQIM (Carnegie)	-Math Instructional aides in each class, 13:1 student to educator ratio -12 Carnegie coaching days -(Half / Full) Planning days provided throughout the year by district math lead
Algebra II	2 veteran teachers; 1 long term sub w/ A2 strength 1 long term sub w/ 1 section Average class size by teacher: Lopez, E.- 27 Tucker- 28 Vijil- 30	HQIM (Carnegie)	-12 Carnegie coaching days -(Half / Full) Planning days provided throughout the year by district math lead
Geometry	1 returning teacher 3 new teachers, 1 long-term sub (graduates in December) Average class size by teacher: Diaz-27 Garcia-28 Sanchez-28 Lopez, M.-27 Herrera- 28	HQIM (Carnegie)	-12 Carnegie coaching days -(Half / Full) Planning days provided throughout the year by district math lead
Math Models	Long-term substitute Average class size for Owens- 23		

# (I) Approval of Retention Stipend

Existing SHS Math Teachers will be tiered as to the level of their additional duties.

Level 1	1 or 2 class preps, **class sizes exceeding 25, not EOC class	\$3,000
Level 2	*Substitute teacher, additional duties of planning and grading outside paid business hours	\$5,000
Level 3	*EOC subject area/critical need, additional planning and activity creation for substitutes, **class sizes exceeding 25	\$8,000

\*\*larger class sizes include: additional parent contacts, grading, and monitoring\*\*

**ACTION ITEM:**

**Possible Action to Extend Superintendent Hiring Authority for Certified Personnel During the Fall of 2023**

**RECOMMENDATION:**

Possible action to grant ability to Superintendent to have final hiring authority of all contractual personnel beginning August 31, 2023 and ending on December 31, 2023.

**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 #5: Staff Satisfaction - Seguin ISD will improve staff satisfaction as determined by the Organizational Health Inventory (OHI).

**PAPERWORK IMPACT:**

Minimal

**BUDGET IMPACT/ INFORMATION:**

None

**EXHIBITS:**

None

**RESOURCE PERSONNEL:**

Cynthia J. Moreno, Chief Human Resources Officer

Submitted by: Matthew Gutierrez Date Submitted: 08/29/23  
(Signature) \_\_\_\_\_  
(Name) Dr. Matthew Gutierrez, Superintendent  
(Address) 1221 E. Kingsbury St., Seguin, TX 78155  
(Telephone) (830) 401-8614

**POSSIBLE ACTION TO  
EXTEND SUPERINTENDENT  
HIRING AUTHORITY FOR  
CERTIFIED PERSONNEL  
DURING THE FALL OF 2023**

# EXTEND HIRING AUTHORITY

## **Current Board Policy DC (LOCAL) Language:**

- The Superintendent has sole authority to make recommendations to the Board regarding the selection of contractual personnel.
- The Board retains final authority for employment of contractual personnel.

## **Rationale:**

- Finding qualified candidates continues to be a challenge.
- Expediting the process will provide support to needed areas in a reasonable amount of time.

## **Future Consideration:**

- Language change in policy for permanent consideration

**ACTION ITEM:** **Nominate Candidate for the Guadalupe County Appraisal District Board of Directors**

**RECOMMENDATION:** That the Board of Trustees approve the nomination of the candidate for the Guadalupe County Appraisal District Board of Directors.

**RATIONALE:** Per Section 6.03 (b.) of the Texas Property Tax Code, the terms of all members of the Guadalupe Appraisal District Board of Directors will expire on December 31, 2023. This information is provided to the required representatives of the taxing entities entitled to participate in the process of nominating and voting for directors to serve the next two (2) year term. Each taxing unit may nominate by resolution one candidate for each directorship to be filled (5 directorships are to be filled). Nominations must be submitted to the chief appraiser no later than October 15, 2023.

**PAPERWORK IMPACT:** None

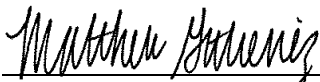
**BUDGET IMPACT/ INFORMATION:** None

**EXHIBITS:**

- Guadalupe Appraisal District Letter/Board of Directors Election Entity Voting Entitlements August 2023
- Guadalupe Appraisal District Board of Directors Qualifications/ Eligibility Statement
- Resolution

**RESOURCE PERSONNEL:**

Dr. Matthew Gutierrez, Superintendent  
Alejandro R. Guerra, Board President

Submitted by:  Date Submitted: 08/29/23  
(Signature) \_\_\_\_\_  
(Name) Dr. Matthew Gutierrez, Superintendent  
(Address) 1221 E. Kingsbury St., Seguin, Texas 78155  
(Telephone) (830) 401-8614

# GUADALUPE APPRAISAL DISTRICT



Main Office  
3000 N. Austin St.  
Seguin, Texas 78155  
(830) 303-3313  
(830) 372-2871 (Fax)  
estiers@guadalupcad.org

Schertz Substation  
1052 FM 78, Ste. 103  
Schertz, Texas 78154  
(830) 303-3313 Option 0  
(877) 254-0888 (Fax)

June 28, 2023

Seguin ISD  
Attn: Matthew Gutierrez, Superintendent and Board of Trustees President  
1221 E. Kingsbury  
Seguin, Texas 78155



Dear Superintendent Gutierrez and Board of Trustees President,

Per § 6.03 (b.) of the Texas Tax Code, the terms of all members of the Guadalupe Appraisal District Board of Directors will expire on December 31, 2023. In light of that, this letter is forwarded to the required representatives of the taxing units entitled to participate in the nomination and voting process for the directors to serve the next two-year term. Following is a brief timeline of this process:

- The chief appraiser delivers notice of election and voting entitlement to the taxing units.
- Each taxing unit may nominate by resolution one candidate for each directorship to be filled (5 directorships are to be filled). Nominations by way of resolution must be submitted to the chief appraiser no later than October 15, 2023.
- The chief appraiser will then prepare and deliver a ballot of all nominees to each taxing unit before October 30, 2023.
- The governing body of each taxing unit must determine their vote by resolution and submit it to the chief appraiser before December 15, 2023.
- The chief appraiser will tabulate the votes, declare the winners, and submit the results to the governing body of each taxing unit before December 31, 2023.

## Nominee Qualifications

§ 6.03 (a.) of the Texas Tax Code states that to be eligible to serve on the board of directors, an individual must be a resident of the district and must have resided in the district for at least two years immediately preceding the date the individual takes office. § 6.035 (a.) of the Texas Tax Code disqualifies an individual from serving as a director if that individual owns property on which delinquent property taxes have been owed for more than 60 days. This restriction is not applicable under installment agreements or deferrals. There are also additional restrictions outlined in §56.035 Texas Tax Code. Enclosed is a Statement of Qualifications to be completed by each nominee and turned in to the Guadalupe Appraisal District with formal nominations.

## Voting Allocation

Enclosed, you will find a summary of the voting entitlement of the taxing units participating in the nomination and election for the Guadalupe Appraisal District Board of Directors for the 2024/2025 term. Seguin ISD will have 852 votes to cast in this election process. Votes may be allocated to one nominee or votes may be distributed to more than one nominee. The nominees who receive the largest cumulative vote total are declared the directors for the next two years.

Should you have any questions regarding this process, do not hesitate to contact Cherie Stiers in our office.

Thank you for your time and effort in this regard.

Sincerely,

A handwritten signature in blue ink, appearing to read "Peter Snaddon".

Peter Snaddon, R.P.A., C.C.A.  
Chief Appraiser

**2024-2025 BOARD of DIRECTORS ELECTION  
ENTITY VOTING ENTITLEMENTS  
June-23**

CAD	Taxing Unit ID	Taxing Unit Name	2022 Entity Levy	2022 Total Levy	Portion of Levy (%)		Total Number of Votes	Entity Votes <sup>1</sup>
094-Guadalupe	094-902-02	Schertz-Cibolo-Universal City ISD	\$88,483,658 ÷	\$363,828,516 =	0.24320	x	5,000	<b>1,216</b>
094-Guadalupe	094-000-00	Guadalupe County	\$68,097,532 ÷	\$363,828,516 =	0.18717	x	5,000	<b>936</b>
094-Guadalupe	094-901-02	Seguin ISD	\$61,998,122 ÷	\$363,828,516 =	0.17040	x	5,000	<b>852</b>
094-Guadalupe	046-901-02	New Braunfels ISD	\$24,484,082 ÷	\$363,828,516 =	0.06730	x	5,000	<b>336</b>
094-Guadalupe	094-903-02	Navarro ISD	\$19,700,336 ÷	\$363,828,516 =	0.05415	x	5,000	<b>271</b>
094-Guadalupe	094-102-03	City of Schertz	\$18,528,903 ÷	\$363,828,516 =	0.05093	x	5,000	<b>255</b>
094-Guadalupe	094-103-03	City of Seguin	\$18,116,000 ÷	\$363,828,516 =	0.04979	x	5,000	<b>249</b>
094-Guadalupe	094-904-02	Marion ISD	\$15,696,120 ÷	\$363,828,516 =	0.04314	x	5,000	<b>216</b>
094-Guadalupe	094-104-03	City of Cibolo	\$15,398,327 ÷	\$363,828,516 =	0.04232	x	5,000	<b>212</b>
094-Guadalupe	046-902-02	Comal ISD	\$11,742,125 ÷	\$363,828,516 =	0.03227	x	5,000	<b>161</b>
094-Guadalupe	046-101-03	City of New Braunfels	\$8,531,651 ÷	\$363,828,516 =	0.02345	x	5,000	<b>117</b>
094-Guadalupe	105-902-02	San Marcos CISD	\$3,813,473 ÷	\$363,828,516 =	0.01048	x	5,000	<b>52</b>
094-Guadalupe	094-201-19	Lake Placid WCID #1	\$1,644,966 ÷	\$363,828,516 =	0.00452	x	5,000	<b>23</b>
094-Guadalupe	094-202-19	Lake McQueeney WCID #1	\$1,641,019 ÷	\$363,828,516 =	0.00451	x	5,000	<b>23</b>
094-Guadalupe	247-903-02	La Vernia ISD	\$1,632,810 ÷	\$363,828,516 =	0.00449	x	5,000	<b>22</b>
094-Guadalupe	015-120-03	City of Selma	\$1,136,908 ÷	\$363,828,516 =	0.00312	x	5,000	<b>16</b>
094-Guadalupe	028-903-02	Luling ISD	\$1,127,284 ÷	\$363,828,516 =	0.00310	x	5,000	<b>15</b>
094-Guadalupe	028-906-02	Prairie Lea ISD	\$572,617 ÷	\$363,828,516 =	0.00157	x	5,000	<b>8</b>
094-Guadalupe	046-202-19	Lake Dunlap WCID	\$488,419 ÷	\$363,828,516 =	0.00134	x	5,000	<b>7</b>
094-Guadalupe	094-101-03	City of Marion	\$474,869 ÷	\$363,828,516 =	0.00131	x	5,000	<b>7</b>
094-Guadalupe	094-106-03	City of Santa Clara	\$166,080 ÷	\$363,828,516 =	0.00046	x	5,000	<b>2</b>
094-Guadalupe	015-115-03	City of Universal City	\$137,425 ÷	\$363,828,516 =	0.00038	x	5,000	<b>2</b>
094-Guadalupe	089-903-02	Nixon-Smilely CISD	\$98,984 ÷	\$363,828,516 =	0.00027	x	5,000	<b>1</b>
094-Guadalupe	094-201-04	Lone Oak Farm MUD	\$49,038 ÷	\$363,828,516 =	0.00013	x	5,000	<b>1</b>
094-Guadalupe	028-102-03	City of Luling	\$36,003 ÷	\$363,828,516 =	0.00010	x	5,000	<b>0</b>
094-Guadalupe	094-201-09	York Creek Improvement District	\$30,806 ÷	\$363,828,516 =	0.00008	x	5,000	<b>0</b>
094-Guadalupe	105-103-03	City of San Marcos	\$959 ÷	\$363,828,516 =	0.00000	x	5,000	<b>0</b>
							<b>Total Votes</b>	<b>5,000</b>

Source: <https://comptroller.texas.gov/taxes/property-tax/rates/index.php>

**Section 6.03 Board of Directors<sup>1</sup>**

(d) The voting entitlement of a taxing unit that is entitled to vote for directors is determined by dividing the total dollar amount of property taxes imposed in the district by the taxing unit for the preceding tax year by the sum of the total dollar amount of property taxes imposed in the district for that year by each taxing unit that is entitled to vote, by multiplying the quotient by 1,000, and by rounding the product to the nearest whole number. That number is multiplied by the number of directorships to be filled. A taxing unit participating in two or more districts is entitled to vote in each district in which it participates, but only the taxes imposed in a district are used to calculate voting entitlement in that district.

**GUADALUPE APPRAISAL DISTRICT**  
**BOARD OF DIRECTORS**  
Statement of Qualifications  
Per Texas Tax Code

To serve on the Board of Directors for an appraisal district, the Texas Tax Code states the following:

**1. Section 6.03 BOARD OF DIRECTORS**

(a) The appraisal district is governed by a board of directors. Five directors are appointed by the taxing units that participate in the district as provided by this section. If the county assessor-collector is not appointed to the board, the county assessor-collector serves as a nonvoting director. The county assessor-collector is ineligible to serve if the board enters into a contract under Section 6.05(b) or if the commissioners court of the county enters into a contract under Section 6.24(b). To be eligible to serve on the board of directors, an individual other than a county assessor-collector serving as a nonvoting director must be a resident of the district and must have resided in the district for at least two years immediately preceding the date the individual takes office. An individual who is otherwise eligible to serve on the board is not ineligible because of membership on the governing body of a taxing unit. An employee of a taxing unit that participates in the district is not eligible to serve on the board unless the individual is also a member of the governing body or an elected official of a taxing unit that participates in the district.

(b) Members of the board of directors other than a county assessor-collector serving as a nonvoting director serve two-year terms beginning on January 1 of even-numbered years.

(c) Members of the board of directors other than a county assessor-collector serving as a nonvoting director are appointed by vote of the governing bodies of the incorporated cities and towns, the school districts, the junior college districts, and, if entitled to vote, the conservation and reclamation districts that participate in the district and of the county. A governing body may cast all its votes for one candidate or distribute them among candidates for any number of directorships. Conservation and reclamation districts are not entitled to vote unless at least one conservation and reclamation district in the district delivers to the chief appraiser a written request to nominate and vote on the board of directors by June 1 of each odd-numbered year. On receipt of a request, the chief appraiser shall certify a list by June 15 of all eligible

conservation and reclamation districts that are imposing taxes and that participate in the district.

(d) The voting entitlement of a taxing unit that is entitled to vote for directors is determined by dividing the total dollar amount of property taxes imposed in the district by the taxing unit for the preceding tax year by the sum of the total dollar amount of property taxes imposed in the district for that year by each taxing unit that is entitled to vote, by multiplying the quotient by 1,000, and by rounding the product to the nearest whole number. That number is multiplied by the number of directorships to be filled. A taxing unit participating in two or more districts is entitled to vote in each district in which it participates, but only the taxes imposed in a district are used to calculate voting entitlement in that district.

(e) The chief appraiser shall calculate the number of votes to which each taxing unit other than a conservation and reclamation district is entitled and shall deliver written notice to each of those units of its voting entitlement before October 1 of each odd-numbered year. The chief appraiser shall deliver the notice:

(1) to the county judge and each commissioner of the county served by the appraisal district;

(2) to the presiding officer of the governing body of each city or town participating in the appraisal district, to the city manager of each city or town having a city manager, and to the city secretary or clerk, if there is one, of each city or town that does not have a city manager;

(3) to the presiding officer of the governing body of each school district participating in the district and to the superintendent of those school districts; and

(4) to the presiding officer of the governing body of each junior college district participating in the district and to the president, chancellor, or other chief executive officer of those junior college districts.

(f) The chief appraiser shall calculate the number of votes to which each conservation and reclamation district entitled to vote for district directors is entitled and shall deliver written notice to the presiding officer of each conservation and reclamation district of its voting entitlement and right to nominate a person to serve as a director of the district before July 1 of each odd-numbered year.

(g) Each taxing unit other than a conservation and reclamation district that is entitled to vote may nominate by resolution adopted by its governing body one candidate for each position to be filled on the board of directors. The presiding officer of the governing body of the unit shall submit the names of the unit's nominees to the chief appraiser before October 15.

(h) Each conservation and reclamation district entitled to vote may nominate by resolution adopted by its governing body one candidate for the district's board of directors. The presiding officer of the conservation and reclamation district's governing body shall submit the name of the district's nominee to the chief appraiser before July 15 of each odd-numbered year. Before August 1, the chief appraiser shall prepare a nominating ballot, listing all the nominees of conservation and reclamation districts alphabetically by surname, and shall deliver a copy of the nominating ballot to the presiding officer of the board of directors of each district. The board of directors of each district shall determine its vote by resolution and submit it to the chief appraiser before August 15. The nominee on the ballot with the most votes is the nominee of the conservation and reclamation districts in the appraisal district if the nominee received more than 10 percent of the votes entitled to be cast by all of the conservation and reclamation districts in the appraisal district, and shall be named on the ballot with the candidates nominated by the other taxing units. The chief appraiser shall resolve a tie vote by any method of chance.

(i) If no nominee of the conservation and reclamation districts receives more than 10 percent of the votes entitled to be cast under Subsection (h), the chief appraiser, before September 1, shall notify the presiding officer of the board of directors of each conservation and reclamation district of the failure to select a nominee. Each conservation and reclamation district may submit a nominee by September 15 to the chief appraiser as provided by Subsection (h). The chief appraiser shall submit a second nominating ballot by October 1 to the conservation and reclamation districts as provided by Subsection (h). The conservation and reclamation districts shall submit their votes for nomination before October 15 as provided by Subsection (h). The

nominee on the second nominating ballot with the most votes is the nominee of the conservation and reclamation districts in the appraisal district and shall be named on the ballot with the candidates nominated by the other taxing units. The chief appraiser shall resolve a tie vote by any method of chance.

(j) Before October 30, the chief appraiser shall prepare a ballot, listing the candidates whose names were timely submitted under Subsections (g) and, if applicable, (h) or (i) alphabetically according to the first letter in each candidate's surname, and shall deliver a copy of the ballot to the presiding officer of the governing body of each taxing unit that is entitled to vote.

(k) Except as provided by Subsection (k-1), the governing body of each taxing unit entitled to vote shall determine its vote by resolution and submit it to the chief appraiser before December 15. The chief appraiser shall count the votes, declare the five candidates who receive the largest cumulative vote totals elected, and submit the results before December 31 to the governing body of each taxing unit in the district and to the candidates. For purposes of determining the number of votes received by the candidates, the candidate receiving the most votes of the conservation and reclamation districts is considered to have received all of the votes cast by conservation and reclamation districts and the other candidates are considered not to have received any votes of the conservation and reclamation districts. The chief appraiser shall resolve a tie vote by any method of chance.

(k-1) This subsection applies only to an appraisal district established in a county with a population of 120,000 or more. The governing body of each taxing unit entitled to cast at least five percent of the total votes must determine its vote by resolution adopted at the first or second open meeting of the governing body that is held after the date the chief appraiser delivers the ballot to the presiding officer of the governing body. The governing body must submit its vote to the chief appraiser not later than the third day following the date the resolution is adopted.

(l) If a vacancy occurs on the board of directors other than a vacancy in the position held by a county assessor-collector serving as a nonvoting director, each taxing unit that is entitled to vote by this section may nominate by resolution adopted by its governing body a candidate to fill the vacancy. The unit shall submit the name of its nominee to the chief appraiser within 45 days after notification from the board of directors of the existence of the vacancy, and the chief

appraiser shall prepare and deliver to the board of directors within the next five days a list of the nominees. The board of directors shall elect by majority vote of its members one of the nominees to fill the vacancy.

**2. Sec. 6.035. RESTRICTIONS ON ELIGIBILITY AND CONDUCT OF BOARD MEMBERS AND CHIEF APPRAISERS AND THEIR RELATIVES.**

(a) An individual is ineligible to serve on an appraisal district board of directors and is disqualified from employment as chief appraiser if the individual:

(1) is related within the second degree by consanguinity or affinity, as determined under Chapter 573, Government Code, to an individual who is engaged in the business of appraising property for compensation for use in proceedings under this title or of representing property owners for compensation in proceedings under this title in the appraisal district; or

(2) owns property on which delinquent taxes have been owed to a taxing unit for more than 60 days after the date the individual knew or should have known of the delinquency unless:

(A) the delinquent taxes and any penalties and interest are being paid under an installment payment agreement under Section 33.02; or

(B) a suit to collect the delinquent taxes is deferred or abated under Section 33.06 or 33.065.

(a-1) An individual is ineligible to serve on the district board of directors of an appraisal district if the individual:

(1) has served as a member of the board of directors for all or part of five terms<sup>1</sup>, unless,

(A) the individual was the county assessor-collector at the time the individual served as a board member; or

(B) the appraisal district is established in a county with a population of less than 120,000;

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<sup>1</sup> 87<sup>th</sup> Legislative Regular Session – Senate Bill 63, Section 20 (b): Service as an appointed member of the board of directors of an appraisal district before January 1, 2022, does not count for purposes of determining whether a person is ineligible to serve on the board of directors of an appraisal district under Section 6.035 (a-1) (1), Tax Code, as added by this Act.

- (2) has engaged in the business of appraising property for compensation for use in proceedings under this title at any time during the preceding three years;
- (3) has engaged in the business of representing property owners for compensation in proceedings under this title in the appraisal district at any time during the preceding three years; or
- (4) has been an employee of the appraisal district at anytime during the preceding three years.

(b) A member of an appraisal district board of directors or a chief appraiser commits an offense if the board member continues to hold office or the chief appraiser remains employed knowing that an individual related within the second degree by consanguinity or affinity, as determined under Chapter 573, Government Code, to the board member or chief appraiser is engaged in the business of appraising property for compensation for use in proceedings under this title or of representing property owners for compensation in proceedings under this title in the appraisal district in which the member serves or the chief appraiser is employed. An offense under this subsection is a Class B misdemeanor.

(c) A chief appraiser commits an offense if the chief appraiser refers a person, whether gratuitously or for compensation, to another person for the purpose of obtaining an appraisal of property, whether or not the appraisal is for ad valorem tax purposes. An offense under this subsection is a Class B misdemeanor.

(d) An appraisal performed by a chief appraiser in a private capacity or by an individual related within the second degree by consanguinity or affinity, as determined under Chapter 573, Government Code, to the chief appraiser may not be used as evidence in a protest or challenge under Chapter 41 or an appeal under Chapter 42 concerning property that is taxable in the appraisal district in which the chief appraiser is employed.

**3. Section 6.036 INTEREST IN CERTAIN CONTRACTS PROHIBITED.**

(a) An individual is not eligible to be appointed to or to serve on the board of directors of an appraisal district if the individual or a business entity in which the individual has a substantial interest is a party to a contract with:

- (1) the appraisal district; or
- (2) a taxing unit that participates in the appraisal district, if the contract relates to the performance of an activity governed by this title.

(b) An appraisal district may not enter into a contract with a member of the board of directors of the appraisal district or with a business entity in which a member of the board has a substantial interest.

(c) A taxing unit may not enter into a contract relating to the performance of an activity governed by this title with a member of the board of directors of an appraisal district in which the taxing unit participates or with a business entity in which a member of the board has a substantial interest.

(d) For purposes of this section, an individual has a substantial interest in a business entity if:

- (1) the combined ownership of the individual and the individual's spouse is at least 10 percent of the voting stock or shares of the business entity; or
- (2) the individual or the individual's spouse is a partner, limited partner, or officer of the business entity.

(e) In this section, "business entity" means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, or other entity recognized by law.

(f) This section does not limit the application of any other law, including the common law relating to conflicts of interest, to an appraisal district director.

**Statement of Candidate**

I have reviewed the requirements and restrictions, and hereby swear and affirm that I conform to the qualifications to be nominated and serve as a member of the Board of Directors for the Guadalupe Appraisal District.

\_\_\_\_\_  
Signature of Nominee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name of Nominee

\_\_\_\_\_  
Contact Phone Number

\_\_\_\_\_  
Street Address of Nominee's Residency      City      State      Zip Code

Number of Years at this Residence? \_\_\_\_\_

Please identify below the property addresses and ownership of property you own in Guadalupe County, as related to verification of delinquent tax verification processes (*attach additional pages, if needed*):

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**A RESOLUTION NOMINATING A CANDIDATE TO THE  
GUADALUPE APPRAISAL DISTRICT FOR ELECTION TO  
THE BOARD OF DIRECTORS**

**WHEREAS,** pursuant to Section 6.03(b) of the Texas Property Tax Code, the terms of all members of the Guadalupe Appraisal District Board of Directors will expire on December 31, 2023. The Board of Trustees of the Seguin Independent School District is entitled to nominate candidate(s) for the directorship of the Guadalupe Appraisal District for the County of Guadalupe and State of Texas; and

**WHEREAS,** the Seguin Independent School District is a voting taxing unit of the Guadalupe Appraisal District in Guadalupe County, Texas; and

**WHEREAS,** the Board of Trustees of the Seguin Independent School District desires to submit the name of \_\_\_\_\_ for the directorship of the Guadalupe Appraisal District established in Guadalupe County; and

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Seguin Independent School District of Seguin, Texas hereby will submit said name to the Office of the Chief Appraiser of the Guadalupe Appraisal District by October 15, 2023.

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_.**

\_\_\_\_\_  
Alejandro R. Guerra, President, Board of Trustees

\_\_\_\_\_  
Linda Duncan, Secretary, Board of Trustees