

THE HOUSTON INDEPENDENT SCHOOL DISTRICT



AGENDA

**Board of Education
Meeting**

August 18, 2022

THE HOUSTON INDEPENDENT SCHOOL DISTRICT
BOARD OF EDUCATION

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Millard House II, *Superintendent of Schools*

BOARD OF EDUCATION AGENDA

August 18, 2022

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L. SUPERINTENDENT'S INFORMATION ITEMS

ADJOURN

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Community Engagement
Max Moll, Chief Community Engagement Officer

**SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY
BBB(LOCAL), BOARD MEMBERS: ELECTIONS—FIRST READING**

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves revisions to Board Policy BBB(LOCAL), *Board Members: Elections*.

RATIONALE

Recommended changes to Board Policy BBB(LOCAL), *Board Members: Elections*, are to update the lists of years in which elections shall be held and to remove the single member district residency requirement for voters.

A copy of BBB(LOCAL) showing the proposed changes is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all four district goals and is aligned to Core Initiative 5: Culture of Trust through Action.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the recommended changes to Board Policy BBB(LOCAL), *Board Members, Elections*, on first reading, effective August 19, 2022.

BOARD MEMBERS
ELECTIONS

BBB
(LOCAL)

Membership

The Board shall consist of nine members.

Method of Election

Board members shall be elected by single-member districts.

Election Date

General election of Board members shall be on the November uniform election date.

**Terms and Election
Schedule**

Board members shall be elected for four-year terms, with elections conducted biennially, as follows:

Districts II, III, IV,
and VIII |

The election for single-member districts II, III, IV, and VIII shall be held in ~~2019~~, 2023, 2027, 2031, and in four-year intervals thereafter.

Districts I, V, VI, VII,
and IX |

The election for single-member districts I, V, VI, VII, and IX shall be held in ~~2021~~, 2025, 2029, 2033, and in four-year intervals thereafter.

Method of Voting

Majority Vote

To be elected, a candidate must receive a majority of the votes cast for the single-member district.

**Voter Residency
Requirement**

~~A person must have resided in the single member district 30 days prior to voting in an election.~~

Effective Date

This policy shall be effective as of the adoption date, ~~October 12,~~ 2018.

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Community Engagement
Max Moll, Chief Community Engagement Officer

**SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY
BBBC(LOCAL), ELECTIONS: CAMPAIGN FINANCE—FIRST READING**

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves revisions to Board Policy BBBC(LOCAL), *Elections: Campaign Finance*.

RATIONALE

The recommended changes to Board Policy BBBC(LOCAL), *Elections: Campaign Finance*, are to use gender-neutral terminology and to remove references to electronic filing of campaign reports.

A copy of BBBC(LOCAL) showing the proposed changes is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all four district goals and is aligned to Core Initiative 5: Culture of Trust through Action.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the recommended changes to Board Policy BBBC(LOCAL), *Elections: Campaign Finance*, on first reading, effective August 19, 2022.

ELECTIONS
CAMPAIGN FINANCE

BBBC
(LOCAL)

Each candidate who has an opponent in a Board member election and each political committee active in such an election shall file with the Board Secretary, through the Office of Board Services, sworn statements listing all contributions received and all expenditures made by the candidate and ~~his or her~~ their treasurer and assistant treasurer.

These statements shall be submitted for the period specified on the appropriate days as set forth in Chapter 254 of the Election Code. No contribution shall be accepted nor expenditure made until a campaign treasurer has been designated.

Statements filed by the treasurer of a political committee shall list all contributions received and expenditures made by the committee. Each statement shall include the:

- Dates and amounts of all contributions and loans received;
- Full name and complete address of each person from whom money or any other thing of value in an aggregate amount of more than \$50 was received or borrowed;
- Date and amounts of all expenditures, loans made, or debts incurred; and
- Full names and complete addresses of all persons to whom any expenditures or loans of more than \$50 were made or debt of expenditures, loans, and debts were incurred.

Different reporting requirements may apply if the candidate intends not to exceed \$500 in political contributions or political expenditures in the election.

Reporting Methods

In accordance with state law, campaign contribution and expenditure reports may be filed by first class U.S. Mail, ~~or common or contract carrier, or personal delivery, or electronic filing.~~ ~~The District shall provide for the electronic filing of campaign contribution and expenditure reports on its website.~~ The report shall be made available to the public as specified in BBBC(LEGAL).

~~The District shall develop regulations and procedures for electronic filing of reports, which will be kept on file in the Office of Board Services. If the report is filed electronically, Board Services shall issue an electronic receipt for the report to the person filing the report.~~

**Contributions from
E-Rate Vendors**

In the case of campaign funds donated by an E-Rate vendor, refer to governance provided at CAA.

Effective Date

This policy shall be effective as of the adoption date, ~~October 12,~~ 2018.

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Community Engagement
Max Moll, Chief Community Engagement Officer

**SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY
BBE(LOCAL), BOARD MEMBERS: AUTHORITY—FIRST READING**

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves proposed revisions to Board Policy BBE(LOCAL), *Board Members: Authority*, as recommended by the Texas Association of School Boards (TASB) and the HISD administration.

RATIONALE

TASB recommends changes to Board Policy BBE(LOCAL), *Board Members: Authority*, to:

- Reflect House Bill 628 regarding board members' access to information;
- Add information to the section Requests for Records;
- Add the section Confidentiality;
- Update the section Referring Complaints; and
- In accordance with Senate Bill 1566, to explain that responses to board member requests will be within time frames required by law and add the section Visits to District Facilities.

In addition, the district administration recommends using gender-neutral terminology and adding an effective date.

A copy of BBE(LOCAL) showing the proposed changes is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all four district goals and is aligned to Core Initiative 5: Culture of Trust through Action.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the proposed revisions to Board Policy BBE(LOCAL), *Board Members: Authority*, on first reading, effective August 19, 2022.

BOARD MEMBERS
AUTHORITY

BBE
(LOCAL)

Board Authority

The Board has final authority to determine and interpret the policies that govern the schools and, subject to the mandates and limits imposed by state and federal authorities, has complete and full control of the District. ~~Official~~ Board action shall be taken only in meetings that comply with the Open Meetings Act. [See BE (LEGAL)]

**Transacting
Business**

When a proposal is presented to the Board, ~~the Board shall hold a discussion shall be held and reach~~ a decision ~~reached~~. Although there may be dissenting votes, which are ~~made~~ a matter of public record, each Board decision shall be an action by the whole Board binding upon each member.

**Individual Authority
for Committing the
Board**

Board members as individuals shall not exercise authority over the District, its property, or its employees; ~~however, individual Board members shall have the right to seek information from District records and employees in accordance with this policy. Except for appropriate duties and functions of the Board President, an individual member may act on behalf of the Board only with the express authorization of the Board. Without such authorization, no individual member may commit the Board on any issue. [See BDAA]~~

~~Committing the
Board~~

~~An individual member may act on behalf of the Board only with the official express authorization of the Board. Without such authorization, no individual member may commit the Board on any issue.~~

**Individual Access to
Records Information**

~~An individual Board members, acting in their an official capacity, meaning all duties of office including administrative decisions or actions, shall have access the right to any records seek information pertaining to District fiscal affairs, business transactions, governance, and personnel matters, including existing reports and internal correspondence information that properly may be withheld from members of the general public in accordance with the Public Information Chapter of the Government Code. [See GBA]~~

Limitations

If a Board member is not acting in an official capacity, the Board member has no greater right to District records than a member of the public.

An individual Board members shall not have access to personally identifiable confidential student records unless the member is acting in an official capacity and has a legitimate educational interest in the records that properly may be withheld from members of the general public only on a need-to-know basis and in accordance with policies FL(LEGAL) and (LOCAL).

A Board member who is denied access to a record under this provision may ask the Board to determine whether the record should

BOARD MEMBERS
AUTHORITY

BBE
(LOCAL)

	<u>be provided or may file a request under the Public Information Act. [See GBAA]</u>
<u>Confidentiality</u>	<u>At the time Board members are provided access to confidential records, the Superintendent or other District employee shall advise them of their responsibility to maintain the confidentiality requirements.</u>
Requests for Records	<u>An individual Board member shall seek access to records or request copies of records from the Superintendent or other designated custodian of records, who shall respond within the time frames required by law. When a custodian of records other than the Superintendent provides access to records or copies of records to an individual Board member, the provider shall inform the Superintendent of the records provided.</u> <u>In accordance with law, the District shall track and report any requests under this provision including the cost of responding to one or more requests by any individual Board member for 200 or more pages of material in a 90-day period.</u>
<u>Requests for Reports</u>	<u>No individual members shall not direct or require District employees to prepare reports derived from an analysis of information in existing District records or to create a new record compiled from information in existing District records. [See also BE(LOCAL)] Directives to the Superintendent regarding the preparation of reports shall be by:</u> <u>Directives to the Superintendent regarding the preparation of reports shall be by:</u> 1. Board action <u>[see also BE(LOCAL)]</u>; 2. Request of an individual Board member made in a Board meeting after discussion by the Board as a whole; or 3. Written request of an individual Board member.
<u>Confidentiality</u>	<u>At the time a Board member is provided access to records or reports that are confidential or otherwise not subject to public disclosure [see GBA], the Superintendent or other District employee shall advise the Board member of the responsibility to comply with confidentiality requirements and the District's information security controls.</u>
Referring Complaints	<u>If citizens employees, parents, students, or other members of the public bring concerns or complaints to an individual Board member, he or she the member shall refer them to the Superintendent, who shall proceed according to the appropriate applicable complaint policy. [See (LOCAL) policies at DGBA, FNG, BED and GF]</u>
DATE ISSUED: 1/8/2004 LDU-02-01UPDATE 113 BBE(LOCAL)-X	

BOARD MEMBERS
AUTHORITY

BBE
(LOCAL)

Complaint Against a
Board Member

When ~~re~~ the concern or complaint directly pertains to the Board's own actions or policy, for which there is no administrative remedy, ~~it~~ the Board member may also request that the issue be ~~appropriately considered for placement~~ placed on the agenda.

A person affected by any activity of a Board member may register ~~file~~ a complaint with the ~~Board President of the Board~~ Board President, or in the case of a complaint involving the ~~Board~~ Board President, with the ~~Board First Vice-President of the Board~~ Board First Vice-President.

The ~~Board~~ Board President or ~~Board First Vice-President~~ Board First Vice-President shall act to resolve the complaint and may utilize the services of an experienced, trained mediator.

The ~~person individual~~ who initiated the complaint shall be advised of the resolution of ~~his or her~~ the complaint.

Visits to District
Facilities

A Board member shall adhere to any posted requirements for visitors to first report to the main office of a District facility, including a school campus. Visits during the school or business day shall not be permitted if their duration or frequency interferes with the delivery of instruction or District operations. [See also GKC]

Effective Date

This policy shall be effective as of the adoption date, .

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Community Engagement
Max Moll, Chief Community Engagement Officer

**SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY
BBF(LOCAL), BOARD MEMBERS: ETHICS—FIRST READING**

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves revisions to Board Policy BBF(LOCAL), *Board Members: Ethics*.

RATIONALE

The recommended change to Board Policy BBF(LOCAL), *Board Members: Ethics*, is to remove the reference to BBF(EXHIBIT), which does not exist.

A copy of BBF(LOCAL) showing the proposed changes is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all four district goals and is aligned to Core Initiative 5: Culture of Trust through Action.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the recommended changes to Board Policy BBF(LOCAL), *Board Members: Ethics*, on first reading, effective August 19, 2022.

BOARD MEMBERS
ETHICS

BBF
(LOCAL)

Code of Ethics

As a member of the Board, I shall promote the best interests of the District as a whole, and, to that end, I shall adhere to the following educational and ethical standards:

- I shall be fair, just, and impartial in all my decisions and actions.
- I shall avoid the appearance of conflict of interest and the appearance of impropriety. [See CAA(LOCAL)]
- I shall be accountable to the public by representing District policies, programs, priorities, and progress accurately.
- I shall base my actions around the foundation of the District's legal and ethical policies and procedures, including bringing about desired changes through legal and ethical means, consistently upholding and enforcing all laws, State Board of Education rules, and court orders pertaining to schools and the District.
- I shall make decisions in terms of what is best for the educational welfare of all students in the District, regardless of an individual's age, race, color, ancestry, national origin, sex, handicap or disability, marital status, religion, veteran status, political affiliation, sexual orientation, gender identity, and/or gender expression.
- I shall recognize that decisions must be made by the Board as a whole and make no personal promise or take private action that may compromise the Board, the District, my performance, or my responsibilities.
- I shall focus my attention on fulfilling the Board's responsibilities of policy making, goal setting, planning, and evaluation, and shall insist on regular and impartial evaluation of all staff members.
- I shall support and protect school personnel in the proper performance of their duties who are acting in accordance with federal, state and local laws, Board policy, or other applicable criteria.
- I shall hold confidential all matters that, if disclosed, may needlessly injure the District, individuals, or the schools, and respect the confidentiality of information that is privileged under applicable law.

BOARD MEMBERS
ETHICS

BBF
(LOCAL)

- I shall diligently prepare for and attend all regularly scheduled Board meetings insofar as possible and shall ensure I become informed concerning the issues to be considered at those meetings.
- I shall avoid personal involvement in activities the Board has delegated to the Superintendent.
- I shall endeavor to make decisions only after full discussion at publicly held Board meetings, rendering all decisions based on the available facts rather than supposition, opinion, or public favor. I shall share my views while working for consensus.
- I shall refuse to surrender my judgment to individuals or special groups.
- I shall encourage the free expression of opinion by all Board members and shall be responsive to the community by seeking its involvement in District affairs and by communicating the priorities and concerns of students, staff members, parents, teachers, and all elements of the community.
- I shall truthfully communicate to Board members and the Superintendent, at appropriate times, expressions of public reaction to Board policies and school programs.
- I shall seek continuing education that will enhance my ability to fulfill my duties effectively; including becoming informed about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by state and national school board associations.
- I shall refrain from using my Board position for personal or partisan gain.
- As a Board member, I shall remember always that I must remain focused on the educational welfare of all the students attending the public schools, and the prudent and accountable use of District resources.

~~Board member agreement to the standards herein shall be documented and agreed upon by his or her signing of BBF(EXHIBIT)..~~

Effective Date

This policy shall be effective as of the adoption date.

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Community Engagement
Max Moll, Chief Community Engagement Officer

**SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY
BBG(LOCAL), BOARD MEMBERS: COMPENSATION AND
EXPENSES—FIRST READING**

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves revisions to Board Policy BBG(LOCAL), *Board Members: Compensation and Expenses*.

RATIONALE

The recommended changes to Board Policy BBG(LOCAL), *Board Members: Compensation and Expenses*, are to update the list of entities for which board member travel may be approved, the guidelines for expense reimbursement, and the accommodations provided to board members by the district.

A copy of BBG(LOCAL) showing the proposed changes is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all four district goals and is aligned to Core Initiative 5: Culture of Trust through Action.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the recommended changes to Board Policy BBG(LOCAL), *Board Members: Compensation and Expenses*, on first reading, effective August 19, 2022.

BOARD MEMBERS
COMPENSATION AND EXPENSES

BBG
(LOCAL)

Board Travel

Education-related meetings, functions, and activities of, or sponsored by, the following entities ~~are~~ may be approved for travel at the expense of the District within budgeted limits:

1. National School Boards Association (NSBA)
2. Texas Association of School Boards (TASB)
- ~~3. National Organization for Legal Problems of Education~~
- ~~4.3.~~ International Baccalaureate ~~of~~ North America (IBNA)
- ~~5.4.~~ American Personnel and Guidance Association American Counseling Association (ACA)
- ~~6.5.~~ Houston Independent School District
- ~~7.6.~~ Council of ~~the~~ Great City Schools (CGCS)
- ~~8.7.~~ Texas Business ~~and~~ Education Coalition (TBEC)
- ~~9.8.~~ Congressional Black Caucus (CBC)
- ~~10.9.~~ National Alliance of Black School Educators (NABSE)
- ~~11. Legislature-related activities in Austin~~
- ~~12.10.~~ Texas Alliance of Black School Educators (TABSE)
- ~~13.11.~~ International Reading Association (IRA)
- ~~14.12.~~ Association for Supervision and Curriculum Development (ASCD)
- ~~15.13.~~ American Association of School Administrators (AASA)
- ~~16.14.~~ National Association ~~for~~ of Bilingual Educators (NABE)
- ~~17.15.~~ Texas Association ~~of~~ for Bilingual ~~Educators~~ Education (TABE)
- ~~18.16.~~ Texas Computer Education Association (TCEA)
- ~~19.17.~~ American Association of School Personnel Administrators (AASPA)
- ~~20.18.~~ Council for Exceptional Children (CEC)
- ~~21.19.~~ National Association of Latino Elected ~~and Appointed~~ Officials (NALEO)
- ~~22. National Coalition of Essential Schools~~
- ~~23.20.~~ Council of Urban Boards of Education (CUBE)

BOARD MEMBERS
COMPENSATION AND EXPENSES

BBG
(LOCAL)

~~24.21. National Organization of Black Council of School Board Members~~

~~25. Texas Association of Partners in Education~~

~~22. Congressional Hispanic Caucus (CHC)~~

~~23. Edunomics Lab~~

~~24. Center for Reform of School Systems (CRSS)~~

~~25. Mexican American School Board Association (MASBA)~~

~~26. Gulf Coast Area Association of School Boards~~

~~27. Leadership ISD~~

~~26-28. Any approved TASB provider~~

Other travel may be approved by the President of the Board. The Vice-President shall be responsible for approving other travel requested by the President. The Board shall have final responsibility in determining compliance with this policy.

**Expense
Reimbursement**

Travel for the Board of Education shall adhere to the following guidelines:

1. Annually, a travel budget for the Board shall be established as part of the budget planning process and shall be budgeted in the General Fund as part of the Board Services Board Trustee travel account.
2. The Board travel budget established as part of the budget planning process shall be divided equally among the Board. The travel allocation for each Board Trustee shall reimburse all out-of-District travel expenditures, including airfare, registration fees, mileage reimbursement, car rental, hotel charges, meal reimbursement, ~~telephone calls,~~ and airport parking. For all travel taken, Board Trustees shall file a travel statement with receipts accounting for travel amounts actually expended. The travel allocation may be also used for in-District travel expenditures.
3. All costs due to cancellation of trips, which cannot be refunded, or additional costs associated with the change of travel arrangements, shall be charged to the allocated travel budget available to each Board Trustee ~~unless deemed an emergency by the Board President.~~
4. The following travel costs shall be budgeted separately and shall not be allocated against the Board's annual travel allocation:

BOARD MEMBERS
COMPENSATION AND EXPENSES

BBG
(LOCAL)

- a. Travel costs incurred on trips for state and federal legislative matters;
- b. Meetings with TEA;
- c. Travel costs incurred in representing the District as the Board-appointed delegate representative to TASB; and
- d. Other designated representation approved by the Board President.

5. ~~Travel accounts shall be maintained by the Chief Financial Officer who will submit quarterly travel reports to the Board.~~

6-5. Unused funds at the end of the fiscal year shall revert to the District's General Fund ~~undesignated fund~~ balance. Expenses exceeding an individual Trustee's share of the travel budget shall be borne by that Trustee individually.

~~The Board President shall have the use of a national credit card for expenses incurred in accordance with this policy.~~

Accommodations

The District shall furnish the Board a place to hold regular and special meetings. The Board shall determine the seating arrangements, times, dates, and structure of the meetings at the first regular meeting in January of each year.

Each Trustee shall be furnished with a desk, mobile telephone, district-issued electronic device such as a tablet or laptop, and a gathering place to meet with others, as well as a parking space at the Central Administration Office.

The ~~Supervisor-supervisor~~ of the Board Services Office shall report directly to the Board through the Board President on all assigned responsibilities and duties related to the functions of the Board as a governmental body.

The ~~Supervisor-supervisor~~ of the Board Services Office shall provide reasonable ~~personal~~ professional assistance and services to Board members in the conduct of business directly related to their responsibilities and obligations as District officials. In all matters related to administrative functions, the ~~Supervisor-supervisor~~ of the Board Services Office shall report to the Superintendent's designee.

Effective Date

This policy shall be effective as of the adoption date, .

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Community Engagement
Max Moll, Chief Community Engagement Officer

SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY BDAA(LOCAL), OFFICERS AND OFFICIALS: DUTIES AND REQUIREMENTS OF BOARD OFFICERS—FIRST READING

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves proposed revisions to Board Policy BDAA(LOCAL), *Officers and Officials: Duties and Requirements of Board Officers*.

RATIONALE

Changes are recommended to reflect practice, to include an effective date, and to use current *Policy On Line* formatting style.

A copy of BDAA(LOCAL) showing the proposed changes is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all four district goals and is aligned to Core Initiative 5: Culture of Trust through Action.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the proposed revisions to Board Policy BDAA(LOCAL), *Officers and Officials: Duties and Requirements of Board Officers*, on first reading, effective August 19, 2022.

OFFICERS AND OFFICIALS
DUTIES AND REQUIREMENTS OF BOARD OFFICERS

BDAA
(LOCAL)

Board Officers

At the first regular meeting each January, the Board shall reorganize, electing its officers for one-year terms.

The officers of the Board shall consist of a President, a First Vice President, a Second Vice President, a Secretary, and an Assistant Secretary who shall be members of the Board. Officers shall be elected by majority vote of the members present and voting.

Vacancy

A vacancy among officers of the Board shall be filled by majority action of the Board.

Term And Duties

Board officers shall serve for a term of one year or until a successor is elected. Officers may succeed themselves in office. Each officer shall perform any legal duties of the office and other duties as required by action of the Board.

President

In addition to the duties required by law, the President of the Board shall:

1. Preside at all Board meetings unless unable to attend.
2. Have the right to discuss, make motions and resolutions, and vote on all matters coming before the Board.
3. Secure the resolution of complaints concerning Board members.
4. Maintain order at meetings and inform the audience that no demonstrations shall be permitted; recess any meeting to clear the Boardroom at any time if necessary to maintain order.
5. Oversee and report to the Board on the Superintendent's compliance with the monitoring system found in policy AF (LOCAL).

First Vice President

The First Vice President of the Board shall:

1. Act in the capacity and perform the duties of the President of the Board in the event of the absence or incapacity of the President.
2. Become President only upon being elected to the position.

Second Vice President

The Second Vice President of the Board shall:

1. Act in the capacity and perform the duties of the First Vice President of the Board in the event of the absence or incapacity of the First Vice President.
2. Become First Vice President only upon being elected to the position.

OFFICERS AND OFFICIALS
DUTIES AND REQUIREMENTS OF BOARD OFFICERS

BDAA
(LOCAL)

Secretary

The Secretary of the Board shall:

1. Ensure that an accurate record ~~is kept~~ of the proceedings of each Board meeting is kept and maintained by Board Services.
2. ~~Ensure that notices of Board meetings are posted and sent as required by law.~~
3. ~~2.~~ In the absence of the President and Vice President, call the meeting to order and act as presiding officer.
4. ~~3.~~ Sign or countersign documents as directed by action of the Board.

Assistant Secretary

The Assistant Secretary shall act as the Secretary in the absence of the Secretary and shall perform all duties and exercise all functions of the Secretary.

Effective Date

This policy shall be effective as of the adoption date, .

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Finance
Glenn Reed, Chief Financial Officer

**SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY
BDAE(LOCAL), OFFICERS AND OFFICIALS: DUTIES AND
REQUIREMENTS OF DEPOSITORY—FIRST READING**

This item is being updated based on an outdated board policy related to cash deposits, removing the deposit of funds into neighborhood depositories by employees.

RATIONALE

District employees do not take deposits to banks. The district has a board-approved armored car service that performs the duties of collecting and transporting funds for deposit into the district's financial institution.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item is not aligned to a core initiative but is ministerial for compliance purposes only.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the recommended changes to Board Policy BDAE(LOCAL) on first reading, effective August 19, 2022.

OFFICERS AND OFFICIALS
DUTIES AND REQUIREMENTS OF DEPOSITORY

BDAE
(LOCAL)

**Neighborhood
Depositories**

~~Funds for the food service department, stadia, and certain activities may be deposited in neighborhood banks in Harris County, provided such banks are acceptable depositories and approved by the Board. The amount of such funds shall be determined by the District.~~

Selecting a
Depository

The Superintendent or designee shall have the authority to determine the method of selecting a depository in accordance with BDAE(LEGAL).

Allowable Collateral

Eligible securities for collateralization of deposits are those defined as "eligible securities" by the Public Funds Collateral Act.

Monitoring
Collateral Adequacy

The District shall require monthly reports with market values of pledged securities from all financial institutions with which the District has collateralized deposits. The investment officers shall monitor adequacy of collateralization levels to verify market values and total collateral positions.

Release of Pledged
Securities

The investment officer or designee shall approve in writing the release or substitution of any securities pledged to the District that are being held by any organization.

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Community Engagement
Max Moll, Chief Community Engagement Officer

SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY BDD(LOCAL), BOARD INTERNAL ORGANIZATION: ATTORNEY—FIRST READING

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves proposed revisions to Board Policy BDD(LOCAL), *Board Internal Organization: Attorney*, as recommended by the Texas Association of School Boards (TASB).

RATIONALE

TASB recommends changes to Board Policy BDD(LOCAL), *Board Internal Organization: Attorney*, to:

- Document that the district's Office of Legal Services is under the direction of the superintendent;
- State that the board has final authority to retain outside counsel, and that the services provided by and fees paid for outside counsel shall be set forth in writing;
- Strengthen the wording regarding staff requests for legal advice; and
- Include the board president in the list of individuals who may seek advice or information from the district's attorney, ensuring the board has a point of contact with legal counsel even when the board has not named a specific board designee for this purpose.

A copy of BDD(LOCAL) showing the proposed changes is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all four district goals and is aligned to Core Initiative 5: Culture of Trust through Action.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the proposed revisions to Board Policy BDD(LOCAL), *Board Internal Organization: Attorney*, on first reading, effective August 19, 2022.

BOARD INTERNAL ORGANIZATION
ATTORNEY

BDD
(LOCAL)

In-House Counsel

The Superintendent shall employ an attorney or attorneys in the Office of Legal Services, as necessary, to serve as the District's in-house counsel and representative in matters requiring legal services. The Office of Legal Services shall be in the direction of the Superintendent. The Superintendent shall establish protocols for channeling staff requests for legal advice from the in-house counsel. [See BJA(LOCAL)]

Special Counsel to the Board Attorneys

The Board or Board's designee shall appoint an attorney or attorneys to serve as Special Counsel to the Board to advise on legal matters affecting Board members and provide representation and advice at Board meetings. [See BJA(LOCAL)]

The attorney or attorneys shall be responsible directly to the Board but shall be required to work with the Office of Legal Services, and other administrative staff, and outside counsel. Procedures shall be established to ensure coordination of all services in accordance with the best interests of the District.

Settlement Authority

The Board supports promoting the efficient operation of District business management processes. Accordingly, the Board authorizes the Superintendent or Superintendent's designee to approve the settlement of Workers Compensation subrogation claims, and property damage claims, without Board approval, for matters less than \$5,000. The Superintendent shall develop a regulation to facilitate this process.

Outside Counsel

The Board shall have final authority to retain outside counsel. In consultation with the Superintendent, the District's inhouse counsel may make recommendations to the Board regarding retention of an attorney or attorneys to represent the District in legal matters. Services to be performed and reasonable fees and expenses to be paid by the District to outside counsel shall be set forth in writing between the Board and the attorney or attorneys.

When seeking advice or information from the District's outside counsel, individual Board members shall channel legal inquiries through the District's in-house counsel, Superintendent, Board President, or Board's designee, as appropriate.

A staff request for legal advice from the District's outside counsel must be submitted through the District's in-house counsel or Superintendent.

Report of Legal Advice

Advice from legal counsel shall be reported to the Board upon request of the Board or when deemed necessary by the District's in-house counsel, Superintendent, Board President, or Board's designee.

BOARD INTERNAL ORGANIZATION
ATTORNEY

BDD
(LOCAL)

Effective Date

This policy shall be effective as of the adoption date, .

DATE ISSUED: 2/25/2021
LDU 2021.03
BDD(LOCAL)-X

ADOPTED:

2 of 2

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Community Engagement
Max Moll, Chief Community Engagement Officer

**SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY
BF(LOCAL), BOARD POLICIES—FIRST READING**

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves proposed revisions to Board Policy BF(LOCAL), *Board Policies*, as recommended by the Texas Association of School Boards (TASB) and the HISD administration.

RATIONALE

Recommended changes to Board Policy BF(LOCAL), *Board Policies*, are to:

- Reinforce that, at each policy code, the legally referenced policy must be read together with the local policy to further a full understanding of a topic;
- State that the terms board member and trustee are used interchangeably throughout the local policy manual, without any intent to distinguish between the terms;
- State that newly enacted law is applicable when effective;
- Remove community citizens from the list of policy initiators (because ideas from members of the community should be routed through their elected representatives);
- Delete reference to the practice of distributing copies of the policy manual throughout the district; and
- Reinforce that a district's legally referenced policies are not adopted by the board.

A copy of BF(LOCAL) showing the proposed changes is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all four district goals and is aligned to Core Initiative 5: Culture of Trust through Action.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the proposed revisions to Board Policy BF(LOCAL), *Board Policies*, on first reading, effective August 19, 2022.

BOARD POLICIES

BF
(LOCAL)

Within the context of current law, the District shall be guided by Board-adopted written policies that are given appropriate distribution and are accessible to staff members, parents, students, and community residents.

Organization

Legally referenced policies contain provisions from federal and state statutes and regulations, case law, and other legal authority that together form the framework for local decision making and implementation. Policy statements that cite court cases or attorney general opinions stand only for the specific statements in the policy and do not encompass any other statements, inferences, or conclusions in the cited authority.

Legally referenced policies are not approved by the Board.

At each policy code the legally referenced policy and the Board-adopted local policy must be read together to further a full understanding of a topic.

Terms

The terms "Trustee" and "Board member" are used interchangeably in the local policy manual. Both terms are intended to reflect all the duties and obligations of the office.

Harmony with Law

Newly enacted law is applicable when effective. No policy or regulation, or any portion thereof, shall be operative if it is found to be in conflict with applicable law.

Severability

If any portion of a policy or its application to any person or circumstance is found to be invalid, that invalidity shall not affect other provisions or applications of policy that can be given effect without the invalid provision or application; and to this end the provisions of this policy manual are declared to be severable.

Policy Development

Policies and policy amendments may be initiated by the Superintendent, Board members, or school personnel, or community citizens, but generally shall be recommended for the Board's consideration by the Superintendent.

Official Policy Manual

~~The Board shall designate one copy of the local policy manual as the official policy manual of the District is~~ Policy On Line, which is hosted by the Texas Association of School Boards (TASB) at <https://pol.tasb.org/Home/Index/592/>. In the time between approval of new, changed, or deleted documents and TASB's publication of them in Policy On Line, the updates are available on the District's website under Recently Updated Governance Documents at <https://www.houstonisd.org/Page/38486> and <https://www.houstonisd.org/site/default.aspx?PageID=111699>. ~~The official copy shall be kept in the Policy Administration Department, and the Superintendent or designee shall be responsible for its accuracy and integrity~~ District's Policy Management staff coordinate with TASB when

BOARD POLICIES

BF
(LOCAL)

	<u>there are updates to <i>Policy On Line</i></u> and shall maintain a historical record of the District's policy manual.
Adoption And Amendment	Proposed local policies or amendments introduced and recommended to the Board at one meeting shall not be adopted until a subsequent meeting. Emergency adoption, however, may occur in one meeting if circumstances demand an immediate response. Local policies become effective upon Board adoption or at a future date designated by the Board at the time of adoption.
Exception	In instances where nonsubstantive changes to local Board policy are necessary, the Board grants to the Superintendent or a designee authority to make such changes without prior Board approval. The Board shall be notified of such changes and shall have the opportunity to redirect such changes for Board approval. "Nonsubstantive" changes are defined as minor modifications to policy text that do not alter the meaning or intent of the policy. Such changes include, but are not limited to: 1. Updates to reflect the names of individuals who are specifically named as holding certain District positions such as the Title IX and ADA/Section 504 coordinator. 2. Updates to reflect actions previously approved by the Board, for example, as the result of reorganization.
TASB Localized Updates	After Board review of legally referenced policies and adoption of local policies, the new material shall be incorporated into the official policy manual <u>and into other localized policy manuals maintained by the District.</u> If <u>anyone makes a copy of the policy manual and discrepancies occur between different copies of the manual distributed throughout the District,</u> the version contained in the official policy manual shall be regarded as authoritative. [See also BP(LOCAL) regarding District procedures and administrative practices reflected in administrative regulations.]
<u>Effective Date</u>	<u>This policy shall be effective as of the adoption date. .</u>

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Community Engagement
Max Moll, Chief Community Engagement Officer

**SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY
BJCF(LOCAL), SUPERINTENDENT: NONRENEWAL—FIRST
READING**

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves proposed revisions to Board Policy BJCF(LOCAL), *Superintendent: Nonrenewal*, as recommended by the Texas Association of School Boards (TASB) and the HISD administration.

RATIONALE

TASB recommends changes to Board Policy BJCF(LOCAL), *Superintendent: Nonrenewal*, to:

- Affirm that decisions will not be based on protected employee characteristics and to better align the list of protected characteristics with those in legal precedent regarding freedom from discrimination, harassment, and retaliation;
- Make the list of reasons for nonrenewal consistent with DFBB(LOCAL), *Term Contracts: Nonrenewal*;
- Add the section No Hearing for procedures if a superintendent does not request a hearing; and
- Change school property to district property.

In addition, the district administration recommends adding an effective date.

A copy of BJCF(LOCAL) showing the proposed changes is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all four district goals and is aligned to Core Initiative 5: Culture of Trust through Action.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the proposed revisions to Board Policy BJCF(LOCAL), *Superintendent: Nonrenewal*, on first reading, effective August 19, 2022.

SUPERINTENDENT
NONRENEWAL

BJCF
(LOCAL)

Reasons

The Board's decision not to renew the Superintendent's contract shall not be based on the Superintendent's exercise of Constitutional rights guaranteed by the Constitution, or based unlawfully on race, color, religion, sex, gender, national origin, age, disability, or any other basis prohibited by law. Reasons for the nonrenewal of the Superintendent's contract shall be:

1. Deficiencies pointed out in evaluations, supplemental memoranda, or other communications.
2. Failure to fulfill duties or responsibilities.
3. Incompetency or inefficiency in the performance of duties.
4. Insubordination or failure to comply with Board directives.
5. Failure to comply with Board policies or administrative regulations.
6. Failure of the District to make measurable progress towards the goals stated in the District improvement plan. [See BQ]
7. Conducting personal business during school hours when it results in neglect of duties.
8. Drunkenness or excessive use of alcoholic beverages; or possession, use, or being under the influence of alcohol or alcoholic beverages while on school-District property, while working in the scope of the employee's duties, or while attending any school- or District-sponsored activity.
9. The illegal possession, use, manufacture, or distribution of a controlled substance, a drug, a dangerous drug, hallucinogens, or other substances regulated by state statutes.
10. Failure to meet the District's standards of professional conduct.
11. Failure to report to the Board any arrest, indictment, conviction, no contest or guilty plea, or other adjudication for any felony, any crime involving moral turpitude, or other offense listed at DH(LOCAL). [See DH]
12. Conviction of or deferred adjudication for any felony, any crime involving moral turpitude, or other offense listed at DH(LOCAL); or conviction of a lesser included offense pursuant to a plea when the original charged offense is a felony. [See DH]
13. Failure to comply with reasonable District requirements regarding advanced coursework or professional improvement and growth.

SUPERINTENDENT
NONRENEWAL

BJCF
(LOCAL)

14. Disability, not otherwise protected by law, that prevents the Superintendent from performing the essential functions of the job.
15. Any activity, school-connected or otherwise, that, because of publicity given it or knowledge of it among students, faculty, or the community, impairs or diminishes the Superintendent's effectiveness in the District.
16. Any breach by the Superintendent of an employment contract or any reason specified in the Superintendent's employment contract.
17. Failure to maintain an effective working relationship, or maintain good rapport, with parents, the community, staff, or the Board.
- ~~17.~~ 18. Behavior that presents a danger of physical harm to a student or other individuals.
- ~~18.~~ 19. Assault on a person on school-District property or at a school-related function, or on an employee, student, or student's parent regardless of time or place.
- ~~19.~~ 20. Use of profanity in the course of performing any duties of employment, whether on or off school-District premises, in the presence of students, staff, or members of the public, if reasonably characterized as unprofessional.
- ~~20.~~ 21. Falsification of records or other documents related to the District's activities.
- ~~21.~~ 22. Falsification or omission of required information on an employment application.
- ~~22.~~ 23. Misrepresentation of facts to the Board or other District officials in the conduct of District business.
- ~~23.~~ 24. Failure to fulfill or maintain requirements for Superintendent certification, unless granted a waiver by the Commissioner of Education.
- ~~24.~~ Failure to fulfill the requirements of a deficiency plan under an Emergency Permit or a Special Assignment Permit.
25. Any attempt to encourage or coerce a child to withhold information from the child's parent or from other District personnel.
- ~~25.~~ 26. Any reason that makes the employment relationship void or voidable, such as a violation of federal, state, or local law.

SUPERINTENDENT
NONRENEWAL

BJCF
(LOCAL)

~~26-27.~~ Any reason constituting good cause for terminating the contract during its term.

**Notice of Proposed
Nonrenewal**

If the Board determines that the Superintendent's contract should be considered for nonrenewal, the Board shall deliver to the Superintendent ~~by hand or certified mail, return receipt requested,~~ written notice of the proposed nonrenewal in accordance with law. ~~This notice shall contain the hearing procedures and shall be delivered not later than the 30th day before the last day of the contract term.~~

Request for Hearing

If the Superintendent desires a hearing after receiving notice of the proposed nonrenewal, the Superintendent shall notify the Board in writing not later than the 15th day after receiving the notice. When the Board receives a timely request for a hearing on proposed nonrenewal, the hearing shall be held not later than the 15th day after receipt of the request, unless the parties mutually agree to a delay. The Superintendent shall be given notice of the hearing date as soon as it is set.

Hearing Procedure

~~Unless the Superintendent requests that the hearing be open, the~~ hearing shall be conducted in closed meeting ~~unless the Superintendent requests that it be open,~~ with only the members of the Board, the Superintendent, their chosen representatives, and such witnesses as may be called in attendance. Witnesses may be excluded from the hearing until ~~it is their turn called~~ to present evidence. The Superintendent and the Board may each be represented by a person designated in writing to act for them. Notice, at least five days in advance of the hearing, shall be given by each party intending to be represented, including the name of the representative. Failure to give such notice may result in postponement of the hearing.

The conduct of the hearing shall be under the ~~Board President's~~ presiding officer's control and ~~in general~~ shall generally follow the steps listed below:

1. After consultation with the parties, the ~~Board President~~ presiding officer shall impose reasonable time limits for presentation of evidence and closing arguments.
2. The hearing shall begin with the Board's presentation, supported by such proof as it desires to offer.
3. The Superintendent may cross-examine any witnesses for the Board.
4. The Superintendent may then present such testimonial or documentary proofs, as desired, to offer in rebuttal or in general support of the contention that the contract be renewed.

SUPERINTENDENT
NONRENEWAL

BJCF
(LOCAL)

5. The Board may cross-examine any witnesses for the Superintendent and offer rebuttal to the testimony of the Superintendent's witnesses.
6. Closing arguments may be made by each party.

A record of the hearing shall be made so that a certified transcript can be prepared, if required.

Board Decision

The Board may consider only such evidence as is presented at the hearing. After all the evidence has been presented, if the Board determines that the reasons given in support of the recommendation to not renew the Superintendent's contract are lawful, supported by the evidence, and not arbitrary or capricious, it shall so notify the Superintendent by a written notice not later than the 15th day after the date on which the hearing is concluded. This notice shall also include the Board's decision on renewal, which decision shall be final.

No Hearing

If the Superintendent fails to request a hearing, the Board shall take the appropriate action and notify the Superintendent in writing of that action not later than the 30th day after the date the notice of proposed nonrenewal was sent.

Effective Date

This policy shall be effective as of the adoption date, .

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Community Engagement
Max Moll, Chief Community Engagement Officer

SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY BQ(LOCAL), PLANNING AND DECISION-MAKING PROCESS—FIRST READING

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves proposed revisions to Board Policy BQ(LOCAL), *Planning And Decision-Making Process*, as recommended by the Texas Association of School Boards (TASB).

RATIONALE

TASB recommends changes to Board Policy BQ(LOCAL), *Planning And Decision-Making Process*, to:

- Include the district vision in the first paragraph;
- Simplify and update the listing of plan requirements;
- Expand outreach from parents to family members of students in accordance with the Every Student Succeeds Act (ESSA); and
- Relocate and rename the section Parental Involvement Plan as Parent and Family Engagement Plan.

A copy of BQ(LOCAL) showing the proposed changes is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all four district goals and is aligned to Core Initiative 5: Culture of Trust through Action.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the proposed revisions to Board Policy BQ(LOCAL), *Planning And Decision-Making Process*, on first reading, effective August 19, 2022.

PLANNING AND DECISION-MAKING PROCESS

BQ
(LOCAL)

~~District Mission,
Goals, Objectives, and
Campus Objectives~~

The Board shall approve and periodically review the District's vi-
sion, mission, and goals to improve student performance. The vi-
sion, mission, goals, and the approved District, school, depart-
mental, and administrative districts', and campus objectives shall
be mutually supportive and shall support the state goals and objec-
tives under Education Code, Chapter 4. [See AE(EXHIBIT)]

**District Planning
Process**

The District's planning process to improve student performance in-
cludes the District-wide plan, District office management plan, de-
partmental management plans, and school improvement plans. All
pertinent federal planning requirements and other required District
plans shall be included in these plans. The Board shall approve the
process under which the educational goals are developed and
shall ensure that input is gathered from the District-level commit-
tee. [See BQA]

~~District, -Wide Plan
District Offices',
Management Plan
School, and
Improvement Plan
Departmental
Management Plans~~

The District-wide plan, District office management plans, school im-
provement plans, and departmental management plans must in-
clude the following:

1. A mission statement.
2. An overview of the administrative District, school, or depart-
ment, as applicable to the level of the plan.
3. School plans, District office management plans, and the Dis-
trict wide plan, which shall include a description and operat-
ing procedures of the shared decision-making committee, the
District office advisory committee, or the District advisory
committee for school plans, District office management plans,
and the District-wide plan.
4. A comprehensive needs assessment addressing each meas-
urable objective included in the plan, which- It shall include ei-
ther student performance data or, for departmental manage-
ment plans, school support and other relevant data.
- 4.5. Student performance data shall be presented on the aca-
demic excellence indicators and other appropriate measures
of performance that are disaggregated by all accountability
student groups served by the District, including categories of
ethnicity and race, free and reduced lunch status, gender, and
all student populations served by special programs.
- 5.6. Goals and measurable performance objectives as specified
by the Superintendent. Objectives shall include those to ad-
dress all appropriate academic excellence indicators for all
student populations, appropriate objectives for all special
needs populations, and other measures of student

PLANNING AND DECISION-MAKING PROCESS

BQ
(LOCAL)

performance that may be identified through a comprehensive needs assessment.

~~6-7.~~ A summative evaluation statement for each objective.

~~7-8.~~ Strategies and initiatives for accomplishing each measurable objective.

~~8-9.~~ Resources needed to implement identified strategies and initiatives, including dollar amount and budget source.

~~9-10.~~ Staff responsible for ensuring the accomplishment of each strategy and monitoring the progress (formative evaluation) toward accomplishment of the objective.

~~10-11.~~ Time lines for conducting the formative evaluation.

~~11-12.~~ Formative evaluation criteria for determining periodically whether strategies and initiatives are resulting in accomplishment of the objective.

~~12-13.~~ Any other local, state, or federal requirements.

Parent and Family
Engagement Plan

The Board shall ensure that the District and school improvement plans, as applicable, address all elements required by federal law for receipt of Title I, Part A funds, including elements pertaining to parent and family engagement. The school-level committees shall involve parents and family members of District students in the development of such plans and in the process for school review and improvement of student academic achievement and school performance.

[See EHBD]

Evaluation

The administration shall gather data and develop criteria to undertake the required biennial evaluation to ensure that policies, procedures, and staff development activities related to planning and decision making are effectively structured to positively impact student performance.

**Educational Program
Assurance**

An evaluation and formal written analysis of each service related to contracts that support the District's initiative to increase student achievement, as defined in the District's Declaration of Beliefs and Visions, shall be performed. For central office contract initiatives, the Superintendent or delegate shall perform the analysis. For campus-school contract initiatives, the principal or delegate shall perform the analysis. The analysis shall document any assumptions, contain supporting documentation, and reach a conclusion as to the level of assurance achieved from deliverables and/or services from the inception of the contract to the current date as compared to contractual terms and work described in the Board's

PLANNING AND DECISION-MAKING PROCESS

BQ
(LOCAL)

agenda item. The results will also be provided to the Board upon completion.

Contractual language for deliverables and/or services related to any contract that supports the District's initiative to increase student achievement shall contain:

- Periodic metrics and milestones that would indicate satisfactory performance by the vendor and/or student; and
- Standard language that would allow the District to terminate the contract within 30 days in case satisfactory assurance as determined by the Superintendent or Board is not reasonable.

Parental Involvement
Plan

~~It shall be the policy of the District that the school improvement plan address all elements required by federal law for receipt of Title I, Part A funds, including elements pertaining to parental involvement. The campus-level committee shall involve parents in the development of this plan and in the process for campus review and improvement of student academic achievement and campus performance. [See EHBD]~~

Effective Date

This policy shall be effective as of the adoption date, ~~January 16, 2015.~~

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Academics
Shawn Bird, Chief Academic Officer

SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY BQA(LOCAL), PLANNING AND DECISION-MAKING PROCESS: DISTRICT-LEVEL—FIRST READING

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves revisions to Board Policy BQA(LOCAL), *Planning And Decision-Making Process: District-Level*, as recommended by the HISD administration.

RATIONALE

The administration recommends revisions to local policy to clarify that the District Advisory Committee (DAC) facilitator is not a voting member of the committee; to expand the definitions of some roles; to include details about the DAC election process; and to include an effective date.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all four district goals and is aligned to Core Initiative 5: Culture of Trust through Action.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the recommended changes to Board Policy BQA(LOCAL), *Planning And Decision-Making Process: District-Level*, on first reading, effective August 19, 2022.

PLANNING AND DECISION-MAKING PROCESS
DISTRICT-LEVEL

BQA
(LOCAL)

**District Advisory
Committee (DAC)**

In compliance with Education Code 11.251, the District Advisory Committee (DAC) shall advise the Board or its designee in establishing and reviewing the District's educational plans and goals, performance objectives, and major Districtwide classroom instructional programs identified by the Board or its designee. The committee shall serve exclusively in an advisory role except that the committee shall approve staff development of a Districtwide nature.

Chairperson

The Superintendent shall be the Board's designee and shall name a District administrator as the facilitator. The facilitator is not a member of the committee and may not vote. Co-chairs shall be elected from the committee's membership. The Superintendent shall meet with the committee periodically.

Meetings

The facilitator, with input from the co-chairs, shall set the committee's agenda, and shall schedule at least six meetings per year; additional meetings may be held at the call of the facilitator.

Minutes

Copies of the minutes of the DAC meetings shall be distributed to members of the committee and shall be available on the District's ~~Web site~~ website. A paper copy will be made available to members of the general public upon request.

Duties of Committee

The committee shall perform duties as described in BQA(LEGAL).

The DAC will not address issues that in any way affect employees' wages, hours, or conditions of work. Nothing in this section shall be construed as creating a new cause of action or as requiring collective bargaining. [See BQA(LEGAL)]

Community Input

The Superintendent or designee shall ensure that the District-level committee obtains broad-based community, parent, and staff input through ad hoc advisory committees, the ~~Web site~~ website, newsletters, and other methods as appropriate, and that it provides information to those persons on a systematic basis.

Composition

The committee shall be composed of members who shall represent campus-based professional staff (including, if practicable, at least one member with primary responsibility for educating students with disabilities), District-level professional staff, at least two parents, two business representatives, and two community members. Parent and community members and business representatives selected for the DAC shall appropriately represent the community's diversity. At least two-thirds of the elected professional staff representatives shall be classroom teachers. The remaining staff representatives shall include both campus- and District-level professional staff.

Parents

The Superintendent or designee shall select at least two parents after soliciting a pool of names from District staff and other parents

PLANNING AND DECISION-MAKING PROCESS
DISTRICT-LEVEL

BQA
(LOCAL)

currently involved in the District. The parents must have children currently enrolled in the District.

**Community
Members**

"Parent" means a person who is a parent of or person standing in parental relation to a student enrolled at a school and who is not an employee of the school or the school District.

The Superintendent or designee shall select at least two community members after soliciting a pool of names from District staff and other community members currently involved in the District. All community member representatives must reside in the District and be at least 18 years of age. Community member representatives should not include a person who is a parent of a student enrolled in the District or a person who is an employee of the District.

**Business
Representatives**

The Superintendent or designee shall select at least two business representatives after soliciting a pool of names from District staff and other business people currently involved in the District. Business member representatives need not reside in nor operate businesses in the District.

**Professional Staff
Members**

Campus-based professional staff membership on the committee shall be open to all certified professional staff who are currently employed in a full-time professional position assigned to one school. Classroom teachers and other members of school-based professional staff who are elected to Shared Decision-Making Committees are eligible for nomination for election to the committee.

Elections

If no special education professional staff member is elected to the DAC, the Superintendent is responsible for ensuring that a special education representative is appointed as a nonvoting member of the committee

An employee's affiliation or lack of affiliation with any organization or association shall not be a factor in either the nomination or election of representatives on the committee. [See also DGA]

The consent of each nominee shall be obtained before the person's name may appear on the ballot. An annual election will be held to determine the professional staff members of the committee.

DAC members may be reelected and may not serve more than two consecutive terms. When a vacancy occurs on the committee prior to the end of a term, the runner-up to that position may complete the term.

Nominations from
Campus-Based
Professionals

A transparent call for nominees will be conducted by the assigned District administrator and by campus principals to determine two

PLANNING AND DECISION-MAKING PROCESS
DISTRICT-LEVEL

BQA
(LOCAL)

Nominations from
Central Office
Departments

campus nominees: one teacher and one campus-based professional employee.

Any eligible campus-based professional may be nominated by another campus-based professional or may self-nominate to be included in the campus-based election process. Campus nominees must consent to be included on the District ballot.

If there is more than one consenting nominee, a transparent election process should be conducted at the campus level to determine the nominee with the most support among the professional staff.

Central office department heads will conduct a transparent call for nominees to determine one nominee who is a professional employee (pay grade 25 or above). The department nominee must consent to being included on the District ballot. If there is more than one consenting nominee, a transparent election process should be conducted within the department to determine the nominee with the most support among the professional staff. Any eligible central office employee may self-nominate to be included in the department-based election process.

Districtwide Election

Following submission of all the nominees, a District ballot will be opened for electronic voting, via a secure District portal application. At the conclusion of the voting window, nominees with the most votes will be notified of their election to the DAC.

- Each campus-based professional is eligible to cast one teacher vote and one other professional vote.
- The campus professionals will vote for individuals by their school level (elementary, middle, and high).
- Individual teachers at elementary schools will elect one person from among the elementary teacher nominees.
- Individual teachers at middle schools and prekindergarten (PK)–8 campuses will elect one person from among the middle school and PK–8 campus nominees.
- Individual teachers at high schools and grades 6–12 campuses will elect one person from among the high school nominees.
- Individual campus and district professional personnel (non-teachers) may elect one person from among the other professional nominees.
- Central office professionals are eligible to cast one vote and may elect one person from the central office nominees.

PLANNING AND DECISION-MAKING PROCESS
DISTRICT-LEVEL

BQA
(LOCAL)

**Other Advisory
Groups**

The existence of the DAC shall not affect the authority of the Board or its designee to appoint or establish other advisory groups to task forces to assist it in matters pertaining to District instruction.

**District Office
Advisory Committee
(DOAC)**

District Office Advisory Committees (DOAC) shall be established to advise the District Superintendent in establishing educational goals, objectives, and major administrative district office classroom instructional programs. The committee shall serve exclusively in an advisory role except that the DOAC shall approve staff development of an administrative ~~and~~ District nature.

Minutes

Copies of the minutes of the DOAC meetings shall be distributed to members and shall be available on the District's office ~~Web site~~ website. A paper copy shall be made available upon request by other interested parties.

Composition

The DOAC composition shall be established by administrative procedures.

Effective Date

This policy shall be effective as of the adoption date, .

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Finance
Glenn Reed, Chief Financial Officer

**SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY
CDC(LOCAL), OTHER REVENUES: GIFTS AND SOLICITATIONS—
FIRST READING**

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves revisions to Board Policy CDC(LOCAL), *Other Revenues: Gifts And Solicitations*, on first reading.

RATIONALE

This item is being updated in response to a request by the Grant Development Department. Edits to this policy are necessary to remove obsolete language and add language regarding authority to accept gifts on behalf of the district and criteria for acceptance.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all four district goals and is aligned to all five core initiatives. It also allows HISD to fulfill its purposes and strategic intent.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the proposed revisions to CDC(LOCAL), *Other Revenues: Gifts And Solicitations*, on first reading, effective August 19, 2022.

OTHER REVENUES
GIFTS AND SOLICITATIONS

CDC
(LOCAL)

Note: For purposes of this policy, the terms “gift” and “donation” have the same meaning.

Definitions

“Gift”

A “gift” or “donation” shall mean something bestowed voluntarily and without a fee to the District.

“Device”

A “device” shall mean a tangible product, commodity, good, or instrument that has relative value or worth.

“Donor”

A “donor” shall mean an organization or individual who contributes a donation, device, or gift.

**Voluntary and
Unsolicited Gifts**

The District, schools, programs, and classes may seek and accept gifts with approval from designated administration. The practice is permissible as long as it is truly voluntary and in no way a prerequisite to participation in any District program or activity. Furthermore, the District shall not solicit anything of value from known technology service providers who plan to participate or currently participate in the District’s E-Rate Program. However, the District may accept voluntary philanthropic gifts initiated by such vendors where such actions further the educational mission of the District and comply with all aspects of this policy. Any statement or explanation related to a gift that may lead a reasonable person to believe the donation may not be truly voluntary shall be avoided.

Examples of such statements include, but are not limited to, a specified minimum amount of a gift, a date by which a gift is due, or a lesser gift amount if funds are received prior to a certain date. Additionally, any statement or action that exerts explicit or implicit pressure on a student or parent to make a gift shall be avoided. The reason a student or family does not make a gift is not a subject for inquiry.

Authority to Accept

~~Except as provided below, the~~ The Board delegates the following employees authority to accept and seek approval for unsolicited gifts on behalf of the District as follows:

1. Principals or ~~department/campus designees the school support officer of the school~~ to which the gift has been made or ~~the program director of the program to which the gift has been made~~ shall be authorized to accept and seek approval for unsolicited gifts with a cost or market value up to \$1,000.
2. The Superintendent or designee shall be authorized to accept unsolicited gifts with a cost or market value more than \$1,000 but less than \$5,000.

Any gift with a cost or market value of \$5,000 or more, any gift that the potential donor has expressly made conditional upon the

OTHER REVENUES
GIFTS AND SOLICITATIONS

CDC
(LOCAL)

District's use for a specified purpose, or any gift of real property, shall require Board approval.

Any gift to the District that requires the prior approval of the Board shall be considered by the Board at its next regularly scheduled Board meeting following the date the gift was offered. The principal or appropriate department head shall work with the appropriate a member of the Superintendent's cabinet to submit an agenda item for Board approval.

Once accepted, a gift becomes the sole property of the District.

[For technology service provider contributions, see TECHNOLOGY DONATIONS, below.]

*Criteria for
Acceptance*

The District shall not accept any gift that would violate or conflict with policies of or actions by the Board or with federal or state law.

Before employees accept a gift or an agenda item is submitted for Board approval, the following shall be considered: the Superintendent recommends acceptance of a gift to the Board, as applicable, the Superintendent shall consider whether the gift:

1. ~~Has~~ Does it have a purpose consistent with the District's educational philosophy, goals, and objectives;
2. ~~Places~~ Does it place any restrictions on a campus or District program;
3. ~~Would~~ Will it support a program that the Board may be unable or unwilling to continue when the donation of funds is exhausted;
4. ~~Would~~ Will it result in ancillary or ongoing costs for the District;
5. ~~Requires~~ Does it require employment of additional personnel;
6. ~~Requires~~ Does it require or implies imply the endorsement of a specific business or product [see GKB for advertising opportunities];
7. ~~Would~~ Will it result in inequitable funding, equipment, or resources among District schools or programs;
8. ~~Obligates~~ Does it obligate the District or a campus to engage in specific actions;
9. Is it connected to an existing contract, future promise, or future contract;

OTHER REVENUES
GIFTS AND SOLICITATIONS

CDC
(LOCAL)

	10. Creates Does it create a controversy calling into doubt the appropriateness of the gift or donation; 11. Does not it require factual determination as to the legal ownership of the gift; and 12. Affects Does it affect the physical structure of a building or would require extensive maintenance on the part of the District and meets the District's design standards; ? For real property, the Superintendent shall determine whether the title to the property has been transferred to the District.
Playground Equipment	Donated or used playground equipment shall not be accepted by the District. [See CS2(REGULATION)]
Technology Donations	Technology devices that are donated must be coordinated through the department of technology and information systems. A donation must meet the minimum approved standards as described in the Guidelines for Donated Equipment section of the <i>Technology and Information Systems Manual</i> located on HISDConnect at www.houstonisd.org .
Vehicle Donations	Before a vehicle may be accepted as a gift, a complete analysis must be conducted to determine if the vehicle is operational and will pass state inspection. All costs (i.e., repairs, maintenance, inspections, insurance, and the like) must be given careful consideration prior to determining if ownership is fully justified. The following shall apply for vehicle donations: 1. The official title of ownership must be transferred to the District and placed in the possession of the property management department. 2. Vehicles with a free and clear title shall be considered. Additional information regarding vehicle donations can be accessed in the <i>Finance Procedures Manual</i>, Section 908—Donation of Vehicles to Schools, located at www.houstonisd.org.
Technology Service Providers	Anything of value offered by a technology service provider that is valued shall require Ethics and Compliance Office review prior to acceptance of the gift. Any technology device donations made by E-Rate vendors must also be reviewed by the Ethics and Compliance Office. [See CQ(LOCAL)]
Refusal of Gift	The Board and employees shall reserve the right to refuse any gift offered to the District, at any time and for any reason, as deemed appropriate by the Board and/or the Superintendent.

OTHER REVENUES
GIFTS AND SOLICITATIONS

CDC
(LOCAL)

Donor Recognition	Recognition of the donor for the gift may be made at the school or department <u>with approval from administration, or program level.</u> Formal recognition may be made by the Board or the administration. <u>Groups that make a number of donations throughout the school year may receive formal recognition at the end of the year.</u> <u>Appropriate plates, plaques, markers, or other means of identifying the donor may be used.</u>
Solicitations	An employee who solicits gifts on behalf of the District or for use in the fulfillment of his or her professional responsibilities shall comply with relevant state and federal law and any District administrative regulations. All donations solicited on behalf of the District, including solicitations in the name of the District or a campus, or donations solicited using District or campus resources, become the sole property of the District
Web-Based Solicitations	An employee may solicit web-based donations of money or items for use by the employee in fulfilling his or her professional responsibilities or for the District's use, including "crowdfunding." However, an employee shall obtain prior approval from the employee's supervisor before using the name or image of the District, a campus, or any student. <u>[See CDC(Regulation)]</u>
<u>Effective Date</u>	<u>This policy shall be effective as of the adoption date, .</u>

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Finance
Glenn Reed, Chief Financial Officer

**SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY
CFC(LOCAL), ACCOUNTING: AUDITS—FIRST READING**

This item is being updated to better define the requirement of an annual audit by independent auditors and the approval of fees.

RATIONALE

An annual audit of the district's fiscal accounts is required. Fees are approved at the time of contract approval. The auditors may be requested to perform services in addition to the annual audit and will be compensated.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item is not aligned to a core initiative but is ministerial for compliance purposes only as it relates to audit processes and procedures.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the recommended changes to Board Policy CFC(LOCAL), *Accounting: Audits*, on first reading, effective August 19, 2022.

ACCOUNTING
AUDITS

CFC
(LOCAL)

Internal Audit

The Office of Internal Audit shall conduct a broad, comprehensive program of financial compliance and performance auditing within the District. It shall review the adequacy of the systems of internal controls to ascertain whether they provide reasonable assurance that the District's objectives and goals will be met efficiently and economically and that the systems of internal controls are functioning as intended.

The Office of Internal Audit shall review the quality of performance of various activities and departments to ascertain whether goals and objectives have been achieved and if the District's resources have been utilized effectively. To this end, Internal Audit shall furnish management with objective analyses, appraisals, information, counsel, and recommendations concerning the activities reviewed. Internal Audit shall be afforded access to all District records, personnel, and physical properties. [See BDB(LOCAL) for procedures for internal audit reports]

Duties

The auditors so employed shall:

1. Prepare an annual audit plan for submission to the Board Audit Committee by May 31 of each year;
2. Prepare an annual audit report for presentation to the Board and for publication in compliance with statutes; and
3. Perform other services as may be required by the Board.

**Independent
Auditors/Annual
Audit**

The Board shall have the funds-fiscal accounts of the District audited ~~at intervals and~~ annually by a Texas certified or public accountant holding a permit from the Texas Board of Public Accountancy. In accordance with prudent business practices, the District shall issue requests for qualifications for such services not less than once every five to seven years. The policy of the District shall be to rotate such services so long as two or more qualifying public accounting firms have submitted proposals for such services. The annual audit shall be completed at the close of each fiscal year and shall meet at least the minimum requirements prescribed by the State Board of Education. The audit shall include an examination and review of the accuracy of the fiscal information provided by the District through the Public Education Information Management System (PEIMS). A copy of the annual audit report shall be filed with the Texas Education Agency (TEA) within 150 days after the end of the fiscal year. The Board shall also publish a condensed version of its audit report in one of the daily newspapers in the City of Houston.

Duties

~~The auditors so employed shall:~~

ACCOUNTING
AUDITS

CFC
(LOCAL)

	1. Prepare an annual audit plan for submission to the Board Audit Committee by May 31 of each year; 2.1. Prepare an annual audit report for presentation to the Board and for publication in compliance with statutes; and 3.1. Perform other services as may be required by the Board.
Fees	The fee for auditing services shall be established annually at the time of the request for Board approval of the auditor's contract. For any accounting and auditing services as may be required by the State Board of Education in addition to the duties listed above, the auditors shall receive additional remuneration based on prevailing scales for such services.
E-Rate Matters	In the case of E-Rate matters, refer to governance provided at CAA.
<u>Effective Date</u>	<u>This policy shall be effective as of the adoption date, .</u>

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Finance
Glenn Reed, Chief Financial Officer

**SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY
CFD(LOCAL), ACCOUNTING: ACTIVITY FUNDS MANAGEMENT—
FIRST READING**

This item is being updated based on recommendations from the Texas Association of School Boards (TASB) as well as the district adding additional clarification.

RATIONALE

TASB recommends changes to Board Policy CFD(LOCAL) to include clarification that student activity funds are those funds raised and collected by student clubs and organizations. Approval to spend those funds rests solely with the student organization or club, with disbursement management and approvals by the principal and sponsor.

A more specific reference to the district's accounting practices and procedures was added regarding management of expenditures.

In addition, the district has added text providing more guidance on what a bona fide organization is as well as modifying the deposit instructions.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item is not aligned to a core initiative but is ministerial for compliance purposes only as it relates to activity fund organization processes and procedures.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the recommended changes to Board Policy CFD(LOCAL), *Accounting: Activity Funds Management*, on first reading, effective August 19, 2022.

ACCOUNTING
ACTIVITY FUNDS MANAGEMENT

CFD
(LOCAL)

**Fiduciary
Responsibility**

The principal and sponsor, as applicable, shall be responsible for the proper administration of District and campus activity funds and student activity funds in accordance with state law and local policy, District-approved accounting practices and procedures, and the Texas Education Agency (TEA) Financial Accountability System Resource Guide.

**Student Activity
Funds**

The Superintendent or designee shall ensure that on each campus student activity accounts are maintained to manage all class funds, organization funds, and any other funds raised and collected from by students bona fide student clubs or organizations for activities that support the student-led organizations. According to the State Comptroller's office, a bona fide organization is a group that must be organized for activity other than instruction or a participatory group. Essentially, any student group that is recognized by the school and organized by electing officers (not just participatory captains), holding meetings, and conducting business is a bona fide organization of the school district. a school-related purpose. The principal or designee shall issue receipts for all funds and prior to their deposit those funds into the appropriate District account at the District depository. All cash and checks should be stored in safes until picked up by the District's armored courier, on the same day if possible.

Student activity funds shall be included in the annual audit of the District's fiscal accounts. [See CFC]

**Use And
Expenditure**

Funds collected by student groups shall be used only for purposes authorized by the student club or organization or upon approval of the sponsor. The principal or designee and sponsor shall manage and approve all disbursements. All funds raised by student organizations must be expended for the benefit of the students.

**District And Campus
Activity Funds**

The Superintendent shall establish regulations governing ensure District accounting practices and procedures address the expenditure of District and campus activity funds generated from vending machines, rentals, gate receipts, concessions, and other local sources of revenue over which the District has direct control. Funds generated from such sources shall be expended for the benefit of the District or its students and shall be related to the District's educational purpose.

Approval

Approval from the immediate supervisor or designee shall be obtained prior to a disbursement being made to any employee, including the principal.

Carryover Funds

All funds shall be left in the appropriate account and each sponsoring group shall retain the carryover funds for the next fiscal year. If a club or an organization ceases to function or exist, the unex-

ACCOUNTING
ACTIVITY FUNDS MANAGEMENT

CFD
(LOCAL)

pended funds of the organization shall be credited to the appropriate administrative activity account.

[See the *Finance Procedures Manual* for additional information regarding activity funds management]

Effective Date

This policy shall be effective as of the adoption date, , 2022.

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Finance
Glenn Reed, Chief Financial Officer

**SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY
CFE(LOCAL), ACCOUNTING: PAYROLL PROCEDURES—FIRST
READING**

This item is being updated for communication of the annual payday schedule/calendar moving from the compensation manual to the district website.

RATIONALE

Each year the payday schedule is posted to the district website along with other employee resources.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item is not aligned to a core initiative but is ministerial for compliance purposes only as it relates to accounting and payroll processes and procedures.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the recommended changes to Board Policy CFE(LOCAL), *Accounting: Payroll Procedures*, on first reading, effective August 19, 2022.

ACCOUNTING
PAYROLL PROCEDURES

CFE
(LOCAL)

Payroll

Employees shall be paid in accordance with the published payday schedule. A payroll calendar shall be prepared and published on the district website in the Salary Manual subsequent to the approval of the Board. Refer to the appropriate administrative regulations for specific guidelines and procedures.

Effective Date

This policy shall be effective as of the adoption date, .

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of the Chief of Police
Pedro Lopez, Chief of Police

**SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY
CKE(LOCAL), SAFETY PROGRAM/RISK MANAGEMENT: SECURITY
PERSONNEL—FIRST READING**

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves revisions to Board Policy CKE(LOCAL), *Safety Program/Risk Management: Security Personnel*, as recommended by the Texas Association of School Boards (TASB) and the HISD administration.

RATIONALE

TASB recommends changes to Board Policy CKE(LOCAL), *Safety Program/Risk Management: Security Personnel*, to address Senate Bill 1707, which prohibits district peace officers from being assigned routine student discipline or school administrative tasks.

The district administration recommends clarifying that district police officers will investigate violations of policies, rules, and regulations only when those violations constitute potential criminal conduct and/or violations of the Texas penal code or other relevant criminal laws. The administration also recommends deleting the section on Temporary Assignment.

A copy of CKE(LOCAL) showing the proposed changes is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all four district goals and is aligned to Core Initiative 5: Culture of Trust through Action.

THIS ITEM DOES REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the recommended changes to Board Policy CKE(LOCAL), *Safety Program/Risk Management: Security Personnel*, on first reading, effective August 19, 2022.

SAFETY PROGRAM/RISK MANAGEMENT
SECURITY PERSONNEL

CKE
(LOCAL)

**District Police
Department**

The Board has chosen to employ commissioned peace officers to carry out the provisions of Texas Education Code, Chapter 37, Subchapter C, relating to law and order. The mission of the District police department is to provide a safe learning environment by protecting the rights and property of the District, staff, and students through the establishment and maintenance of an innovative, knowledgeable, dedicated, and highly trained police department capable of adapting to a changing educational community environment.

Supervisory
Authority

The chief of police shall be accountable to and shall report to the Superintendent. In accordance with law, the Superintendent shall not delegate this supervisory responsibility.

Jurisdiction

The jurisdiction of police officers shall include all territory within District boundaries, as well as all real and personal property outside the boundaries of the District that is owned, leased, or rented by the District, or is otherwise under the District's control.

District police officers shall exercise police authority and powers in accordance with the provisions of the Texas Code of Criminal Procedure. Police department officers are required to limit their actions to incidents that are clearly District-related, except in cases where, as Texas police officers, they have a statutory duty to involve themselves in non-District incidents that are life-threatening, considered felony offenses, or are listed in Chapter 14 of the Texas Code of Criminal Procedure (arrest without warrant).

Scope of Powers
and Duties
Authority

District police officers are employees of the District and shall comply with all District policies, procedures, and regulations to the extent consistent with the requirements of state law and the Texas Commission on Law Enforcement. Police officers employed by the District shall have all the powers, privileges, and immunities of police officers on or off duty within the jurisdiction of the District and as defined in the Texas Code of Criminal Procedure. Subject to limitations in law, District police officers shall have the authority to:

1. Protect the safety and welfare of any person in the jurisdiction of the District and protect the property of the District.
2. Enforce all laws, including municipal ordinances, county ordinances, and state laws, and investigate violations of law as needed. In doing so, District police officers may serve search warrants and arrest warrants in connection with District-related investigations in compliance with the Texas Code of Criminal Procedure.
3. Arrest suspects consistent with state and federal statutory and constitutional standards governing arrests, including

SAFETY PROGRAM/RISK MANAGEMENT
SECURITY PERSONNEL

CKE
(LOCAL)

arrests without warrant, for offenses that occur in the officer's presence or under the other rules set out in the Texas Code of Criminal Procedure.

4. Coordinate and cooperate with commissioned officers of all other law enforcement agencies in the enforcement of this policy as necessary.
5. Investigate violations of District policies, rules, and regulations that also constitute potential criminal conduct and/or violations of the Texas penal code or other relevant criminal laws that occur on District property, in school zones, at bus stops, or at District functions.
6. Investigate violations of District policy, rules, and regulations that also constitute potential criminal conduct and/or violations of the Texas penal code or other relevant criminal laws that occur as requested by the Superintendent and participate in administrative hearings concerning the alleged violations.
7. Carry weapons as directed by the chief of police and approved by the Superintendent.
8. Carry out all other duties as directed by the chief of police.

District police officers shall not be assigned to handle or address routine classroom discipline, administrative tasks, and/or investigations that pertain to violations of campus or district policy that do not involve potential criminal conduct and/or violations of the Texas penal code or other relevant criminal laws.

Temporary
Assignment

District police officers shall enforce all laws, including municipal ordinances, county ordinances, and state laws within another law enforcement agency's jurisdiction while temporarily assigned to the other agency.

Outside
Employment

Officers shall adhere to regulations of the *HISD Police Department Policies and Procedures Manual* and applicable directives governing police-related and non-police-related extra employment.

Memorandum of
Understanding

The District police department and the law enforcement agencies with which it has overlapping jurisdiction shall enter into a memorandum of understanding that outlines reasonable communication and coordination efforts among the department and agencies. Approval to enter into or maintain relationships established by memoranda of understanding shall be approved by the superintendent or designee.

Video Monitoring

SAFETY PROGRAM/RISK MANAGEMENT
SECURITY PERSONNEL

CKE
(LOCAL)

If available, video equipment shall be used in a District police car for safety purposes whenever the flashing lights on the car are in use.

*Access to
Recordings*

Recordings shall be considered law enforcement records, shall remain in the custody of the chief of police, and shall be maintained as required by the department regulations manual and law. A parent or student who wishes to view a video recording in response to disciplinary action taken against the student may request such access under the procedures set out by law. [See FL(LEGAL)]

*Body-Worn
Cameras*

District officers shall use body-worn cameras only when performing official law enforcement duties and in accordance with the provisions of the District police department's body-worn camera program. The cameras shall be used to record incidents that are of a criminal nature, or that will bring scrutiny to the department or the District, or to document actions and reactions regarding a request for police service. Officers shall receive training on the program, including proper use and operation of cameras. Any District employee who has access to data from body-worn cameras shall receive training on storage, retention, and release of recordings.

Training

All District officers and police dispatchers shall receive at least the minimum amount of education and training required by law.

*Department
Regulations Manual*

To carry out the provisions in this policy, the police department shall compile and maintain a manual that describes and sets forth operational procedures, rules, and regulations pertaining to the administration of police services. The chief of police and the Superintendent shall review the manual annually and make any appropriate revisions.

Racial Profiling

The chief of police shall develop and implement regulations to ensure compliance with state law regarding racial profiling. Police officers employed by the District shall not initiate any law enforcement action based on an individual's race, ethnicity, or national origin.

Use of Force

The use of force, including deadly force, shall be authorized only when reasonable and necessary, as outlined in the department regulations manual.

Vehicular Pursuit

Officers shall adhere to regulations in the *HISD Police Department Policies and Procedures Manual* and applicable directives governing vehicular pursuits.

Once involved in a pursuit, the District police officers involved shall weigh the risks of the pursuit against the danger to the public, themselves, and fellow officers on a continual basis. If the risk of danger outweighs the benefit of capturing the fleeing suspect, the

SAFETY PROGRAM/RISK MANAGEMENT
SECURITY PERSONNEL

CKE
(LOCAL)

pursuit shall be terminated immediately. If a pursuit is for a crime that is not District-related, the officer(s) involved shall continue the pursuit only until units of the agency having primary jurisdiction become involved in the pursuit. At this time, the District officer(s) shall discontinue direct involvement in the pursuit.

Duty During
Inclement Weather
or Other
Emergencies

District police officers and police department communications personnel are not included in the plan for dismissal of employees because of inclement weather and/or other conditions that may cause the schools or offices to close, except as provided in the administrative regulations. All police officers shall notify the District's police department office as soon as possible after arrival at their designated assignments.

Notice of Exposure
to Communicable
Disease

Notice of Health and Safety Code requirements regarding a work-related exposure to a reportable communicable disease that may affect eligibility for workers' compensation benefits shall be available to District police officers as specified by law. [See CKE(LEGAL)]

Complaints

Law enforcement related Complaints against a District police officer shall be in writing on a form provided by the District police department and shall be signed by the person making the complaint. In accordance with law, the District shall provide to the police officer a copy of the complaint. [See COMPLAINTS AGAINST PEACE OFFICERS - Complaints Against Peace Officers at CKE(LEGAL)]

Appeals regarding this complaint process shall be filed in accordance with DGBA, FNG, or GF, as appropriate.

Effective Date

This policy shall be effective as of the adoption date, May 13, 2016.

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Business Operations
Wanda Paul, Chief Operating Officer

**SUBJECT: APPROVAL OF THE ESTABLISHMENT OF BOARD POLICY
COA(LOCAL), FOOD AND NUTRITION MANAGEMENT:
PROCUREMENT—FIRST READING**

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves the establishment of Board Policy COA(LOCAL), *Food and Nutrition Management: Procurement*, as recommended by the Texas Association of School Boards and the HISD administration.

RATIONALE

This local policy is recommended for inclusion in HISD board policy to assign responsibility to the superintendent of schools to oversee the use of federal child nutrition funds to procure appropriate goods and services and to develop and enforce financial management systems, internal control procedures, procurement procedures, and other administrative procedures as needed to comply with all state and federal requirements for use of these funds. The policy also includes provisions that authorize the superintendent of schools to determine whether the district will apply a geographic preference when procuring unprocessed, locally grown or raised agricultural products to determine the types of products to which the preference would apply and to define the relevant geographic area.

A copy of the proposed Board Policy COA(LOCAL) is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all four district goals and is aligned to all five core initiatives.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES ESTABLISH BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the establishment of Board Policy COA(LOCAL), *Food and Nutrition Management: Procurement*, on first reading, effective August 19, 2022.

FOOD AND NUTRITION MANAGEMENT
PROCUREMENT

COA
(LOCAL)

Procurement

The Superintendent shall oversee the use of federal child nutrition funds to procure appropriate goods and services necessary for providing food service to students and shall develop and enforce financial management systems, internal control procedures, procurement procedures, and other administrative procedures as needed to comply with all state and federal requirements for use of these funds.

[See CO(LEGAL) and COA(LEGAL)]

**Geographic
Preference**

The Board delegates to the Superintendent the authority to determine whether the District will apply a geographic preference when procuring unprocessed, locally grown or locally raised agricultural products and to:

1. Specify the types of products for which any geographic preference will be applied; and
2. Define the geographic area to be preferred for each applicable product.

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Business Operations
Wanda Paul, Chief Operating Officer

**SUBJECT: APPROVAL OF THE ESTABLISHMENT OF BOARD POLICY
COB(LOCAL), FOOD AND NUTRITION MANAGEMENT: FREE AND
REDUCED-PRICE MEALS—FIRST READING**

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves the establishment of Board Policy COB(LOCAL), *Food and Nutrition Management: Free and Reduced-Price Meals*, as recommended by the Texas Association of School Boards and the HISD administration.

RATIONALE

This local policy is recommended for inclusion in HISD board policy as it reflects the district's participation in the community eligibility provision meal program and addresses student and parent appeals regarding eligibility for free or reduced-price meal programs as required by federal law.

A copy of the proposed Board Policy COB(LOCAL) is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all four district goals and is aligned to all five core initiatives.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES ESTABLISH BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the establishment of Board Policy COB(LOCAL), *Food and Nutrition Management: Free and Reduced-Price Meals*, on first reading, effective August 19, 2022.

FOOD AND NUTRITION MANAGEMENT
FREE AND REDUCED-PRICE MEALS

COB
(LOCAL)

**Community
Eligibility Provision**

With funds from the federal community eligibility provision (CEP), the District shall provide regular meal service to students at no cost, as authorized by the U.S. Department of Agriculture (USDA). [See COB(LEGAL)]

Eligibility Appeals

The District shall provide a hearing process in compliance with USDA requirements for disputes about a student's eligibility for free or reduced-price meal programs. A parent or student may appeal the decision of the hearing official in accordance with FNG(LOCAL).

**Civil Rights
Complaints**

A person alleging discrimination in school meal programs based on race, color, national origin, sex, age, or disability shall be informed of the procedures and right to file a complaint with the Texas Department of Agriculture (TDA) Food and Nutrition office and the USDA. Complaints received by District personnel shall be forwarded to TDA.

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Information Technology
Scott Gilhousen, Chief Information Technology Officer

SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY CQB(LOCAL), TECHNOLOGY RESOURCES: CYBERSECURITY—FIRST READING

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves the proposed revisions to Board Policy CQB(LOCAL), *Technology Resources: Cybersecurity*, as recommended by the Texas Association of School Boards (TASB) and the HISD administration.

RATIONALE

The revisions include:

- Removal of TEA acronym after Texas Education Agency (TEA)
- Removed section of reporting breaches to the TEA
- Adding section on removing access to the district's computer systems for non-compliance of training as appropriate
- Updated section on disclosing a breach to the TEA as required by law

A copy of the proposed revisions to Board Policy CQB(LOCAL) is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all four district goals and is aligned to Core Initiative 5: Culture of Trust through Action.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the recommended changes to Board Policy CQB(LOCAL), *Technology Resources: Cybersecurity*, on first reading, effective August 19, 2022.

TECHNOLOGY RESOURCES
CYBERSECURITY

CQB
(LOCAL)

Plan

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

Coordinator

The Superintendent shall designate a cybersecurity coordinator. The cybersecurity coordinator shall serve as the liaison between the District and the Texas Education Agency (TEA) in cybersecurity matters and as required by law report to TEA breaches of system security.

Training

The Board delegates to the Superintendent the authority to:

1. Determine the cybersecurity training program to be annually completed by each employee and Board member used in the District; and
2. Verify and report compliance with staff training requirements in accordance with guidance from the Department of Information Resources; and
- 2.3. Remove access to the District's computer systems and databases for noncompliance with training requirements as appropriate.

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

Security Breach Notifications

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

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

The District's cybersecurity coordinator shall disclose a breach involving sensitive, protected, or confidential student information to TEA and parents in accordance with as required by law.

Effective Date

This policy shall be effective as of the adoption date, June 11, 2024.

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Talent
Jeremy Grant-Skinner, Chief Talent Officer

SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY DBA(LOCAL), EMPLOYMENT REQUIREMENTS AND RESTRICTIONS: CREDENTIALS AND RECORDS—FIRST READING

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves revisions to Board Policy DBA(LOCAL), *Employment Requirements And Restrictions: Credentials And Records*, as recommended by the Texas Association of School Boards (TASB) and HISD administration.

RATIONALE

TASB recommends changes to Board Policy DBA(LOCAL), *Employment Requirements And Restrictions: Credentials And Records*, to eliminate any reference to teachers/paraprofessionals being “highly qualified” in parental notification requirements set forth in DBA(LOCAL). However, state law still requires a district to notify a parent if their child is in a classroom for which the district has assigned an inappropriately certified or uncertified teacher for more than 30 consecutive instructional days during the school year.

A copy of DBA(LOCAL) showing the proposed changes is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item is not aligned to a core initiative but is ministerial for compliance purposes only.

THIS ITEM DOES REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the recommended changes to Board Policy DBA(LOCAL), *Employment Requirements And Restrictions: Credentials And Records*, on first reading, effective August 19, 2022.

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
CREDENTIALS AND RECORDS

DBA
(LOCAL)

Parent Notification

The District shall notify parents of students in classrooms in which the regular teacher is not "highly qualified," as required by law.

Notification shall not be required, however, when:

1. The home campus teacher of a secondary school student assigned to a disciplinary alternative education program (DAEP) is considered the teacher of record; and
2. The home campus teacher:
 - a. Is highly qualified,
 - b. Assigns and evaluates the student's coursework,
 - c. Provides substantially the same coursework and uses the same grading standards as in the regular classroom,
 - d. Has final authority on the coursework grades and the final grade for the course, and
 - e. Is regularly available for face-to-face consultation with the student and the DAEP teacher; and
3. The DAEP teacher meets all applicable SBEC certification requirements.

Updating Credentials

All employees who have earned certificates, endorsements, or degrees of higher rank since the previous school year shall file with the human resources department Office of Talent:

1. An official college transcript showing the highest degree earned and date conferred.
2. Proof of the certificate or endorsement.

Contract Personnel

The Superintendent or designee shall ensure that contract personnel possess or are eligible for valid credentials before issuing contracts.

Social Security Number

The District shall not use an employee's social security number as an employee identifier, except for tax purposes [see DC]. In accordance with law, the District shall keep an employee's social security number confidential.

Effective Date

This policy shall be effective as of the adoption date, October 10, 2014.

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Talent
Jeremy Grant-Skinner, Chief Talent Officer

SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY DBD(LOCAL), EMPLOYMENT REQUIREMENTS AND RESTRICTIONS: CONFLICT OF INTEREST—FIRST READING

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves revisions to Board Policy DBD(LOCAL), *Employment Requirements And Restrictions: Conflict of Interest*, as recommended by the Texas Association of School Boards (TASB) and the HISD administration.

RATIONALE

TASB recommends changes to Board Policy DBD(LOCAL), *Employment Requirements And Restrictions: Conflict of Interest*, to add a note to reference Board Policies CB(LOCAL) and CBB(LOCAL) for conflict of interest, gift, and gratuity provisions related to federal grants and awards. The administration recommends changing Human Resources to the Office of Talent to reflect renaming of the department.

A copy of DBD(LOCAL) showing the proposed changes is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item is not aligned to a core initiative but is ministerial for compliance purposes only.

THIS ITEM DOES REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the recommended changes to Board Policy DBD(LOCAL), *Employment Requirements And Restrictions: Conflict of Interest*, on first reading, effective August 19, 2022.

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
CONFLICT OF INTEREST

DBD
(LOCAL)

Note: For conflicts of interest and gifts and gratuities related to federal grants and awards, CB and CBB.

	An employee shall not accept or solicit any gift, favor, service, or other benefit that could reasonably be construed to influence the employee's discharge of assigned duties and responsibilities.
Gifts	No gift, favor, loan, service, entertainment, or anything of more than token value shall be accepted by District employees from any District vendor or prospective vendor seeking to do business with the District. Items of token value include trinkets of minimal value such as coffee mugs, key chains, caps, and the like. Plaques and commemorative items are not considered to be gifts. <u>[See CAA, CB, and CBB]</u>
Meals	Meals exceeding \$100 in the aggregate per year from any single source, District vendor, or prospective District vendor are strictly prohibited. Meals that exceed \$50 per meal or up to \$100 in the aggregate per year from any District vendor or prospective vendor must be reported.
E-rate	In the case of E-rate matters, governance provided at CAA supercedes these requirements.
Conflict of Interest	An employee shall not have a personal financial interest, business interest, or any other obligation (e.g., Board member, consultant) that in any way creates a substantial conflict with the proper discharge of assigned duties and responsibilities or that creates a conflict with the best interest of the District. The Board and the District require employees to put the interests of the District before the interests of external organizations with which they are affiliated, such as being a board member of a volunteer organization. To avoid the appearance of a conflict of interest, any work with outside organizations that are interested in or likely to be interested in any contract, purchase, or financial transaction with the District shall be subject to disclosure by an administrative employee as defined in administrative regulation.
Disclosure Statement	Each employee shall be required to execute the semiannual disclosure statement (i.e., semiannually), certifying that the employee will conform with the requirements of Section 16 of the Special Act of 1923, which created the District.
Definition	"Conflict of interest" includes the common law conflict of interest and the following definition in Section 16 of the Special Act of 1923: <i>No Superintendent, business manager, or any other person holding any position of employment under said Board, shall</i>

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
CONFLICT OF INTEREST

DBD
(LOCAL)

be directly or indirectly interested in any purchase, sale, business, work or contract, the expense, price or consideration of which is paid from the school funds of said District; nor shall any employee purchase any warrants or claims against said Board or District, or any interest therein, or become surety for any person or persons having a contract or any kind of business with said Board, for the performance of which security may be required. Anyone violating this provision shall be discharged from services.

If the employee is in doubt about a particular item, written clarification shall be requested concerning any transaction or potential transaction that might create a conflict of interest.

**Conflict of Interest
Review Committee**

The conflict of interest review committee shall analyze possible conflict of interest disclosures submitted to the Superintendent or the ~~Human Resources Department~~ Office of Talent, and the committee shall make recommendations to the Superintendent for appropriate action by the Board, if necessary.

The committee shall analyze possible conflict of interest disclosures involving the Superintendent and shall make recommendations to the Board for appropriate action, if necessary. Conflict of interest disclosures involving the Superintendent should be submitted directly to the conflict of interest review committee.

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Talent
Jeremy Grant-Skinner, Chief Talent Officer

**SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY
DCC(LOCAL), EMPLOYMENT PRACTICES: CONTINUING
CONTRACTS—FIRST READING**

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves revisions to Board Policy DCC(LOCAL), *Employment Practices: Continuing Contracts*, as recommended by the Texas Association of School Boards (TASB).

RATIONALE

TASB recommends changes to Board Policy DCC(LOCAL) to clarify the retention of employees on a continuing contract.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item is not aligned to a core initiative but is ministerial for compliance purposes only.

THIS ITEM DOES REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the proposed recommended changes to Board Policy DCC(LOCAL), *Employment Practices: Continuing Contracts*, on first reading, effective August 19, 2022.

EMPLOYMENT PRACTICES
CONTINUING CONTRACTS

DCC
(LOCAL)

Continuing
Contracts

Grandfathered Retained

As of November 1, 1996, full time certified teachers who have completed their probationary period shall be employed on term contracts, as authorized by Education Code 21.002 and 21.201. [See DCB(LEGAL) and (LOCAL)]

Any District employee hired under a continuing contract prior to November 1, 1996, shall remain under on a continuing contract as long as the employee remains in the same contractual position accordance with law. [See DCC(LEGAL) and DCB(LOCAL)]

Policies relating to employment by educator term contract employment [see DCB and the DFB series] do shall not apply to employees on continuing contracts.

Effective Date

This policy shall be effective as of the adoption date, .

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Talent
Jeremy Grant-Skinner, Chief Talent Officer

**SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY
DCD(LOCAL), EMPLOYMENT PRACTICES: AT-WILL EMPLOYMENT—
FIRST READING**

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves revisions to Board Policy DCD(LOCAL), *Employment Practices: At-Will Employment*, as recommended by the Texas Association of School Boards (TASB) and the HISD administration.

RATIONALE

TASB recommends changes to Board Policy DCD(LOCAL), *Employment Practices: At-Will Employment*, to replace the list of categories of employees that the district hires on an at-will basis with a statement that personnel not hired under a contract shall be employed on an at-will basis.

In addition, the district recommends clarifying an at-will employee's status if charged with or convicted of a crime.

A copy of DCD(LOCAL) showing the proposed changes is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item is not aligned to a core initiative but is ministerial for compliance purposes only.

THIS ITEM DOES REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the recommended changes to Board Policy DBD(LOCAL), *Employment Practices: At-Will Employment*, on first reading, effective August 19, 2022.

EMPLOYMENT PRACTICES
AT-WILL EMPLOYMENT

DCD
(LOCAL)

**Noncontract
Employment**

Personnel not hired under a contract shall be employed on an at-will basis. [For information regarding contractual employment, see DCA, DCB, DCC, and DCE, as appropriate] The Board delegates to the Superintendent authority to hire and dismiss the following categories of employees, who shall serve on an at-will/noncontract basis: administrative support personnel, certified professionals in positions that do not require certification except those listed in DCB(LOCAL) and DCE(LOCAL), paraprofessional, hourly, and noninstructional support employees.

A noncontract employee shall have no expectation of continued employment or any right to due process other than those rights prescribed by state and federal constitutions.

Probationary

An Employees hired on a noncontract basis shall be on probationary status during the first 12 months of employment.

Nonprobationary

A Noncontract employees who have completed 12 months of full-time employment shall be considered nonprobationary.

**Assignment and
Evaluation**

The Superintendent or designee has sole authority to notify employees of assignments, compensation rates, and conditions of employment.

Evaluation of at-will employees shall be conducted by the principal or supervisor in accordance with District practice.

**Reasonable
Assurance of
Employment**

District employees in positions normally requiring less than 12 months of service annually, who are expected to report to work at the beginning of the following school session, shall be provided a letter of reasonable assurance of employment. [See CRF]

**Reassignment of
Noncontract
Employees**

All noncontract employees are subject to assignment and reassignment of positions or duties, additional duties, changes in responsibilities or work, transfers, or reclassification at any time. [See also DK(LOCAL)]

**Discipline / Other
Employment
Decisions**

The following disciplinary actions and other employment decisions shall apply to all noncontract employees.

Suspension,
Demotion, Return to
Probation

A noncontract employee may have his or her probation extended, be returned to probation, be suspended without pay or demoted, for any reason not prohibited by law, as determined by the needs of the District.

Termination

A noncontract employee may be terminated for any reason not prohibited by law or for no reason, as determined by the needs of the District. A termination shall become effective at the expiration of the two-week notice given to the employee.

EMPLOYMENT PRACTICES
AT-WILL EMPLOYMENT

DCD
(LOCAL)

Reduction in Force	A reduction in force may take place when the Board determines that financial exigency exists or the Superintendent determines that a reorganization or program change is required. Procedures for the reduction in force of noncontract personnel employees shall be developed <u>and maintained by the chief talent officer</u>. These procedures shall provide criteria to determine the mechanics of reduction, reassignment, termination, and recall. Any termination will be made in accordance with established current procedures on termination of noncontract employees <u>set forth by the chief talent officer</u>. <u>Subject to approval by the chief talent officer or designee</u>. Assignments to new jobs will be based on matching of skill sets.
Reorganization	Reorganization is defined as a change in positions due to: 1. A change, elimination, or addition of a function within a department or school; or 2. A change in the role, responsibility, qualifications, or skill level of a significant number of employees within a department, school, or within a category of employees. A reorganization shall be approved by the Superintendent. If during a reorganization it becomes necessary to terminate an employee, such personnel action shall be taken in accordance with applicable Board policy, state and federal law, and District procedures. Procedures for a reorganization shall be developed. These procedures shall provide criteria to determine the mechanics of reduction, reassignment, and termination of staff, if necessary. Assignments to new jobs shall be based on matching of skill sets.
Appeal	A noncontract employee who has been notified of a suspension without pay, demotion, or termination may appeal the action in accordance with <u>the appropriate administrative regulations DGBA(LOCAL)</u>.
Resignation	A Noncontractual employees intending to resign shall give a minimum of two weeks' notice. If such notice is not given, the resigning employee shall not be eligible for reemployment with the District. An employee who resigns or retires to avoid District-initiated termination shall not be eligible for reemployment with the District.
Suspension Without Pay for Criminal Charges	In the event an at-will employee is charged with a felony crime or charged with any crime involving moral turpitude and ordered to stand trial in any court of competent jurisdiction, the Superintendent may suspend the employee without pay pending the final

EMPLOYMENT PRACTICES
AT-WILL EMPLOYMENT

DCD
(LOCAL)

determination and/or the District's decision regarding administrative action.

**Termination for
Criminal Charges or
Conviction**

If the employee is found not guilty or the charges are dismissed, pay and benefits withheld may be released to the employee upon the approval of the Superintendent.

If the employee has received any income during the period of time he or she was suspended without pay, the Superintendent may deduct said amounts from the withheld sum.

Upon completion of an individualized assessment conducted by the Criminal History Review Committee, an at-will employee charged with a felony crime or any crime involving moral turpitude that has affected the employee's ability, capacity, or fitness to perform the duties of the assignment will be dismissed.

If the employee is convicted of a felony crime or any crime involving moral turpitude, ~~he or she~~ the employee will be dismissed. Any plea of guilty by an employee, or the court's acceptance of nolo contendere under the Deferred Adjudication Act, shall constitute a conviction for purposes of this policy.

Effective Date

This policy shall be effective as of the adoption date, .

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Talent
Jeremy Grant-Skinner, Chief Talent Officer

SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY DEAA(LOCAL), COMPENSATION PLAN: INCENTIVES AND STIPENDS—FIRST READING

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves revisions to Board Policy DEAA(LOCAL), *Compensation Plan: Incentives And Stipends*, as recommended by the Texas Association of School Boards (TASB) and the HISD administration.

RATIONALE

TASB recommends changes to Board Policy DEAA(LOCAL), *Compensation Plan: Incentives And Stipends*, to require that the superintendent includes a stipend pay schedule as part of the compensation plan described in Board Policy DEAA(LOCAL). In addition, the changes would authorize the superintendent to submit plans and grant applications for incentive and innovation programs to the Texas Education Agency (TEA) or other granting organizations.

In addition, the district recommends deleting information about the ASPIRE Awards Program because the program was discontinued.

A copy of DEAA(LOCAL) showing the proposed changes is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item is not aligned to a core initiative but is ministerial for compliance purposes only.

THIS ITEM DOES REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the recommended changes to Board Policy DEAA(LOCAL), *Compensation Plan: Incentives And Stipends*, on first reading, effective August 19, 2022.

COMPENSATION ~~PLAN AND BENEFITS~~
INCENTIVES AND STIPENDS

DEAA
(LOCAL)

Stipend

The Superintendent shall recommend a stipend pay schedule as part of the annual compensation plan of the District. [See DEA]

Supplemental
Duties

The Superintendent or designee may assign noncontractual supplemental duties to personnel exempt under the Fair Labor Standards Act (FLSA), as needed. [See DK(LOCAL)] The employee shall be compensated for these assignments according to the compensation plan of the District.

Incentive and
Innovation Programs

The Superintendent shall have authority to submit plans and grant applications for incentive and innovation programs to TEA or other granting organizations on behalf of the Board. Incentive plans shall address teacher eligibility, including any exclusions.

**Transformation of
Policy Regarding
Performance Pay
and Differentiated
Compensation**

The District's greatest strength is its human capital. As such, high expectations are set for school leadership to inspire creative thinking and innovative approaches that lead to instructional and operational excellence. These expectations create an instructional context that acknowledges that the personal, face-to-face contact between teacher and student will always be the central event in education. Changes in the District's structure, governance, and policies underscore the importance of this relationship and must coalesce to create an organizational culture that values employees who are results-oriented, talented, innovative thinkers who strive to increase student achievement and contribute to the reformation of public education.

~~To aid in this pursuit, in 2007 the District launched the ASPIRE (Accelerating Student Progress, Increasing Results and Expectations) Educational Improvement Model as a comprehensive improvement program built on four pillars: (1) developing human capital; (2) improving teaching and learning; (3) informing practice; and (4) recognizing excellence. The performance pay program, a component of ASPIRE, supports the District's goal to improve human capital.~~

~~Accordingly, high performing employees as measured by value-added data should be rewarded. The District must establish levels of compensation and differentiated salaries driven by performance, value added data, and accountability for all employees.~~

Also, human capital reform measures must focus on higher standards for recruitment and selection, job performance and compensation, and professional development and career planning, and must provide employees a viable career path within the organization.

**Educator
Performance
programs**

~~Qualifying employees shall receive performance pay through an awards program established under the District's ASPIRE Award Program. Any performance pay distributed shall be considered~~

COMPENSATION ~~PLAN AND BENEFITS~~
INCENTIVES AND STIPENDS

DEAA
(LOCAL)

Local Criteria

~~payment for performance and not an entitlement as part of an employee's salary.~~

~~[See also DEA regarding stipends for noncontractual supplemental duties]~~ Other locally developed incentive programs, if any, shall be addressed in the compensation plan of the District.

Performance pay shall be based on value-added data including, but not limited to:

- Annual student academic growth;
- Student achievement;
- Student enrollment and neighborhood enrollment;
- Student dropout rates; and
- Student performance before and after school-level transitions:
 - Elementary school to middle school;
 - Middle school to high school; and
 - High school to postsecondary.

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Talent
Jeremy Grant-Skinner, Chief Talent Officer

SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY DEC(LOCAL), COMPENSATION AND BENEFITS: LEAVES AND ABSENCES—FIRST READING

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves revisions to Board Policy DEC(LOCAL), *Compensation and Benefits: Leaves and Absences*, as recommended by the Texas Association of School Boards (TASB).

RATIONALE

TASB recommends changes to Board Policy DEC(LOCAL) to clarify the various leave options available to employees.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item is not aligned to a core initiative but is ministerial for compliance purposes only.

THIS ITEM DOES REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the proposed recommended changes to Board Policy DEC(LOCAL), *Compensation and Benefits: Leaves and Absences*, on first reading, effective August 19, 2022.

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

**COMPREHENSIVE
Leave
Administration**

The District's comprehensive leave program includes both paid leave and unpaid leave privileges. Eligibility for the various types of leave depends on the employee's position, the number of months of service per year, and the length of service. [See also DED(LOCAL) for provisions on vacation for 12-month employees.] The Superintendent shall develop administrative regulations addressing employee leaves and absences to implement the provisions of this policy.

**COMPENSATED
LEAVE**

Paid leave includes state personal leave, local leave, state sick leave accumulated before May 1, 1995, and vacation leave.

In addition, an employee may be absent without loss of pay and without the absence being charged against the employee's accrued accumulated leave for assault leave, funeral leave as specified below, jury duty, witness subpoenas, professional business, professional consultation, dispute resolution meetings, reserve military duty, and Fulbright Teacher Exchange Programs. [See OTHER PAID LEAVES, below]

Paid leave provisions apply to all salaried and eligible hourly employees. Eligible hourly employees are those in standing, daily assignments that meet the criteria for membership in the Teacher Retirement System (TRS) of Texas. [See TRS Eligibility Requirements]

Paid leave provisions do not apply to individuals whose positions do not meet TRS eligibility criteria. Personnel on less than a 12-month duty schedule who are employed for additional periods of duty on a noncontract status during the summer months are not eligible to use or to accrue personal leave during these periods.

**ADVANCED
LEAVE**

In no instance may state or local leave be approved for more days than have been accumulated in prior years plus that which shall be earned during the employment period of the current school year. Should a recipient of advanced paid leave resign from employment with the District prior to earning the amount of leave advanced, the recipient will have the advanced leave pay deducted from his or her final check.

**RATE OF
ACCRUAL**

An employee shall accrue one day of paid leave per each month of service to be credited at the beginning of each school year. The first five days accrued shall be designated as state personal leave; the remainder of days accrued shall be designated as local leave.

TYPES OF LEAVE

Types of Leave	Paid/Unpaid	Number of Days Paid
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COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

State Personal Leave [See DEC(LEGAL)]	Paid	5 days per year
Local Personal Leave 10-month employees 11-month employees 12-month employees	Paid	5 days per year 6 days per year 7 days per year
Temporary Disability All leave-eligible employees For full-time educators, temporary disability shall be in accordance with Education Code 21.409. may be granted to other District employees with limitations established at TEMPORARY DISABIL- ITY, below	Unpaid	180 calendar days
Funeral Leave On the death of a spouse, parent, current parent-in-law, child, sib- ling, or other person re- siding in the employee's household	Paid	3 days per event
Vacation Leave For 12-month employees only		

**STATE PERSONAL
LEAVE**

The District has established a state personal leave program con-
sisting of five days of paid leave annually, as required by law. [See
DEC(LEGAL)]

**TYPES OF STATE
PERSONAL LEAVE**

Under authority of Education Code 22.003 and to preserve the em-
ployee's leave benefit while minimizing disruption to the instruc-
tional program, the Board requires employees to differentiate be-
tween uses of personal leave:

DISCRETIONARY

1. To be taken at the individual employee's discretion, subject to
limitations set out below. Each employee who accrues state
personal leave may take up to five days a year as discretion-
ary personal leave.

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

NON- DISCRETIONARY	2. To be used for the same reasons and in the same manner as state sick leave accumulated prior to May 30, 1995. [See DEC(LEGAL) and see MEDICAL CERTIFICATION, below]
USE OF DISCRETIONARY LEAVE	A notice of request for discretionary state personal leave shall be submitted to the principal/work location supervisor or designee in advance of the anticipated absence; discretionary personal leave shall be granted on a first come, first served basis, with a maximum of five percent of campus employees in each category permitted to be absent at the same time for discretionary personal leave.
REQUEST FOR LEAVE	The principal or designee shall notify the employee in advance whether the request is granted or denied.
DURATION OF LEAVE	Discretionary personal leave may not be taken for more than three consecutive days.
SCHEDULE LIMITATIONS	Discretionary leave shall not be allowed during or on: 1. The first week of a new semester, 2. The day before or after a school holiday, 3. Days scheduled for end of semester or end of year exams, 4. Days scheduled for state mandated assessments, or 5. Professional or staff development days.
LOCAL LEAVE	Employees may use local leave with full pay when unable to report to work due to personal illness, illness of an immediate family member, or for a death in the immediate family. Up to three days of paid local leave may be used also for excused personal business. If the condition preventing the employee from attending work qualifies for family and medical leave, the District shall classify any leave taken as FMLA leave. If the employee exhausts all paid leave and is still unable to return to work, he or she may be placed on temporary disability leave. [See DEC(LEGAL) and local provisions below]
MEDICAL CERTIFICATION	Certification by a doctor who is duly registered and licensed under the Medical Practice Act of Texas, a licensed chiropractor, a Christian Scientist practitioner, or a licensed podiatrist (chiropracist) shall be required for personal illness absences in excess of seven consecutive duty days. Absences in excess of seven days are subject to verification by the District Health and Medical Services Department. When an employee's absences become a concern or a pattern of absences becomes established, the principal/supervisor may

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

	review with the employee the reason for such absences. Such absences may be subject to medical verification.
Definitions	
Immediate Family	For the purposes of state sick leave accrued before May 30, 1995, and local sick leave, tThe term "immediate family" shall include<u>is defined as:</u> 1. Spouse. 2. Son or daughter, including a biological, adopted, or foster child, a son- or daughter-in-law, a stepchild, a legal ward, or a child for whom the employee stands <i>in loco parentis</i>. 3. Parent, stepparent, parent-in-law, or other individual who stands <i>in loco parentis</i> to the employee. 4. Sibling, stepsibling, <u>and</u> sibling-in-law. 5. Grandparent and grandchild. 6. Any person related to the employee by blood or marriage who is residing in the employee's household at the time of illness or death.
Family Emergency	For purposes of the Family and Medical Leave Act (FMLA), the definitions of "family" shall include only items 1, 2, and 3 on the above list, but shall exclude spouse, parent, son, or daughter-in-law, and parent-in-lawnext of kin are found in DECA(LEGAL). The term "family emergency" shall be limited to natural disasters and life-threatening situations involving the employee or a member of the employee's immediate family.
TEMPORARY DISABILITY Leave Day EDUCATORS	A "leave day" for purposes of earning, using, or recording leave shall mean the number of hours per day equivalent to the employee's usual assignment, whether full-time or part-time. Temporary disability (unpaid) leave shall be granted to full-time educators who meet the statutory criteria. [See DEC(LEGAL)] The maximum length of such leave shall be 180 calendar days and reinstatement to active duty shall be in accordance with statutory guidelines and the appropriate administrative regulations ("regulations").
<u>School Year</u>	<u>A "school year" for purposes of earning, using, or recording leave shall mean the term of the employee's annual employment as set by the District for the employee's usual assignment, whether full-time or part-time.</u>
<u>Catastrophic Illness or Injury</u>	<u>A catastrophic illness or injury is a severe condition or combination of conditions affecting the mental or physical health of the employee or a member of the employee's immediate family that requires the services of a licensed practitioner for a prolonged period</u>

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

	of time and that forces the employee to exhaust all leave time earned by that employee and to lose compensation from the District. Such conditions typically require prolonged hospitalization or recovery or are expected to result in disability or death. Conditions relating to pregnancy or childbirth shall be considered catastrophic if they meet the requirements of this paragraph. Note: For District contribution to employee insurance during leave, see CRD(LOCAL).
OTHER EMPLOYEES	A temporary disability (unpaid) leave may be granted also to other eligible employees for a maximum of 180 calendar days, upon approval by the Superintendent or designee. Application for this leave shall be submitted in accordance with the established regulations. Reinstatement to regular employment shall be on a position available basis only.
REINSTATEMENT OR RESIGNATION	An employee reaching the end of the temporary disability leave period shall provide timely written notice, as required by the regulations, of his or her intention to resume active duty or to request an extension of leave. A request for extended leave may be granted by the Superintendent or designee. [See also FITNESS FOR DUTY CERTIFICATION, below] Failure to comply with specific regulation provisions shall constitute good cause for termination of contract employees, in accordance with law and District policies. [See DF policy series]
LEAVE ACCUMULATION	The following shall apply to state and local leave, which are cumulative on an unlimited basis:
COMPUTATION	1. Each eligible full time employee shall earn leave at the rate of one working day per month of assigned responsibility to be credited to the employee at the beginning of each school year (12 days for 12-month employees, 11 days for 11-month employees, ten days for ten-month employees.) This includes both state personal leave and local leave. 2. Salaried employees working less than full time shall accumulate proportional time. For TRS-eligible hourly employees, a leave day is defined as the number of hours equivalent to a scheduled workday for the position.
ORDER OF USE	For purposes of personal illness, illness or death in the immediate family, family emergency, or other nondiscretionary reasons, available leave shall be used as determined by the employee. If an employee selects an account where balances are exhausted, the following order shall be used until balances are exhausted:

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

	1. Local leave. 2. State personal leave. 3. State sick leave accumulated prior to the 1995-96 school year. 4. Vacation leave. 5. Supplemental Sick Leave Bank (SSLB).
RECORDING	All leave shall be recorded in accordance with the District's Finance Procedures Manual.
Availability	The District shall make state personal leave and local leave for the current year shall be available for use at the beginning of the employee's duty schedule school year. When
<u>State Leave Proration</u>	If an employee who has used more leave than he or she has earned ceases to be separates from employment with the District before their last duty day of the school year or begins employment after the first duty day of the school year, state personal leave shall be prorated based on the actual time employed by the District, the cost of the unearned leave days shall be deducted from the employee's final paycheck. If an employee separates from employment before the last duty day of the school year, the employee's final paycheck shall be reduced for state personal leave the employee used beyond their pro rata entitlement for the school year.
<u>Medical Certification</u>	An employee shall submit medical certification of the need for leave if: 1. The employee is absent more than seven consecutive work-days because of personal illness or illness in the immediate family; 2. The District requires medical certification due to a questionable pattern of absences or when deemed necessary by the supervisor or Superintendent; or 3. The employee requests FMLA leave for the employee's serious health condition; a serious health condition of the employee's spouse, parent, or child; or for military caregiver leave. In each case, medical certification shall be made by a health-care provider as defined by the FMLA. [See DECA(LEGAL)]
<u>State Personal Leave and Local Leave</u>	The Board requires employees to differentiate the manner in which state personal leave and local leave is used.

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

<u>Nondiscretionary Use</u>	<u>Nondiscretionary use of leave shall be for the same reasons and in the same manner as state sick leave accumulated before May 30, 1995. [See DEC(LEGAL)]</u> <u>Nondiscretionary use includes leave related to the birth or placement of a child and taken within the first year after the child's birth, adoption, or foster placement.</u>
<u>Discretionary Use</u>	<u>Discretionary use of leave is at the individual employee's discretion, subject to limitations set out below.</u>
<u>Request for Leave</u>	<u>In deciding whether to approve or deny a request for discretionary use of state personal leave and/or local leave, the supervisor shall not seek or consider the reasons for which an employee requests to use leave. The supervisor shall, however, consider the duration of the requested absence in conjunction with the effect of the employee's absence on the educational program and District operations, as well as the availability of substitutes.</u> <u>Discretionary use of state personal leave and/or local leave shall not exceed three consecutive workdays.</u>
<u>Schedule Limitations</u>	<u>Discretionary use of leave shall not be permitted during or on:</u> <u>1. The first week of a new semester;</u> <u>2. The day before or after a school holiday;</u> <u>3. Days scheduled for end-of-semester or end-of-year exams;</u> <u>4. Days scheduled for state-mandated assessments; or</u> <u>5. Professional or staff development days.</u>
<u>Local Leave</u>	<u>Each employee shall earn five, six, or seven paid local leave days per school year based on months of service and in accordance with administrative regulations.</u> <u>Local leave shall be used for personal illness, illness of an immediate family member, death in the immediate family, or family emergency. Up to three days of paid leave per year may be used for personal business.</u> <u>An employee may contribute local leave to the Supplemental Sick Leave Bank in accordance with this policy.</u> <u>Local leave shall accumulate without limit.</u>
<u>Funeral Leave</u>	<u>Each employee who is eligible for the comprehensive leave program shall be granted three days of bereavement leave per occurrence upon the death of a spouse, child, parent, current parent-in-law, sibling, or any other person residing in the employee's home at</u>

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

**Supplemental Sick
Leave Bank (SSLB)**

the time of death. Such leave shall be taken with no loss of pay or other paid leave.

Additional days in excess of the three days, or leave for other funerals not covered by this provision, shall be deducted from the employee's accrued leave.

A regular hourly employee shall not be eligible for funeral leave and may use accrued leave for a death in the employee's immediate family.

The District shall establish a Supplemental Sick Leave Bank that employees may join through contribution of local leave.

Leave contributed to the bank shall be solely for the use of participating employees. An employee who is a member of the bank may request leave from the bank if the employee experiences a catastrophic illness or injury and has exhausted all paid leave and any applicable compensatory time.

Implementation procedures for the SSLB shall be published in the *Finance Procedures Manual*.

**Professional
Business**

Short leaves with full pay may be granted to employees for visiting schools, for attending important professional meetings, or for carrying out some special assignments on recommendation of the department head and the Superintendent. An employee may be asked to file a written report. Each administrator may be allowed professional leave without salary deduction for attending national and state professional meetings, visiting schools, and attending other professional meetings, at their own expense, upon approval of the immediate supervisor and department head.

Procedures for authorization and reimbursement for a professional trip are outlined in the *Finance Procedures Manual*.

**Board Meeting /
Professional
Consultation**

When meetings between the Board or designee and the representative organization are scheduled during normal working hours of a school day, the members shall be relieved, as necessary, from all regular duties without loss of pay in order to permit their attendance at such meetings.

**Employment Dispute
Resolution Meetings**

When it is necessary for any party of interest to attend an employment dispute resolution meeting, they shall, upon notice, be released without loss of pay in order to permit participation in the foregoing activities. Any employee who appears as a witness in such investigation or meetings shall be accorded the same right. [See DGBA(LOCAL) and appropriate regulations]

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

Unpaid Leave

Political Leave

Upon application, an employee shall be granted an unpaid leave of absence not to exceed four years, for the purpose of seeking or, if elected, serving in a public office.

Developmental Leave

An employee may be granted an unpaid leave for one year for the purpose of engaging in a study designed to improve the employee's professional competence. Such leave request shall be accompanied by a statement describing how the leave is designed to improve professional competence. A study leave shall be effective at the beginning of the semester following the date of request. Upon request, such leave may be extended for one additional year. Upon returning, the employee must provide proof of the academic work completed.

An employee with five years of service with the Teacher Retirement System of Texas (TRS) may purchase up to two years of credit for developmental leave by notifying TRS in advance of the intention to take such leave, having the District certify that the leave request will meet the requirements of improving professional competency, and making the appropriate deposit with TRS.

Family and Medical Leave

The 12-month period within which employees shall be eligible for 12 weeks of family and medical leave (FMLA) leave shall run concurrently with applicable paid leave and compensatory time, as applicable from July 1 to June 30.

Note: See DECA(LEGAL) for provisions addressing FMLA.

Twelve-Month Period

For purposes of an employee's entitlement to FMLA leave, the 12-month period shall be July 1 through June 30.

Combined Leave for Spouses

When both spouses are employed by the District, the District shall limit FMLA leave for the birth, adoption, or placement of a child, or to care for a parent with a serious health condition, to a combined total of 12 weeks. The District shall limit military caregiver leave to a combined total of 26 weeks.

Intermittent or Reduced Schedule Leave

The District shall permit use of intermittent or reduced schedule FMLA leave for the care of a newborn child or for the adoption or placement of a child with the employee.

Certification of Leave

When an employee requests leave, the employee shall provide certification, in accordance with FMLA regulations, of the need for leave.

Fitness-for-Duty Certification

In accordance with administrative regulations, when an employee takes FMLA leave due to the employee's own serious health condition, the employee shall provide, before resuming work, a fitness-for-duty certification.

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

<u>Leave at the End of Semester</u>	<u>When a teacher takes leave near the end of the semester, the District may require the teacher to continue leave until the end of the semester.</u>
<u>Temporary Disability Leave</u>	<u>Any full-time employee whose position requires educator certification by the State Board for Educator Certification or by the District shall be eligible for temporary disability leave. The maximum length of temporary disability leave shall be 180 calendar days. [See DBB(LOCAL) for temporary disability leave placement and DEC(LEGAL) for return to active duty.]</u>
<u>Certified Employees</u>	
<u>All Other Employees</u>	<u>All other employees shall be eligible for temporary disability leave. The maximum length of temporary disability leave shall be 180 calendar days. [See DBB(LOCAL) for temporary disability leave.] Reinstatement to regular employment shall be on a position-available basis only.</u>
<u>Notification</u>	<u>An employee's notification of need for extended absence due to the employee's own medical condition shall be forwarded to the Superintendent as a request for temporary disability leave.</u>
<u>Concurrent Use of Paid Leaves</u>	<u>The District shall require the use of all applicable state and local leave, personal leave, and vacation leave, if applicable in the order determined by the employee to use, followed by temporary disability leave when applicable and paid leave, including any compensatory time, concurrently with family and medical FMLA leave. An employee's family and medical leave entitlement shall run concurrently with a workers' compensation absence if the injury is classified as a serious health condition. [See DEC(LEGAL)]</u>
<u>FMLA LEAVE</u>	
<u>WORKERS' COMP ABSENCE</u>	
<u>Workers' Compensation</u>	<u>Note: Workers' compensation is not a form of leave. The workers' compensation law does not require the continuation of the District's contribution to health insurance.</u>
	<u>An absence due to a work-related injury or illness shall be designated as FMLA leave, temporary disability leave, and/or assault leave, as applicable.</u>
<u>Paid Leave Offset</u>	<u>The District shall permit the option for paid leave offset in conjunction with pay the difference between the weekly income benefit received under workers' compensation and the employee's regular weekly compensation and shall charge leave proportionately up to the employee's accumulated leave income benefits.</u>
<u>Court Appearances</u>	<u>Absences due to compliance with a valid subpoena or for jury duty shall be fully compensated by the District and shall not be deducted from the employee's pay or leave balance.</u>

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

	<u>Absences for court appearances related to an employee's personal business shall be deducted from the employee's accrued leave or, at the employee's option, be taken as leave without pay.</u>
ASSAULT LEAVE	<u>Assault leave, during which the employee's workers' compensation wage benefits shall be supplemented by the District up to the pre-assault weekly salary, with no deduction from the employee's accumulated paid leave benefits, shall run concurrently with family and medical leave. [See DEC(LEGAL)]</u>
FUNERAL LEAVE	<u>Regular employees eligible for the comprehensive leave program may receive funeral leave and be absent without loss of pay and without deduction from their accrued leave in the case of death of a spouse, child, parent, current parent-in-law, sibling, or any person residing in the employee's home at the time of death, for a period not to exceed three days per occurrence.</u> <u>Additional days and all other funerals shall be charged to the employee's accrued leave balance. Regular hourly employees may use personal leave days for a death in the employee's immediate family.</u>
Payment for Unused Leave	An employee hired before October 10, 1972, who leaves employment with the District shall be eligible to receive payment for accumulated, unused paid leave if <u>he or she</u>they: <u>Has</u>Have been <u>continually</u>continuously employed by the District since initial employment; and <u>Has</u>Have become eligible for retirement in accordance with the <u>provisions of Teacher Retirement System of Texas</u>TRS. An employee who meets all criteria shall receive payment for the unused portion of any accumulated, unused paid leave <u>benefits</u> at <u>his or her</u>their current daily rate of pay, not to exceed one-half of the contract year or the number of days available as of August 31, 1986, whichever is less. If an employee dies while under contract, any accumulated personal leave benefits, not to exceed one-half of the contract year or the number of days available as of August 31, 1986, shall be paid to the estate of the deceased.
<i>Exception</i>	Unless otherwise approved by the Board, an employee is not eligible for buy-back of unused state sick leave, state personal leave, and local <u>personal</u> leave if <u>he or she</u>they: <u>Is</u>Are terminated from employment with the District; - Resigns or retires in lieu of termination or nonrenewal;

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

Attendance Incentive
Plan

Option 1

Employee
incentive bank

3. ~~Is Are~~ under investigation for a terminable offense (while the investigation continues); or
4. ~~Is Are~~ found guilty in an investigation for a terminable offense.

The District may "buy back" any accrued but unused state leave from employees, in accordance with options of the Attendance Incentive Plan described below. Employees wishing to participate in any of these options shall apply in writing, observing time lines and following procedures specified by the payroll department.

Beginning with the 2009-10 school year, an employee who has used five or less leave days (state leave, state sick leave, local leave) during the school year shall have the option of identifying and transferring up to five state leave days to an employee's Incentive Leave Bank. Any days added to an employee's Incentive Bank shall be eligible for a cash payout at retirement. The days eligible for transfer each year are as follows:

Days of Leave Used ¹	Number of State Days Eligible for Transfer Annually
1	4
2	3
3	2
4	1
5	0

¹state leave, state sick leave, local leave

All leave time in an employee's Incentive Plan may be taken as leave when other leave accounts are exhausted or transferred to another school district.

Requirements for the Employee Incentive Bank shall be published annually by Human Resources.

Option 2

Full Buy-Back at
Retirement

Beginning with the 1997-98 school year, an employee in good standing who retires in accordance with provisions of the Teacher Retirement System of Texas shall receive full buyback at retirement based on the following:0.

1. Accumulated but unused state personal leave and state sick leave balances as of August 31, 2009; and
2. Accumulated but unused balance in the Employee Incentive Bank.

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	Payout is 100 percent of each day's value calculated at the employee's current rate the last day of the contract year in which the days were accrued. The rate of pay does not include stipends, extra duty pay, overtime, incentive pay, or the like. This provision shall not apply to local leave days, except in the special circumstances noted at The 1972 Plan, below. This benefit shall be calculated automatically upon retirement for each employee who completes an affidavit certifying that he or she is retiring under TRS. Verification shall be obtained from TRS that the employee actually retired before the benefits are granted. These retirement benefits shall not be available to an employee under investigation, or whose employment is terminated by the District, or who resigns or retires in lieu of termination or nonrenewal, unless otherwise approved by the Board.
The 1972 Plan	If the employee was continuously employed by the District prior to October 10, 1972, and is eligible to receive partial payment for accrued personal leave, the employee shall be eligible also for payment of an additional benefit under this section up to a maximum amount equivalent to one half the employee's annual contract salary. The additional payment shall be equal to the lesser of the following: 1. The accumulated but unused state personal leave and state sick leave balances; or 2. The number of days remaining in the employee's combined local leave bank after the number of days eligible for payment under the 1972 Plan are subtracted, whichever is less. The 1972 Plan applies only to employees hired prior to October 10, 1972. The number of days eligible for payment under the 1972 Plan was frozen on August 31, 1986.
SUPPLEMENTAL SICK LEAVE BANK (SSLB)	All employees who have applied and been approved to use the Supplemental Sick Leave Bank (SSLB) may be absent with full pay for the number of days, up to 30, approved by the District's health care insurance carrier. Implementation procedures shall be as indicated in the <i>Finance Procedures Manual</i>. An employee must contribute to the bank one local leave day per fiscal year. The contribution shall entitle the employee to a maximum of 30 supplemental leave days for that fiscal year.
FAMILY AND MEDICAL LEAVE — CERTIFICATION OF HEALTH CONDITION	Employees who request a leave of absence under the Family and Medical Leave Act for their serious health condition or that of a family member must provide the District with documentation from the health care provider that supports their request for such leave. Such written certification should be provided, when possible, in

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LEAVES AND ABSENCES

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	advance or at the start of the leave. The certification form is available from the Department of Human Resources. If an employee's leave is foreseeable and he or she fails to submit the required certification within the time frame requested (which shall be no less than 15 days after the receipt of the request for leave), the employee's family and medical leave may be delayed until the required certification is provided. If repeated requests for the certification are ignored, family and medical leave may be denied. If the need for leave is not foreseeable, an employee must provide the medical certification within the time frame requested (which shall be no less than 15 days after the receipt of the request for leave) or as soon as reasonably possible under the particular facts and circumstances. If an employee fails to provide a medical certification within a reasonable time under the pertinent circumstances, the continuation of his or her family and medical leave may be delayed. If a certification is never produced, the leave will not constitute family and medical leave and will result in a review of the period of absence for appropriate disciplinary action, which may include termination.
VERIFICATION OF FAMILY RELATIONSHIP	An employee requesting leave for the birth or placement of a child with the employee for adoption or state-approved foster care, or to care for a family member with a serious health condition, may be required to provide reasonable documentation of a family relationship. The Department of Human Resources shall inform the employee of any need for such verification.
COMBINED LEAVE FOR SPOUSES	If both spouses are employed by the District, family and medical leave to care for their newborn child, or upon the adoption or placement of a child, or to care for a parent with a serious health condition may be limited to a combined total of 12 weeks, as determined by the needs of the District.
INTERMITTENT LEAVE	In addition to the uses for intermittent leave provided for by the Family and Medical Leave Act [see DEC(LEGAL)], the District shall permit intermittent leave for the care of an employee's newborn child and for the adoption or placement of a child with the employee.
TEACHER REINSTATEMENT	A teacher desiring to return to work at or near the conclusion of a semester shall be reinstated in accordance with the END-OF-TERM LEAVE section in DEC(LEGAL).
RESIGNATION	If, at the expiration of the family and medical leave, the employee is able to return to work but chooses not to do so, the District shall require reimbursement of the employee benefits contribution made

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

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	by the District during the period in which such leave was taken as unpaid leave.
INTERMITTENT OR REDUCED LEAVE SCHEDULE	If the leave involves an intermittent or a reduced work schedule for the employee's own serious health condition or for the care of a family member with a serious health condition, the Certification of Physician Form must be submitted by the health care provider stating that the leave is medically necessary or will assist the employee's recovery, and must indicate the expected duration and schedule of such intermittent leave.
FITNESS-FOR-DUTY CERTIFICATION	Upon returning to work from a medical leave of absence of more than seven calendar days' duration, an employee shall be required to provide certification from the employee's health care provider that the employee is able to return to work. The cost, if any, of a fitness-for-duty certification shall be borne by the employee. Failure to provide the required return to work certification may result in a delay of job restoration until the certification is provided.
COUNTING FMLA LEAVE	If an employee chooses to take leave for "periods of a particular duration" in the case of intermittent or reduced schedule leave, the entire period of leave taken shall count as FMLA leave. [See DEC(LEGAL) for Family and Medical Leave provisions]
OTHER PAID LEAVES	In order to encourage involvement and active participation in professional activities, family life, and public service, an employee may request to be absent with full pay for the purposes outlined below. Any employee desiring such leave should submit a request to the appropriate superior (principal, department head, or supervisor) at least ten school days in advance of the pending absence and make a written request on the short leave form. Such leave shall not be charged against the employee's accumulated leave balance.
JURY DUTY AND OTHER COURT APPEARANCES	An employee shall be granted leave with pay and without loss of accumulated leave for jury duty. The employee shall be required to present documentation of the service and shall be allowed to retain any compensation for jury duty. However, absences for court appearances related to an employee's personal business shall be deducted from the employee's personal leave or shall be taken by the employee as leave without pay.
Professional Business	Short leaves with full pay may be granted to employees for visiting schools, for attending important professional meetings, or for carrying out some special assignments on recommendation of the department head and the Superintendent. An employee may be asked to file a written report. Each administrator may be allowed professional leave without salary deduction for attending national and state professional meetings, visiting schools, and attending

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(LOCAL)

	other professional meetings, at his or her own expense, upon approval of the immediate supervisor and department head. Procedures for authorization and reimbursement for a professional trip are outlined in the <i>Finance Procedures Manual</i>.
Professional Consultation	When meetings between the Board or designee and the representative organization are scheduled during normal working hours of a school day, the members shall be relieved, as necessary, from all regular duties without loss of pay in order to permit their attendance at such meetings.
Employment Dispute Resolution Meetings	When it is necessary for any party of interest to attend an employment dispute resolution meeting, he or she shall, upon notice, be released without loss of pay in order to permit participation in the foregoing activities. Any employee who appears as a witness in such investigation or meetings shall be accorded the same right. [See DGBA(LOCAL) and appropriate regulations]
Fulbright Teacher Exchange Program	The District shall participate in the Fulbright Teacher Exchange Program to help promote mutual understanding between the people of the United States and the people of other countries through educational exchange. Teachers and administrators wishing to participate in the exchange program may apply to the Superintendent or designee in accordance with administrative regulations.
UNPAID LEAVES	
POLITICAL LEAVE	Upon application, an unpaid leave of absence not to exceed four years shall be granted to any employee for the purpose of seeking or, if elected, serving in a public office.
DEVELOPMENTAL LEAVE	An employee may be granted an unpaid leave for one year for the purpose of engaging in a study designed to improve the employee's professional competence. Such leave request shall be accompanied by a statement describing how the leave is designed to improve professional competence. A study leave shall be effective at the beginning of the semester following the date of request. Upon request, such leave may be extended for one additional year. Upon returning, the employee must provide proof of the academic work completed. An employee with five years of service with TRS may purchase up to two years of credit for developmental leave by notifying TRS in advance of the intention to take such leave, having the District certify that the leave request will meet the requirements of improving professional competency, and making the appropriate deposit with TRS.

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Talent
Jeremy Grant-Skinner, Chief Talent Officer

**SUBJECT: APPROVAL OF THE ESTABLISHMENT OF BOARD POLICY
DF(LOCAL), TERMINATION OF EMPLOYMENT—FIRST READING**

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves the establishment of Board Policy DF(LOCAL), *Termination of Employment*, as recommended by the Texas Association of School Boards (TASB).

RATIONALE

TASB recommends the creation of Board Policy DF(LOCAL) to align with legislative changes made to TEC 21.058 subsections (a) and (c), which now permit the Board of Education, if trustees so choose, to delegate to the superintendent the authority to terminate contract employees without further board action when a contract employee has engaged in serious criminal conduct.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item is not aligned to a core initiative but is ministerial for compliance purposes only.

THIS ITEM DOES REQUIRE CONSULTATION.

THIS ITEM DOES ESTABLISH BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the establishment of Board Policy DF(LOCAL), *Termination of Employment*, on first reading, effective August 19, 2022.

TERMINATION OF EMPLOYMENT

DF
(LOCAL)

**Board's Designee for
Certain Termination
Actions**

The Superintendent shall serve as the Board's designee to place a contract employee on administrative leave without pay, provide written notice that the person's contract is void, and terminate employment as soon as practicable when the District:

1. Receives notice that an individual's certificate has been revoked by the State Board for Educator Certification (SBEC) for reasons that require immediate action by the District; or
2. Becomes aware that a contract employee has been convicted of or has received deferred adjudication for a felony offense.

[See also DFAA, DFBA, and DFCA, as appropriate.]

Effective Date

This policy shall be effective as of the adoption date, .

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Talent
Jeremy Grant-Skinner, Chief Talent Officer

**SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY
DFAA(LOCAL), PROBATIONARY CONTRACTS: SUSPENSION/
TERMINATION DURING CONTRACT—FIRST READING**

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves revisions to Board Policy DFAA(LOCAL), *Probationary Contracts: Suspension/Termination During Contract*.

RATIONALE

The HISD administration recommends changes to Board Policy DFAA(LOCAL), *Probationary Contracts: Suspension/Termination During Contract*,.

A copy of DFAA(LOCAL) showing the recommended changes is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item is not aligned to a core initiative but is ministerial for compliance purposes only.

THIS ITEM DOES REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the recommended changes to Board Policy DFAA(LOCAL), *Probationary Contracts: Suspension/Termination During Contract*, on first reading, effective August 19, 2022.

PROBATIONARY CONTRACTS
SUSPENSION/TERMINATION DURING CONTRACT

DFAA
(LOCAL)

**Suspension with
Pay Administrative
Leave**

A probationary contract employee may be ~~suspended with pay or~~ placed on administrative leave by the Superintendent or designee during an investigation of any allegations or charges against the employee or at any time the Superintendent or designee determines that the District's best interest will be served by the ~~suspension or~~ administrative leave.

Temporary
Reassignment of
an Employee
Suspended with
Pay

The Superintendent or designee may place an employee on administrative leave, which means the employee is temporarily reassigned an employee who has been suspended with pay from his or her regular duties, if the Superintendent or designee determines it is in the best interest of the District.

Effective Date

This policy shall be effective as of the adoption date, .

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Talent
Jeremy Grant-Skinner, Chief Talent Officer

**SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY
DFBA(LOCAL), TERM CONTRACTS: SUSPENSION/TERMINATION
DURING CONTRACT—FIRST READING**

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves revisions to Board Policy DFBA(LOCAL), *Term Contracts: Suspension/Termination During Contract*.

RATIONALE

The HISD administration recommends changes to Board Policy DFBA(LOCAL), *Term Contracts: Suspension/Termination During Contract*, to reflect that suspension with pay is the same as administrative leave by using only the term administrative leave, to add a statement about reduction in force, and to add an effective date paragraph.

A copy of DFBA(LOCAL) showing the proposed changes is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item is not aligned to a core initiative but is ministerial for compliance purposes only.

THIS ITEM DOES REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the proposed recommended changes to Board Policy DFBA(LOCAL), *Term Contracts: Suspension/Termination During Contract*, on first reading, effective August 19, 2022.

TERM CONTRACTS
SUSPENSION/TERMINATION DURING CONTRACT

DFBA
(LOCAL)

Suspension with
Pay Administrative
Leave

A term contract employee may be ~~suspended with pay or~~ placed on administrative leave by the Superintendent or designee during an investigation of any allegations or charges against the employee or at any time the Superintendent or designee determines that the District's best interest will be served by the ~~suspension or~~ administrative leave.

Temporary
Reassignment of
an Employee
Suspended with
Pay

The Superintendent or designee may place an employee on administrative leave, which means the employee is temporarily reassigned an employee who has been suspended with pay from his or her regular duties, if the Superintendent or designee determines it is in the best interest of the District.

Reduction in Force

In accordance with state law, continuing term contract employees may be released from employment by the District at the end of a school year because of necessary reduction of personnel.

Effective Date

This policy shall be effective as of the adoption date, .

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Talent
Jeremy Grant-Skinner, Chief Talent Officer

**SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY
DFBB(LOCAL), TERM CONTRACTS: NONRENEWAL—FIRST
READING**

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves revisions to Board Policy DFBB(LOCAL), *Term Contracts: Nonrenewal*, as recommended by the Texas Association of School Boards (TASB) and the HISD administration.

RATIONALE

Changes recommended to Board Policy DFBB(LOCAL), *Term Contracts: Nonrenewal*, to better align the list of protected characteristics with legal precedent regarding freedom from discrimination, harassment, and retaliation.

A copy of DFBB(LOCAL) showing the proposed changes is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item is not aligned to a core initiative but is ministerial for compliance purposes only.

THIS ITEM DOES REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the recommended changes to Board Policy DFBB(LOCAL), *Term Contracts: Nonrenewal*, on first reading, effective August 19, 2022.

TERM CONTRACTS
NONRENEWAL

DFBB
(LOCAL)

**Preamble:
Transformation of
Policy Regarding
Contract Renewals**

In accordance with its data-driven culture, the District is including as a reason for nonrenewal insufficient student academic growth as reflected by value-added data.

Research has reinforced the significant influence teachers have on student achievement. Specifically, research shows that a significant percent of the variance in student academic progress levels is attributed to the classroom teacher (Ballou, D., Sanders, W., and Wright, P. "Controlling for Student Background in Value-Added Assessment of Teachers." *Journal of Educational and Behavioral Statistics*, Spring 2004, Vol. 29, No. 1, pp. 37-65). Furthermore, in a comprehensive study on teacher impact, data indicate that students who start third grade at about the same level of mathematics achievement finish fifth grade mathematics at dramatically different levels depending on the quality of their teachers. (Haycock, Kati. "Good Teaching Matters... A Lot." *Education Trust*. Thinking K-16, Vol. 3 Issue 2: 1998).

Reasons

The recommendation to the Board and its decision not to renew a contract under this policy shall not be based on an employee's exercise of Constitutional rights or based unlawfully on an employee's race, color, religion, sex, national origin, age, disability, ancestry, marital status, veteran status, political affiliation, sexual orientation, gender identity, and/or gender expression, or any other basis prohibited by law. Reasons for proposed nonrenewal of an employee's term contract shall be:

1. Deficiencies pointed out in observation reports, appraisals or evaluations, supplemental memoranda, or other communications.
2. Failure to fulfill duties or responsibilities.
3. Incompetency or inefficiency in the performance of duties.
4. Inability to maintain discipline in any situation in which the employee is responsible for the oversight and supervision of students.
5. Insubordination or failure to comply with official directives.
6. Failure to comply with Board policies or administrative regulations.
7. Excessive absences.
8. Conducting personal business during school hours when it results in neglect of duties.
9. Reduction in force because of financial exigency. [See DFFA]

TERM CONTRACTS
NONRENEWAL

DFBB
(LOCAL)

10. Reduction in force because of a program change. [See DFFB]
11. Termination of a term contract employee resulting from being displaced by a continuing contract employee, when that employee has been identified for reduction in force.
12. Drunkenness or excessive use of alcoholic beverages; illegal use of drugs, hallucinogens, or possession, use, or being under the influence of alcohol or alcoholic beverages while on ~~school~~ District property, while working in the scope of the employee's duties, or while attending any school- or District-sponsored activity.
13. The illegal possession, ~~use~~, manufacture, or distribution of a controlled substance, a drug, a dangerous drug, hallucinogens, or other substances regulated by state statutes.
14. Failure to report any arrest, conviction, or deferred adjudication for any felony or any crime involving moral turpitude as required by policy. [See DH]
- ~~14.~~ 15. Conviction of a felony or of any crime involving moral turpitude; conviction of a lesser included offense pursuant to a plea when the original charged offense is a felony; or deferred adjudication for a felony or any crime involving moral turpitude. [See DH]
- ~~15. Failure to report any arrest, conviction, or deferred adjudication for any felony or any crime involving moral turpitude as required by policy. [See DH]~~
16. Failure to meet the District's standards of professional conduct.
17. Immorality, which is conduct the Board determines is not in conformity with the accepted moral standards of the community encompassed by the District. Immorality is not confined to sexual matters, but includes conduct inconsistent with rectitude, or indicative of corruption, indecency, or depravity.
18. Failure to comply with reasonable District requirements regarding advanced coursework or professional improvement and growth.
19. Disability, not otherwise protected by law, that prevents the employee from performing the essential functions of the job.
20. Any activity, school-connected or otherwise, that, because of publicity given it, or knowledge of it among students, faculty, ~~and or the~~ community, impairs or diminishes the employee's effectiveness in the District.

TERM CONTRACTS
NONRENEWAL

DFBB
(LOCAL)

21. Any breach by the employee of an employment contract or any reason specified in the employee's employment contract.
22. Failure to maintain an effective working relationship, or maintain good rapport, with parents, the community, or colleagues.
23. A significant lack of student progress attributable to the educator.
24. Behavior that presents a danger of physical harm to a student or to other individuals.
25. Assault on a person on school-District property or at a school-related function, or on an employee, student, or student's parent regardless of time or place.
26. Use of profanity in the course of performing any duties of employment, whether on or off school premises, in the presence of students, staff, or members of the public, if reasonably characterized as unprofessional.
27. Falsification of records or other documents related to the District's activities.
28. Falsification or omission of required information on an employment application.
29. Intentional or deliberate misrepresentation of facts to a supervisor or other District official in the conduct of District business.
30. Failure to fulfill requirements for state licensure or certification, including passing certification or licensing examinations required by state or federal law or by the District for the employee's assignment.
31. Failure to achieve or maintain "highly qualified" status as licensing and certification requirements, including the completion of required continuing education hours, for the employee's assignment.
32. Failure to complete certification or permit renewal requirements, or failure to fulfill the requirements of a deficiency plan under an Emergency Permit, a Special Assignment Permit, or a Temporary Classroom Assignment Permit.
33. Any attempt to encourage or coerce a child to withhold information from the child's parent or from other District personnel.
34. Any reason that makes the employment relationship void or voidable, such as a violation of federal, state, or local law.

TERM CONTRACTS
NONRENEWAL

DFBB
(LOCAL)

35. Insufficient student academic growth as reflected by value-added scores.
36. Any reason constituting good cause for terminating the contract during its term.

Recommendations
from Administration

Administrative recommendations for renewal or proposed nonrenewal of ~~professional employee term~~ contracts shall be submitted to the Superintendent. A recommendation for proposed nonrenewal shall be supported by any relevant documentation. The final decision on the administrative recommendation to the Board on each employee's contract rests with the Superintendent.

Superintendent's
Recommendation

The Superintendent shall identify employees whose contracts are recommended for renewal or proposed nonrenewal by the Board. The Board shall consider the reasons in support of the proposed nonrenewal and shall then act on all recommendations. [See DFBB(LEGAL)]

**Notice of Proposed
Nonrenewal**

After the Board votes to propose nonrenewal, the Superintendent or designee shall deliver written notice of proposed nonrenewal in accordance with law.

~~Upon receiving notice of proposed nonrenewal for any reason, an employee on a performance contract shall not request a hearing or contest the proposed nonrenewal in any administrative or judicial forum. [See DCE(LOCAL)]~~

If the notice of proposed nonrenewal of a Chapter 21 term contract does not contain a statement of the reason or all of the reasons for the proposed action, and the employee requests a hearing, the District shall give the employee notice of all reasons for the proposed nonrenewal ~~in at~~ a reasonable time before the hearing. The initial notice or any subsequent notice shall contain the hearing procedures.

Request for Hearing

~~Upon receiving notice of proposed nonrenewal for any reason, an employee on a performance contract shall not request a hearing or contest the proposed nonrenewal in any administrative or judicial forum. [See DCE(LOCAL)]~~

If the employee desires a hearing after receiving the notice of proposed nonrenewal, the employee shall file a written request with the ~~C~~ommissioner of ~~E~~ducation, and provide the Board a copy of the request, not later than the 15th day after the date the employee received the notice of proposed nonrenewal.

Hearing Procedures

The hearing shall be conducted by an independent hearing examiner in accordance with the process described at DFD~~(LEGAL)~~.

TERM CONTRACTS
NONRENEWAL

DFBB
(LOCAL)

Board Decision

Following the hearing, the Board shall take appropriate action in accordance with Chapter 21 of the Education Code and policy DFD.

No Hearing

If the employee fails to request a hearing, the Board shall take the appropriate action and notify the employee in writing of that action not later than the 30th day after the date the notice of proposed nonrenewal was sent.

Effective Date

This policy shall be effective as of the adoption date, .

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Talent
Jeremy Grant-Skinner, Chief Talent Officer

**SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY
DFCA(LOCAL), CONTINUING CONTRACTS: SUSPENSION/
TERMINATION—FIRST READING**

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves revisions to Board Policy DFCA(LOCAL), *Continuing Contracts: Suspension/Termination*, as recommended by the Texas Association of School Boards (TASB) and the district administration.

RATIONALE

Changes are recommended to Board Policy DFCA(LOCAL), *Continuing Contracts: Suspension/Termination*, to remove references to suspension and to use only the term administrative leave.

A copy of DFCA(LOCAL) showing the proposed changes is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item is not aligned to a core initiative but is ministerial for compliance purposes only.

THIS ITEM DOES REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the proposed changes to Board Policy DFCA(LOCAL), *Continuing Contracts: Suspension/Termination*, on first reading, effective August 19, 2022.

CONTINUING CONTRACTS
SUSPENSION/TERMINATION

DFCA
(LOCAL)

**Suspension with
Pay Administrative
Leave**

A continuing contract employee may be ~~suspended with pay or~~ placed on administrative leave by the Superintendent during an investigation of any allegations or charges against the employee or at any time the Superintendent determines that the District's best interest will be served by the ~~suspension or~~ administrative leave.

Temporary
**Reassignment of
an Employee
Suspended with
Pay on
Administrative
Leave**

The Superintendent or designee may place an employee on administrative leave, which means the employee is temporarily reassigned ~~an employee who has been suspended with pay from his or her~~ their regular duties, if the Superintendent or designee determines it is in the best interest of the District.

Reduction in Force

~~As provided by Education Code 21.157~~ In accordance with state law, continuing contract employees may be released from employment and their contracts terminated by the District at the end of a school year because of necessary reduction of personnel.

Effective Date

This policy shall be effective as of the adoption date. .

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Talent
Jeremy Grant-Skinner, Chief Talent Officer

SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY DFE(LOCAL), TERMINATION OF EMPLOYMENT: RESIGNATION—FIRST READING

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves revisions to Board Policy DFE(LOCAL), *Termination Of Employment: Resignation*, as recommended by the Texas Association of School Boards (TASB) and the district administration.

RATIONALE

TASB recommends changes to Board Policy DFE(LOCAL), *Termination Of Employment: Resignation*, to clarify the process of submitting a voluntary resignation. The HISD administration is recommending improvements to the process.

A copy of DFE(LOCAL) showing the proposed changes is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item is not aligned to a core initiative but is ministerial for compliance purposes only.

THIS ITEM DOES REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the recommended changes to Board Policy DFE(LOCAL), *Termination Of Employment: Resignation*, on first reading, effective August 19, 2022.

TERMINATION OF EMPLOYMENT
RESIGNATION

DFE
(LOCAL)

**General
Requirements**

All resignations shall be submitted electronically via the District's online Voluntary Separation Form. Written submissions will be accepted at the discretion of the Chief Talent Officer in writing, using the District prescribed form or by letter, to the human resources department. Each electronic submission shall be directed to one of the individuals authorized by this policy to receive resignations. The employee shall give reasonable notice and shall include in the letter submission a statement of the reason(s) for resigning. A pre-paid certified or registered letter of resignation shall be considered submitted upon mailing.

At-Will Employees

The Superintendent or designee shall be authorized to accept the resignation of an at-will employee at any time.

Contract Employees

The Superintendent, ~~or designee~~ chief talent officer, and executive officers in the Office of Talent shall be authorized to ~~accept~~ receive a contract employee's resignation effective at the end of the school year or submitted after the last day of the school year and before the penalty-free resignation date. ~~The~~ Such a resignation, properly submitted electronically through the Voluntary Separation Form, requires no further action by the District and is accepted upon receipt.

Upon receipt of a contract employee's resignation at any other time, the Superintendent, chief talent officer, and executive officers in the Office of Talent or other person designated by Board action shall be authorized to receive and accept a contract employee's resignation submitted or effective at any other time. The authorized receiver shall either accept the resignation or submit the matter to the Board in order to pursue sanctions allowed by law.

**Withdrawal of
Resignation**

Once submitted ~~and accepted~~, the resignation of an employee may not be withdrawn by the employee without consent of the Superintendent or designee.

**Reemployment After
Resignation**

An employee who resigns and subsequently seeks reemployment in the District shall:

1. Be employed on a probationary basis in accordance with appropriate policies; [See DCA(LEGAL)]
2. Be placed on the salary schedule in accordance with the appropriate section of the *Compensation Manual* approved by the Board;
3. Forfeit seniority and any unused accumulated local personal leave; and
4. Be subject to the personnel policies or any settlement agreements pertaining to the reemployment of former employees.

TERMINATION OF EMPLOYMENT
RESIGNATION

DFE
(LOCAL)

An employee who resigns or retires to avoid District-initiated termination or nonrenewal shall not be eligible for reemployment with the District. An employee who resigns after the District has initiated an investigation of alleged misconduct may be eligible for reemployment only after review and approval by the ~~human resources department~~ Office of Talent.

Effective Date

This policy shall be effective as of the adoption date, ,
2022.

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Talent
Jeremy Grant-Skinner, Chief Talent Officer

**SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY
DFFA(LOCAL), REDUCTION IN FORCE: FINANCIAL EXIGENCY—
FIRST READING**

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves revisions to Board Policy DFFA(LOCAL), *Reduction In Force: Financial Exigency*, as recommended by the Texas Association of School Boards (TASB) and the HISD administration.

RATIONALE

TASB recommends changes to Board Policy DFFA(LOCAL), *Reduction In Force: Financial Exigency*, to reorganize the material within the DEA series.

A copy of DFFA(LOCAL) showing the proposed changes is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item is not aligned to a core initiative but is ministerial for compliance purposes only.

THIS ITEM DOES REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the recommended changes to Board Policy DFFA(LOCAL), *Reduction In Force: Financial Exigency*, on first reading, effective August 19, 2022.

REDUCTION IN FORCE
FINANCIAL EXIGENCY

DFFA
(LOCAL)

**Plan to Reduce
Personnel Costs**

If the Superintendent determines that there is a need to reduce personnel costs, the Superintendent shall develop, in consultation with the Board as necessary, a plan for reducing costs that may include one or more of the following:

- Salary reductions [see DEAB];
- Furloughs [see DEA], if the District has received certification from the Commissioner of a reduction in funding under Education Code 42.009 [see CBA and DEAB];
- Reductions in force of contract personnel due to financial exigency, if the District meets the standard for declaring a financial exigency as defined by the Commissioner [see CEA and provisions at Reduction in Force Due to Financial Exigency, below];
- Reductions in force of contract personnel due to program change [see DFFB]; or
- Other means of reducing personnel costs.

A plan to reduce personnel costs may include the reduction of personnel employed pursuant to employment arrangements not covered at Applicability, below.

- See DCD for the termination at any time of at-will employment.
- See DFAB for the termination of a probationary contract at the end of the contract period.
- See DFCA for the termination of a continuing contract, if applicable.
- See DCE for the termination at the end of the contract period of a contract not governed by Chapter 21 of the Education Code.

**Reduction in Force
Due to Financial
Exigency**

Applicability

The following provisions shall apply when a reduction in force due to financial exigency requires:

1. The nonrenewal or termination of a term contract;
2. The termination of a probationary contract during the contract period; or
3. The termination of a contract not governed by Chapter 21 of the Education Code during the contract period.

Definitions

Definitions used in this policy are as follows:

REDUCTION IN FORCE
FINANCIAL EXIGENCY

DDFA
(LOCAL)

1. "Nonrenewal" shall mean the termination of a term contract at the end of the contract period.
2. "Discharge" shall mean termination of a contract during the contract period.

General Grounds

A reduction in force may take place when the Superintendent recommends and the Board adopts a resolution declaring a financial exigency. [See CEA] A determination of financial exigency constitutes sufficient reason for nonrenewal or sufficient cause for discharge.

Employment Areas

When a reduction in force under this policy is to be implemented, the Superintendent shall recommend the employment areas to be affected.

Employment areas may include, for example:

1. Elementary grades, levels, subjects, departments, or programs.
2. Secondary grades, levels, subjects, departments, or programs, including career and technical education subjects.
3. Special programs, such as gifted and talented, bilingual/ESL programs, special education and related services, compensatory education, or migrant education.
4. Disciplinary alternative education programs (DAEPs) and other discipline management programs.
5. Counseling programs.
6. Library programs.
7. Nursing and other health services programs.
8. An educational support program that does not provide direct instruction to students.
9. District-wide programs.
10. An individual campus.
11. Any administrative position(s), unit, or department.
12. Programs funded by state or federal grants or other dedicated funding.
13. Other contractual positions.

The Superintendent's recommendation may address whether any employment areas should be:

REDUCTION IN FORCE
FINANCIAL EXIGENCY

DFFA
(LOCAL)

1. Combined or adjusted (e.g., “elementary programs” and “compensatory education programs” can be combined to identify an employment area of “elementary compensatory education programs”); and/or
2. Applied on a District-wide or campus-wide basis (e.g., “the counseling program at [named elementary campus]”).

The Board shall determine the employment areas to be affected.

Criteria for Decision

The Superintendent or designee shall apply the following criteria to the employees within an affected employment area based on the employee’s assignment at the time the Board approves the employment areas affected by the reduction in force. The criteria are listed in the order of importance and shall be applied sequentially to the extent necessary to identify the employees who least satisfy the criteria and therefore are subject to the reduction in force. For example, if all necessary reductions can be accomplished by applying the first criterion, it is not necessary to apply the second criterion, and so forth. However, if there is only one individual in the identified employment area or if all individuals in the employment areas will be affected by the reduction in force, then there is no need to apply the criteria to the individual(s) in the affected employment area(s).

1. Performance: Effectiveness, as reflected by the most recent formal appraisal and, if available, consecutive formal appraisals from more than one year [see DNA] and any other written evaluative information including, but not limited to, disciplinary information and directives previously issued. If the Superintendent or designee at their discretion decides that the documented performance differences between two or more employees are too insubstantial to rely upon, they may proceed to apply the remaining criteria in the order listed below.

~~If the Superintendent or designee at his or her discretion decides that the documented performance differences between two or more employees are too insubstantial to rely upon, he or she may proceed to apply the remaining criteria in the order listed below.~~

2. Extra Duties/Supplemental: Currently performing an extra-duty or supplemental assignment, for example, department or grade-level chair, band director, athletic coach, activity sponsor, and the like that the designee believes would have a detrimental impact on the school. In making the determination of whether this criterion applies, the principal may consider whether a replacement from among campus members, who

REDUCTION IN FORCE
FINANCIAL EXIGENCY

DFFA
(LOCAL)

are not subject to the reduction in force, can be found who can perform these duties at the same level.

3. Seniority: Length of continuous service in the District, as measured from the employee's most recent date of hire. An authorized leave shall not be considered an interruption of continuous service.
4. Professional Background: Professional education and work experience related to the current or projected assignment.

Superintendent
Recommendation

The Superintendent shall recommend to the Board the nonrenewal or discharge of the identified employees within the affected employment areas.

Board Vote

After considering the Superintendent's recommendations, the Board shall determine the employees to be proposed for nonrenewal or discharge, as appropriate.

If the Board votes to propose nonrenewal or discharge of one or more employees, the hearing shall be conducted by an independent hearing examiner in accordance with the process described at DFD(LEGAL) or DFBB(LOCAL).

Notice

The Superintendent or designee shall provide each employee written notice of the proposed nonrenewal or discharge, as applicable. The notice shall include:

1. The proposed action, as applicable;
2. A statement of the reason for the proposed action; and
3. Notice, if applicable, that the employee is entitled to a hearing of the type determined by the Board.

**Consideration for
Available Positions**

An employee who has received notice of proposed nonrenewal or discharge may apply for available positions for which ~~he or she~~ they wishes to be considered. The employee is responsible for reviewing posted vacancies, submitting an application, and otherwise complying with District procedures. Assignments to new jobs shall be based on matching of skill sets.

~~An employee~~ Employees proposed for nonrenewal or discharge under this policy shall be considered for positions for which ~~he or she~~ they ~~applies~~ are qualified up until:

1. Final action by the Board to end the employee's contract, if the employee does not request a hearing; or
2. The evidentiary hearing by the independent hearing examiner, if the employee requests a hearing.

REDUCTION IN FORCE
FINANCIAL EXIGENCY

DFFA
(LOCAL)

Hearing Request

Nonrenewal: Term
Contract

An employee receiving notice of proposed nonrenewal of a term contract may request a hearing in accordance with DFBB.

Discharge: Chapter
21 Contract

An employee receiving notice of proposed discharge from a contract governed by Chapter 21 of the Education Code may request a hearing. The hearing shall be conducted in accordance with DFD or the nonrenewal hearing process in DFBB, as determined by the Board and specified in the notice of proposed discharge.

Discharge: Non-
Chapter 21 Contract

An employee receiving notice of proposed discharge during the period of an employment contract not governed by Chapter 21 of the Education Code may request a hearing before the Board or its designee in accordance with DCE(LOCAL).

Final Action

Hearing Requested

If the employee requests a hearing, the Board shall take final action after the hearing in accordance with DCE, DFBB, or DFD, as applicable, and shall notify the employee in writing.

No Hearing
Requested

If the employee does not request a hearing, the Board shall take final action in accordance with DCE, DFBB, or DFD, as applicable, and shall notify the employee in writing.

Effective Date

This policy shall be effective as of the adoption date, ~~December 12, 2014~~.

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Talent
Jeremy Grant-Skinner, Chief Talent Officer

SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY DFFB(LOCAL), REDUCTION IN FORCE: PROGRAM CHANGE—FIRST READING

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves revisions to Board Policy DFFB(LOCAL), *Reduction in Force: Program Change*, as recommended by the Texas Association of School Boards (TASB).

RATIONALE

TASB recommends changes to Board Policy DFFB(LOCAL), *Reduction in Force: Program Change*, to clarify the superintendent's ability to determine when a reduction in force due to a program change is required.

A copy of DFFB(LOCAL) showing the proposed changes is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item is not aligned to a core initiative but is ministerial for compliance purposes only.

THIS ITEM DOES REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the recommended changes to Board Policy DFFB(LOCAL), *Reduction in Force: Program Change*, on first reading, effective August 19, 2022.

REDUCTION IN FORCE
PROGRAM CHANGE

DFFB
(LOCAL)

Applicability

This policy shall apply when a reduction in force due to a program change requires the nonrenewal of a term contract. A program change may be due to, for example, a redirection of resources; efforts to improve efficiency; a change in enrollment; a lack of student response to particular course offerings; legislative revisions to programs; or a reorganization or consolidation of two or more individual schools, departments, or school districts.

Definitions

Definitions used in this policy are as follows:

1. "Program change" shall mean any elimination, curtailment, or reorganization of a program, department, school operation, or curriculum offering, including, for example, a change in curriculum objectives; a modification of the master schedule; the restructuring of an instructional delivery method; or a modification or reorganization of staffing patterns in a department, on a particular campus, or District-wide.
2. "Reorganization" shall mean a change in positions due to:
 - a. A change, elimination, or addition of a function within a department or school; or
 - b. A change in the role, responsibility, qualifications, or skill level of a significant number of employees within a department, school, or within a category of employees.
3. "Nonrenewal" shall mean the termination of a term contract at the end of the contract period.

General Grounds

A reduction in force may take place when the Superintendent determines that a program change is required. A determination of a program change constitutes sufficient reason for nonrenewal.

Employment Areas

When a reduction in force is to be implemented, the Superintendent shall recommend to the Board for approval the employment areas to be affected. The Superintendent, with input from campuses and/or departments, may assist the Board by making recommendations regarding the employment areas.

Employment areas may include, for example:

1. Elementary grades, levels, subjects, departments, or programs.
2. Secondary grades, levels, subjects, departments, or programs, including career and technical education subjects.
3. Special programs, such as gifted and talented, bilingual/ESL programs, special education and related services,

REDUCTION IN FORCE
PROGRAM CHANGE

DFFB
(LOCAL)

compensatory education, or migrant education. Each special program is a separate employment area.

4. Disciplinary alternative education programs (DAEPs) and other discipline management programs.
5. Counseling programs.
6. Library programs.
7. Nursing and other health services programs.
8. An educational support program that does not provide direct instruction to students.
9. District-wide programs.
10. An individual campus.
11. Any administrative position(s), unit, or department.
12. Programs funded by state or federal grants or other dedicated funding.
13. Other contractual positions.
14. A job code that corresponds to the position/duties an affected employee currently performs.

The Superintendent's recommendation may address whether any employment areas should be:

1. Combined or adjusted (e.g., "elementary programs" and "compensatory education programs" can be combined to identify an employment area of "elementary compensatory education programs"); and/or
2. Applied on a District-wide or campus-wide basis (e.g., "the counseling program at [named elementary campus]").

The Board shall determine the employment areas to be affected.

Criteria for Decision

The Superintendent or designee shall apply the following criteria to an employee within an affected employment area based on the employee's assignment at the time the Board approves the employment areas affected by the reduction in force. The criteria are listed in the order of importance and shall be applied sequentially to the extent necessary to identify the employees who least satisfy the criteria and therefore are subject to the reduction in force. For example, if all necessary reductions can be accomplished by applying the first criterion, it is not necessary to apply the second criterion, and so forth. However, if there is only one individual in the identified employment area or if all individuals in the employment

REDUCTION IN FORCE
PROGRAM CHANGE

DFFB
(LOCAL)

area will be affected by the reduction in force, then there is no need to apply the criteria to the individual(s) in the affected employment area(s).

1. Performance: Effectiveness, as reflected by:

a. The most recent formal appraisal and, if available, consecutive formal appraisals from more than one year [see DNA]; and

4.b. Any other written evaluative information including but not limited to disciplinary information and directives previously issued.

If the Superintendent or designee at his or her discretion decides that the documented performance differences between two or more employees are too insubstantial to rely upon, he or she may proceed to apply the remaining criteria in the order listed below.

2. Extra Duties/Supplemental: Currently performing an extra-duty or supplemental assignment, for example, department or grade-level chair, band director, athletic coach, activity sponsor, and the like that the designee believes would have a detrimental impact on the school. In making the determination of whether this criterion applies, the principal may consider whether a replacement from among campus members, who are not subject to the reduction in force, can be found, who can perform these duties at the same level.

3. Seniority: Length of continuous service in the District, as measured from the employee's most recent date of hire. An authorized leave shall not be considered an interruption of continuous service.

4. Professional Background: Professional education and work experience related to the current or projected assignment.

Superintendent
Recommendation

The Superintendent shall recommend to the Board the nonrenewal of the identified employees within the affected employment areas.

Board Vote

After considering the Superintendent's recommendations, the Board shall determine the employees to be proposed for nonrenewal, as appropriate.

Notice

The Superintendent or designee shall provide each employee written notice of the proposed nonrenewal. The notice shall include a statement of the reason for the proposed action and notice that the employee is entitled to a hearing.

REDUCTION IN FORCE
PROGRAM CHANGE

DFBB
(LOCAL)

**Consideration for
Available Positions**

An employee who has received notice of proposed nonrenewal may apply for available positions for which ~~he or she~~they wishes to be considered. The employee is responsible for reviewing posted vacancies, submitting an application, and otherwise complying with District procedures to be considered for a particular vacancy. Assignments to new jobs shall be based on matching of skill sets.

~~An employee~~Employees proposed for nonrenewal under this policy shall be considered for positions for which ~~he or she~~they ~~applies~~are and ~~is~~are qualified up until:

1. Final action by the Board to end the employee's contract, if the employee does not request a hearing; or
2. The evidentiary hearing by the independent hearing examiner, the Board, or other person designated in DFBB(LOCAL), if the employee requests a hearing.

Hearing Request

An employee receiving notice of proposed nonrenewal of a term contract may request a hearing in accordance with DFBB.

Final Action

Hearing Requested

If the employee requests a hearing, the Board shall take final action after the hearing in accordance with DFBB and shall notify the employee in writing of its decision.

No Hearing
Requested

If the employee does not request a hearing, the Board shall take final action in accordance with DFBB and shall notify the employee in writing of its decision.

Effective Date

This policy shall be effective as of the adoption date, ~~December 12,~~
~~2014.~~

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Talent
Jeremy Grant-Skinner, Chief Talent Officer

SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY DHE(LOCAL), EMPLOYEE STANDARDS OF CONDUCT: SEARCHES AND ALCOHOL/DRUG TESTING—FIRST READING

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves revisions to Board Policy DHE(LOCAL), *Employee Standards Of Conduct: Searches And Alcohol/Drug Testing*, as recommended by the Texas Association of School Boards (TASB) and the HISD administration.

RATIONALE

TASB recommends changes to Board Policy DHE(LOCAL), *Employee Standards Of Conduct: Searches And Alcohol/Drug Testing*, to reorganize the structure of drug and alcohol testing, based on U.S. Department of Transportation (DOT) guidelines, to clearly delineate the items and actions that are required by DOT and those that are required by the district.

A copy of DHE(LOCAL) showing the proposed changes is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item is not aligned to a core initiative but is ministerial for compliance purposes only.

THIS ITEM DOES REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the recommended changes to Board Policy DHE(LOCAL), *Employee Standards Of Conduct: Searches And Alcohol/Drug Testing*, on first reading, effective August 19, 2022.

EMPLOYEE STANDARDS OF CONDUCT
SEARCHES AND ALCOHOL/DRUG TESTING

DHE
(LOCAL)

**Reasonable
Suspicion Searches**

The District reserves the right to conduct searches when the District has reasonable ~~cause~~ suspicion to believe that a search will uncover evidence of work-related misconduct. -The District may search the employee, the employee's personal items, work areas, lockers, and private vehicles parked on District premises or worksites or used in District business. Searches that reveal a violation of the District's standards of conduct may result in disciplinary action. [See DH]

**Reasonable
Suspicion Alcohol
and Drug Testing**

The District may remove an employee from duty and require testing if there is reasonable suspicion that the employee is under the influence of alcohol or drugs used in violation of District policy. The determination of reasonable suspicion may be based on specific observations of the appearance, behavior, speech, or body odors of the employee whose motor ability, emotional equilibrium, or mental acuity seems to be impaired while on duty or other relevant information. Any employee who is asked to submit to drug or alcohol screening shall be given the opportunity to provide relevant information about prescription or nonprescription medications that may affect the screening.

A District employee who refuses to comply with a directive to submit to testing based upon reasonable suspicion shall be subject to disciplinary action, up to and including termination.

A District employee confirmed to have violated the District's policy pertaining to alcohol or drugs may be subject to disciplinary action. [See DF series and DH]

**Employees Covered
by the Federal
Department of
Transportation
Rules**

In accordance with Department of Transportation (DOT) rules, The District shall establish an alcohol and controlled substances testing program to help prevent accidents and injuries resulting from the misuse of alcohol and controlled substances by ~~any of the following:~~ drivers of commercial motor vehicles, including school buses.

***Purpose of
Alcohol / Drugs
Federally
Required DOT
Testing Program***

The primary purpose of the testing program is to prevent impaired employees from performing safety-sensitive functions.

1. Employees who are drivers of District-owned, leased, or rented vehicles;
2. Employees who perform safety-sensitive functions, including but not limited to, police officers who carry firearms, motor vehicle mechanics and inspectors, transportation aides, and operators of hazardous equipment;
3. Applicants for positions in the above-referenced categories; and
4. Any employee when there is reasonable suspicion of use of alcohol or controlled substances in the workplace.

EMPLOYEE STANDARDS OF CONDUCT
SEARCHES AND ALCOHOL/DRUG TESTING

DHE
(LOCAL)

Consortium Drug-
Related
Violations

~~The primary purpose of the testing program is to prevent impaired employees from performing safety sensitive functions.~~

The Superintendent shall designate a District official who shall be responsible for ensuring that information is disseminated to employees covered under this testing program regarding prohibited driver conduct, alcohol and controlled substances tests, and the consequences that follow positive test results.

~~With specific Board approval, the Superintendent may contract on behalf of the District with outside consultants and contractors or work with a consortium of other local governments to secure the testing services, educational materials, and other component elements needed for this program. The following constitute drug-related violations under the DOT rules:~~

1. Refusing to submit to a required test for alcohol or controlled substances.
2. Providing an adulterated, diluted, or a substituted specimen on an alcohol or controlled substances test.
3. Testing positive for alcohol, at a concentration of 0.04 or above, in a post-accident test.
4. Testing positive for controlled substances in a post-accident test.
5. Testing positive for alcohol, at a concentration of 0.04 or above, in a random test.
6. Testing positive for controlled substances in a random test.
7. Testing positive for alcohol, at a concentration of 0.04 or above, in a reasonable suspicion test.
8. Testing positive for controlled substances in a reasonable suspicion test.

An employee who operates a commercial motor vehicle, including a bus, and commits a drug-related DOT violation as defined above shall not be eligible for reinstatement as a driver.

~~Under such contract, the consortium shall be responsible for implementing, directing, administering, and managing the alcohol and controlled substances program within the U.S. Department of Transportation guidelines. The consortium shall serve as the principal contact with the laboratory and for collection activities in assuring the effective operation of the testing portion of the program.~~

EMPLOYEE STANDARDS OF CONDUCT
SEARCHES AND ALCOHOL/DRUG TESTING

DHE
(LOCAL)

<u>Alcohol Results Between 0.02 and 0.04</u>	<u>In accordance with DOT rules, a driver tested under this policy and found to have an alcohol concentration of 0.02 or greater, but less than 0.04, shall be suspended from driving duties for at least 24 hours.</u> <u>[In the event of a positive test result for alcohol of 0.02 or greater, see the disciplinary consequences at District-Imposed Consequences, below.]</u>
<u>Reasonable Suspicion DOT Testing</u>	Only supervisors specifically trained in accordance with federal regulations [see DHE(LEGAL)] may, based upon reasonable suspicion, remove an employee a driver from a safety-sensitive position and require testing for alcohol and/or controlled substances. -The determination of reasonable suspicion shall be based on specific observations of the appearance, behavior, speech, or body odors of the employee-driver whose motor ability, emotional equilibrium, or mental acuity seems to be impaired. -Such observations must take place just preceding, during, or just after the period of the workday that the employee is on duty. The observations may include indication of the chronic and withdrawal effects of controlled substances.- Within 24 hours of the observed behavior, the supervisor shall provide a signed, written record documenting the observations leading to a controlled substance reasonable suspicion test.
<u>Consequences of Positive Test Results District- Defined Violations</u>	<u>In addition to the consequences established by federal law, a District</u> An employee confirmed to have violated the District's policy if he or she tests positive for alcohol at a concentration of 0.02 or greater, pertaining to alcohol or controlled substances shall be subject to termination. [See DF series]
<u>Alcohol Results 0.02 and Above</u>	<u>An employee tested under this policy and found to have an alcohol concentration of 0.02 or greater shall be terminated.</u>
<u>District-Imposed Consequences for Violation of Prohibitions</u>	<u>In addition to the consequences established by federal law, a District employee confirmed to have violated the District's policy pertaining to alcohol or controlled substances shall be subject to termination of employment. [See DF series]</u>
	<u>Note:</u> <u>The following provisions address the District's drug- and alcohol-testing program.</u>
<u>Employees Subject to District Drug and Alcohol Testing</u>	<u>Under its own authority, the District shall apply the DOT testing regulations to the categories of employees listed below:</u> <u>1. Employees who drive District-owned, -leased, or -rented vehicles; and</u>

EMPLOYEE STANDARDS OF CONDUCT
SEARCHES AND ALCOHOL/DRUG TESTING

DHE
(LOCAL)

Effective Date

Reasonable
Suspicion Testing

2. Employees who perform safety-sensitive functions, including but not limited to, police officers who carry firearms, motor vehicle mechanics and inspectors, transportation aides, and operators of hazardous equipment.

3. Applicants for positions that operate District-owned, -leased, or -rented vehicles or that perform safety-sensitive functions are subject to pre-employment testing.

4. Any employee, when there is reasonable suspicion of use of alcohol or controlled substances in the workplace, is subject to, reasonable suspicion testing.

In addition, the DOT testing regulations shall apply to applicants for positions included in one of the above categories.

This policy shall be effective as of the adoption date, .

Any employee may be tested in accordance with DOT testing regulations when there is reasonable suspicion that the employee may be under the influence of alcohol or controlled substances while in the workplace.

An employee whose conduct is in violation of the alcohol and controlled substances prohibitions of this policy shall be terminated for:

1. Refusing to submit to a required test for alcohol or controlled substances.

2. Providing an adulterated, diluted, or a substituted specimen on an alcohol or drug test.

3. Testing positive for alcohol, at a concentration of 0.02 or above, in a post-accident test.

4. Testing positive for controlled substances in a post-accident test.

5. Testing positive for alcohol, at a concentration of 0.02 or above, in a random test.

6. Testing positive for controlled substances in a random test.

7. Testing positive for alcohol, at a concentration of 0.04 or above, in a required confirmation test.

8. Testing positive for controlled substances in a required confirmation test.

9. Testing positive for alcohol, at a concentration of 0.02 or above, in a reasonable suspicion test.

EMPLOYEE STANDARDS OF CONDUCT
SEARCHES AND ALCOHOL/DRUG TESTING

DHE
(LOCAL)

10. ~~Testing positive for controlled substances in a reasonable suspicion test.~~

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Talent
Jeremy Grant-Skinner, Chief Talent Officer

**SUBJECT: APPROVAL OF PROPOSED DELETION OF BOARD POLICY
DMD(LOCAL), PROFESSIONAL DEVELOPMENT: PROFESSIONAL
MEETINGS AND VISITATIONS—FIRST READING**

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves the proposed deletion of Board Policy DMD(LOCAL), *Professional Development: Professional Meetings And Visitations*, as recommended by the Texas Association of School Boards (TASB).

RATIONALE

TASB recommends the deletion of Board Policy DMD(LOCAL), *Professional Development: Professional Meetings And Visitations*, because administrative details regarding professional meetings do not require a board-adopted policy.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item is not aligned to a core initiative but is ministerial for compliance purposes only.

THIS ITEM DOES REQUIRE CONSULTATION.

THIS ITEM DOES DELETE BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the proposed deletion of Board Policy DMD(LOCAL), *Professional Development: Professional Meetings And Visitations*, on first reading, effective August 19, 2022.

PROFESSIONAL DEVELOPMENT
PROFESSIONAL MEETINGS AND VISITATIONS

DMD
(LOCAL)

MEETINGS,
CONFERENCES, AND
WORKSHOPS

Professional personnel may attend and participate in meetings, conferences, and workshops that will contribute to their professional growth and development. [See also DMA and DMC]

When attendance at such events is recommended or required by the administration, the Board, TEA, or UIL, personnel may attend with the Superintendent's approval. No salary deduction or loss of leave shall occur when attendance is recommended or required.

The Superintendent may grant additional absences to employees for attendance at meetings, conferences, and workshops that are of special interest to the employee.

RELEASE TIME

Requests for release time with pay to attend employee organization meetings, other than any such meetings approved for required staff development purposes, shall be considered on a case-by-case basis. The responsibility for justifying the school-related purpose to be accomplished by attendance shall rest with the employee. Approval shall be given only if the employee is on the program, has some official function, or can obtain specific information related to his or her job description that will assist the District in improving the instructional program.

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Academics
Shawn Bird, Chief Academic Officer

**SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY
DP(LOCAL), PERSONNEL POSITIONS—FIRST READING**

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves revisions to Board Policy DP(LOCAL), *Personnel Positions*, as recommended by the Texas Association of School Boards (TASB).

RATIONALE

TASB recommended changes to Board Policy DP(LOCAL) based on provisions from Senate Bill (SB) 179, which mandates that the board adopts a policy requiring a school counselor to spend at least 80 percent of total work time on duties that are components of a comprehensive school counseling program (CSCP). To streamline the list of principal qualifications, TASB also recommends referencing the job description for the number of years of experience as a classroom teacher and deleting this detail from policy.

In addition, HISD administration is preparing a draft DP(REGULATION) regarding how the 80 percent of total work time that a school counselor spends on duties that are components of a CSCP will be documented, for submission to the board pending approval of the local policy revisions.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all four district goals and is aligned to Core Initiative 5: Culture of Trust through Action.

THIS ITEM DOES REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the proposed revisions to DP(LOCAL), *Personnel Positions*, on first reading, effective August 19, 2022.

PERSONNEL POSITIONS

DP
(LOCAL)

**Principal
Qualifications**

In addition to the minimal certification requirement, ~~the a~~ principal shall have at least:

1. Working knowledge of curriculum and instruction;
2. The ability to evaluate instructional program and teaching effectiveness;
3. The ability to manage budgets and personnel and to coordinate campus functions;
4. The ability to explain policy, procedures, and data;
5. Strong communications, public relations, and interpersonal skills;
6. ~~Three years' experience as a classroom teacher;~~
7. ~~6.~~ Prior experience in instructional leadership roles; and
8. ~~7.~~ Other qualifications deemed necessary by the Board and included in the job description.

Primary Role

The primary role of the principal shall be to ensure an effective instructional program for all students under ~~his or her~~their jurisdiction. As the recognized instructional leader, the principal shall in turn hold all school personnel within ~~his or her~~their building(s) accountable for their performance and effectiveness.

The principal shall be involved in curriculum planning, professional development, and the implementation of all areas of the educational programs as they apply to ~~his or her~~the school.

Personnel

All personnel assigned to a building shall be accountable to the principal unless specifically designated otherwise by the Superintendent.

School Counselors

In accordance with law, a school counselor shall spend 80 percent of the counselor's work time on duties that are components of a comprehensive school counseling program (CSCP). [See FFEA]

If the Board approves a determination by the administration that due to District or campus staffing needs or other reasons a school counselor is prevented from spending 80 percent of the counselor's work time on duties that are components of a CSCP, the Board shall direct the Superintendent to develop a revised job description for the school counselor that addresses the percentage of the school counselor's time that shall be spent on duties related to the components of a CSCP and the duties the school counselor is expected to perform in the remaining work time. The Superintendent shall report to the Board regarding adjustments to a school counselor's duties under this provision.

PERSONNEL POSITIONS

DP
(LOCAL)

Effective Date

This policy shall be effective as of the adoption date, .

DATE ISSUED: 12/2/2002
UPDATE 69
DP(LOCAL)-X

ADOPTED:

2 of 2

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Academics
Shawn Bird, Chief Academic Officer

SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY EF(LOCAL), INSTRUCTIONAL RESOURCES—FIRST READING

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves revisions to Board Policy EF(LOCAL), *Instructional Resources*, as recommended by the Texas Association of School Boards (TASB).

RATIONALE

TASB recommends revisions to local policy to address the selection and review of all instructional resources, including instructional materials and library materials. In April of 2022, the Texas Education Agency (TEA) released its model local policy for selecting and reviewing library materials. In its correspondence, TEA recommends that boards “consider if an adjustment to current policy is necessary.” The revisions address the selection and review of library materials as well as parental complaints about those materials.

A copy of EF(LOCAL) showing the proposed changes is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all four district goals and is aligned to Core Initiative 5: Culture of Trust through Action.

THIS ITEM DOES REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the recommended changes to Board Policy EF(LOCAL), *Instructional Resources*, on first reading, effective August 19, 2022.

INSTRUCTIONAL RESOURCES

EF
(LOCAL)

Objectives

Note: For information related to the selection process and accounting of instructional materials, as this term is defined by state law and rule, see CMD and EFA.

The District shall provide a wide range of instructional resources for students and faculty that present varying levels of difficulty, diversity of appeal, and a variety of points of view. Although the Superintendent shall ensure professional staff members may select instructional resources for their use in accordance with District policy and administrative regulations, the ultimate authority for determining and approving the curriculum, and instructional program, and instructional resources of the District lies with the Board.

In this policy, “instructional resources” includes both instructional materials and library materials.

Instructional materials may include textbooks, library acquisitions, supplementary resources for classroom use, and any other instructional resources, including electronic resources, used for formal or informal teaching and learning purposes. The primary objectives of instructional resources materials are to implement, enrich, and support the District’s educational program.

Library materials may include printed and electronic library acquisitions and other ancillary or supplementary materials maintained in a campus library for independent use by students and faculty outside of the District’s core educational program. In accordance with state and local guidelines, library collections should enrich and support the state and local curriculum. Collections should also provide materials of high interest to encourage student reading and learning for pleasure.

Library materials may be used to enhance the instructional program, for formal or informal teaching and learning purposes, and for voluntary inquiry or self-selected reading.

In accordance with state and local standards, school libraries are essential interactive collaborative learning environments, ever evolving to provide equitable physical and virtual access to ideas, information, and learning tools for the entire school community.

School libraries are essential, safe, and inviting centers for teaching and learning that provide equitable access to emerging technologies and physical and virtual collections of high quality, reflecting input from stakeholders.

The Board shall rely on District professional staff to select and acquire instructional resources that:

INSTRUCTIONAL RESOURCES

EF
(LOCAL)

Selection Criteria

Instructional
Resources

1. ~~Enrich and support the curriculum, taking into consideration students' varied interests, abilities, learning styles, and maturity levels.~~
2. ~~Stimulate growth in factual knowledge, enjoyment of reading, literary appreciation, aesthetic values, and societal standards.~~
3. ~~Present various sides of controversial issues so that students have an opportunity to develop, under guidance, skills in critical analysis and in making informed judgments in their daily lives.~~
4. ~~Represent many ethnic, religious, and cultural groups and their contributions to the national heritage and world community.~~
5. ~~Provide a wide range of background information that will enable students to make intelligent judgments in their daily lives.~~

Administrators, teachers, librarians, other District personnel, parents, and community members, as appropriate, may recommend instructional resources for selection.

The Board shall rely on District professional staff to select and acquire In the selection of instructional resources, professional staff shall ensure that the resources:

1. Enrich and Ssupport and are the curriculum consistent with the general educational goals of the state and District, and the aims and objectives of individual schools and specific courses, and consistent with the District and campus improvement plans.
2. Are appropriate for the subject area and for the age, ability level, learning styles, interests, and social and emotional development of the students for whom they are selected.
- 2-3. Meet high standards for artistic quality, and/or literary style, authenticity, educational significance, factual content, physical format, presentation, readability, and technical quality.
3. Are appropriate for the subject area and for the age, ability level, learning styles, and social and emotional development of the students for whom they are selected.
4. Present various sides of controversial issues so that students have an opportunity to develop, under guidance, skills in critical analysis and in making informed judgments in their daily lives. [See also EMB regarding instruction about controversial issues.] Are designed to help students gain an awareness of our pluralistic society.

INSTRUCTIONAL RESOURCES

EF
(LOCAL)

5. ~~Are designed to provide information that will motivate students and staff to examine their own attitudes and behavior; to understand their duties, responsibilities, rights, and privileges as citizens participating in our society; and to make informed choices in their daily lives~~Promote literacy.
6. ~~For library selections, are integral to the instructional program, are appropriate for the reading levels and understanding of students, reflect the interests and needs of the students and faculty, are included because of their literary or artistic value and merit, and present information with the greatest degree of accuracy and clarity.~~

~~Administrators, teachers, library media specialists, other District personnel, parents, and community members, as appropriate, may recommend instructional resources for selection. Gifts of instructional resources shall be evaluated according to these criteria and accepted or rejected in accordance with CDC(LOCAL).~~

Selection of resources is an ongoing process that includes the removal of resources no longer appropriate and the periodic replacement or repair of resources that still have educational value.

Additional
Instructional
Materials

In addition to the criteria above, District professional staff may select additional instructional materials in accordance with administrative regulations.

Library Materials

In addition to the criteria above, librarians and other professional staff shall ensure that library materials:

1. Develop a balanced collection presenting multiple viewpoints related to controversial issues to foster critical thinking skills and encourage discussion based on rational analysis [see EMB regarding instruction about controversial issues];
2. Represent many ethnic, religious, and cultural groups and their contributions to the national heritage and world community;
3. Provide a wide range of background information that will enable students to make intelligent decisions in their daily lives;
4. Demonstrate literary merit, quality, value, and significance;
5. Have received favorable professional library reviews from state- and nationally-recognized review publications;
6. Have received state or national awards or are included on recommended reading lists developed by library professionals and educators;

INSTRUCTIONAL RESOURCES

EF
(LOCAL)

	7. <u>Cover topics, authors, series, or genres that fill gaps in the school library collection;</u> 8. <u>For non-fiction resources, include accurate and authentic factual content from authoritative sources;</u> 9. <u>Have a high degree of potential user appeal and interest;</u> 10. <u>Offer a global perspective that promotes equity of access, including print and nonprint materials such as electronic and multimedia, to meet the needs of individual learners;</u> 11. <u>Are requested or recommended by students and teachers;</u> 12. <u>Mirror selections found in neighboring districts or libraries in the region; and</u> 13. <u>Represent diverse viewpoints and cultures appropriate to each campus to ensure the collection embodies the unique background of its student population.</u>
<u>Protection from Inappropriate Material</u>	<u>Library materials shall not include "harmful material" as defined by Penal Code 43.24(a)(2) or "obscene" material as defined by Penal Code 43.21(a)(1).</u> <u>Library materials shall comply with the Children's Internet Protection Act (CIPA), including technology protection measures. [See CQ]</u>
<u>Gifts</u>	<u>Gifts of instructional resources shall be evaluated according to the provisions above and accepted or rejected in accordance with CDC(LOCAL).</u>
<u>Parent Consideration</u>	<u>In general, a student is afforded the opportunity to self-select library materials as part of literacy development and the library program. District staff may assist a student in selecting library material; however, the ultimate determination of appropriateness remains with the student and parent. Parents are encouraged to communicate with the campus librarian and their child's teacher about special considerations regarding library materials self-selected by their student. In accordance with state law and administrative regulations, parents may select alternative library materials for their student. [For information on parental rights regarding instructional materials and other instructional resources see EF(LEGAL).]</u>
<u>Controversial Issues</u>	<u>District professional staff shall endeavor to maintain a balanced collection representing various views when selecting instructional resources on controversial issues. Resources shall be chosen to clarify historical and contemporary forces by presenting and analyzing intergroup tension and conflict objectively, placing emphasis</u>

INSTRUCTIONAL RESOURCES

EF
(LOCAL)

**Challenged
Resources**

on recognizing and understanding social and economic problems.
[See also EMB regarding instruction about controversial issues and
EHAA regarding human sexuality instruction.]

A parent of a District student, a student who is 18 years of age or older, an individual any employee, or any District resident may ~~for-~~
~~mally~~ challenge an instructional resource used in the District's edu-
cational program on the basis that the instructional material fails to
meet the standards set forth in this policy of appropriateness.

Guiding Principles

The following principles shall guide the Board and staff in respond-
ing to challenges of instructional resources:

1. A complainant may raise an objection to an instructional re-
source used in a school's educational program, despite the
fact that the professional staff selecting the resources were
qualified to make the selection, followed the proper proce-
dure, and adhered to the objectives and criteria for instruc-
tional resources set out in this policy.
2. A parent's ability to exercise control over instruction extends
only to his or her own child as set forth in Education Code
Chapter 26.
3. Access to a challenged resource shall not be restricted during
the reconsideration process, except the District may deny ac-
cess to a child if requested by the child's parent.

The major criterion for the final decision on challenged resources is
the appropriateness of the resource for its intended educational
use. No challenged instructional resource shall be removed solely
because of the ideas expressed therein.

Informal
Reconsideration

When the District or a campus receives an objection ~~The school re-~~
~~ceiving a complaint~~ about the appropriateness of an instructional
resource, the appropriate administrator shall try to resolve the mat-
ter informally. The administrator shall explain the selection process
and discuss the intended educational purpose for the instructional
resource. If appropriate, the administrator may offer a concerned
parent an alternative instructional resource to be used by that par-
ent's child in place of the challenged material.

If the complainant wishes to make a formal challenge, the adminis-
trator shall provide the complainant a copy of this policy and a form
to request a formal reconsideration of the instructional resource.

using the following procedure:

INSTRUCTIONAL RESOURCES

EF
(LOCAL)

	1. The principal or designee shall explain the school's selection process, the criteria for selection, and the qualifications of the professional staff who selected the questioned resource. 2. The principal or designee shall explain the intended educational purpose of the resource and any additional information regarding its use. 3. If appropriate, the principal or designee may offer a concerned parent an alternative instructional resource to be used by that parent's child in place of the challenged resource. 4. If the complainant wishes to make a formal challenge, the principal or designee shall provide the complainant a copy of this policy and a form to request a formal reconsideration of the resource.
Formal Reconsideration	A complainant shall make any formal objection to an instructional resource on the form provided by the District and shall submit the completed and signed form to the <u>Director of Library Services principal</u>. Upon receipt of the form, the <u>Director of Library Services principal</u> shall appoint a reconsideration committee. The reconsideration committee shall include at least one member of the instructional staff who has experience using the challenged resource with students or is familiar with the challenged resource's content. Other members of the committee may include District-level staff, library staff, secondary-level students, parents, and any other appropriate individuals.
<u>Frequency of Review</u>	All members of the committee shall review the challenged <u>instructional</u> resource in its entirety. As soon as reasonably possible, the committee shall meet and determine whether the challenged resource conforms to the principles of selection set out in this policy and whether the challenged material will continue to be used in the <u>educational program</u>. The committee shall prepare a written report of its findings, and provide copies to the principal, the Superintendent or designee, other appropriate administrators, and the complainant <u>shall receive copies of the report</u>. <u>After an instructional resource has been reviewed through formal reconsideration, it shall not be reviewed again until it is evaluated in the periodic local selection or maintenance process, as applicable.</u>
Appeal	The complainant may appeal the decision of the reconsideration committee in accordance with appropriate complaint policies, starting with the appropriate administrator at <u>Level Two</u>. [See DGBA, FNG, and GF]

INSTRUCTIONAL RESOURCES

EF
(LOCAL)

Guiding Principles

The following principles shall guide the Board and staff in responding to challenges of instructional resources:

1. A complainant may raise an objection to an instructional resource used in a school's educational program, despite the fact that the professional staff selecting the resources were qualified to make the selection, followed the proper procedure, and adhered to the objectives and criteria for instructional resources set out in this policy.
2. A parent's ability to exercise control over reading, listening, or viewing matter extends only to their own child.
3. Access to a challenged resource shall not be restricted during the reconsideration process, except the District may deny access to a child if requested by the child's parent.

The major criterion for the final decision on challenged resources is the appropriateness of the resource for its intended educational use. No challenged instructional resource shall be removed solely because of the ideas expressed therein.

Effective Date

This policy shall be effective as of the adoption date, February 11, 2022.

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Academics
Shawn Bird, Chief Academic Officer

SUBJECT: APPROVAL OF PROPOSED DELETION OF BOARD POLICY EFAA(LOCAL), INSTRUCTIONAL MATERIALS: SELECTION AND ADOPTION—FIRST READING

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves the proposed deletion of Board Policy EFAA(LOCAL), *Instructional Materials: Selection and Adoption*, as recommended by the Texas Association of School Boards (TASB).

RATIONALE

TASB recommends the deletion of Board Policy EFAA(LOCAL) as legal policy addressing selection and adoption of instructional materials has been moved from EFAA(LEGAL) to EFA(LEGAL). Changes to the Administrative Code effective May 5, 2016, deleted the requirement for a board to adopt a policy for selecting instructional materials. Instead, the rules require a board to select instructional materials in an open meeting with proper notice under the Open Meetings Act.

TASB also recommends for the locally developed text regarding instructional materials samples and publisher contracts to be deleted as the information would be more appropriate for including in a district regulation.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all four district goals and is aligned to Core Initiative 5: Culture of Trust through Action.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES DELETE BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the proposed deletion of Board Policy EFAA(LOCAL), *Instructional Materials: Selection and Adoption*, on first reading, effective August 19, 2022.

INSTRUCTIONAL MATERIALS
SELECTION AND ADOPTION

EFAA
(LOCAL)

Note: For provisions regarding inventory and requisition of instructional materials, see CMD.

instructional materials
allotment team

The District shall establish a team, as needed, to select instructional materials and technological equipment to be purchased with the District's instructional materials allotment. The team shall make selections based upon District instructional needs and in accordance with administrative regulations.

Certification of
instructional materials

The instructional materials allotment team shall ensure that selected materials, in combination with any other materials in use by the District, allow the District to certify that all students are provided with instructional materials that cover the essential knowledge and skills, as required by law. [See EFAA(LEGAL)]

Board action

The Board shall approve final selections and ratify the District's certification of instructional materials. Final selections shall be recorded in Board minutes. In the event the Board does not ratify all of the selections, the reasons shall be recorded in Board minutes. The committee shall make other recommendations for selection until the Board has ratified all selections.

[See also BBFB(LEGAL), regarding instructional material]

INSTRUCTIONAL
MATERIALS SAMPLES
AND PUBLISHER
CONTRACTS

Each publisher having instructional materials on the state lists shall be given equal time and opportunity to present his or her materials to the team through an organized schedule arranged by the District administration.

After the state lists are established, publishers' representatives shall be allowed in the schools at the request of the principal only for the purpose of providing training on the instructional materials and alternative materials not up for adoption in the current year. Publishers' representatives shall not be allowed individual contact with team members during this period; however, a publisher's representative may provide sample copies of instructional materials to individual schools.

Publishers who may be asked to conduct presentations at the feeder pattern or area level in addition to the publishers' hearing for District personnel shall register these presentations with the Superintendent's designated instructional materials allotment team chair.

Publishers who wish to field test instructional materials shall abide by research guidelines.

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Academics
Shawn Bird, Chief Academic Officer

SUBJECT: APPROVAL OF PROPOSED DELETION OF BOARD POLICY EFB(LOCAL), INSTRUCTIONAL RESOURCES: LIBRARY MEDIA PROGRAMS—FIRST READING

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves the proposed deletion of Board Policy EFB(LOCAL), *Instructional Resources: Library Media Programs*, as recommended by the Texas Association of School Boards (TASB).

RATIONALE

TASB recommends the deletion of this policy code and relocation of the content existing in EFB(LOCAL) to policy code EF(LOCAL). Given that the legal policy addressing library material has been moved to EF(LEGAL), TASB recommends deleting EFB(LOCAL) to avoid duplication of policies as the deleted text is being moved to EF(LOCAL).

A copy of EFB(LOCAL) is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all four district goals and is aligned to Core Initiative 5: Culture of Trust through Action.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES DELETE BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the proposed deletion of Board Policy EFB(LOCAL), *Instructional Resources: Library Media Programs*, on first reading, effective August 19, 2022.

INSTRUCTIONAL RESOURCES
LIBRARY MEDIA PROGRAMS

EFB
(LOCAL)

Library System

The District shall provide and maintain library media programs as integral parts of the District's instructional resources, in compliance with State Board standards. Materials shall be selected from all forms of media in accordance with EFA(LOCAL), taking into consideration the interests, vocabulary, maturity, and ability levels of all students within the school served.

The Superintendent may contract with the Regional Educational Service Center or other agencies offering similar services for the provision of media services and supplies.

The Superintendent or designee shall develop rules, regulations, and procedures to ensure the systematic maintenance of libraries as current resources for teachers and students. Principals shall ensure the effective use of the libraries within schools and shall establish library hours, staffing, and procedures that best serve the needs of the students.

Instructional Media
Services

The District shall establish a program designed to respond to school and community needs by providing media support through personnel, materials, inservice activities equipment, and other needed resources to enhance the total instructional program of the District and of each school.

Library media centers for each school shall be equipped with resources for reading, viewing, and listening to enhance the regular instructional program and shall be staffed with certified learning resources specialists in accordance with approved staffing guidelines.

Budget

Adequate funding for library media programs shall be made through the annual budget. Funds for the purchase of library materials shall be allocated on an equitable basis to the various schools.

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Academics
Shawn Bird, Chief Academic Officer

SUBJECT: APPROVAL OF THE ESTABLISHMENT OF BOARD POLICY EHAA(LOCAL), BASIC INSTRUCTIONAL PROGRAM: REQUIRED INSTRUCTION (ALL LEVELS)—FIRST READING

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves the establishment of Board Policy EHAA(LOCAL), *Basic Instructional Program: Required Instruction (All Levels)*, as recommended by the Texas Association of School Boards (TASB).

RATIONALE

TASB recommends the establishment of Board Policy EHAA(LOCAL) to include new provisions based on House Bill (HB) 1525, which imposes several requirements regarding human sexuality curriculum materials, including a board policy on adopting curriculum materials. The policy follows steps required by law, including board adoption of a resolution to convene the school health advisory council (SHAC) to hold meetings and make recommendations to the board at a public meeting, as well as board confirmation that the recommendations meet the requirements in law before taking action by a recorded vote.

In addition, it includes provisions based on Senate Bill (SB) 9, which imposes several requirements for instruction on the prevention of child abuse, family violence, dating violence, and sex trafficking, including a board policy on adopting curriculum materials. The policy follows the steps required by law, including board adoption of a resolution to convene the SHAC to hold meetings and make recommendations to the board at a public meeting, as well as board confirmation that the recommendations meet the requirements in law before taking action by a record vote.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all four district goals and is aligned to Core Initiative 5: Culture of Trust through Action.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES ESTABLISH BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the recommended establishment of Board Policy EHAA(LOCAL), *Basic Instructional Program: Required Instruction (All Levels)* on first reading, effective August 19, 2022.

BASIC INSTRUCTIONAL PROGRAM
REQUIRED INSTRUCTION (ALL LEVELS)

EHAA
(LOCAL)

**Human Sexuality
Instruction**

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

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

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

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

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

Effective Date

This policy shall be effective as of the adoption date, _____, 2022.

DATE ISSUED:

ADOPTED:

1 of 1

EHAA(LOCAL)-A

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Academics
Shawn Bird, Chief Academic Officer

**SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY
EHBC(LOCAL), SPECIAL PROGRAMS: COMPENSATORY/
ACCELERATED SERVICES—FIRST READING**

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves revisions to Board Policy EHBC(LOCAL), *Special Programs: Compensatory/Accelerated Services*, as recommended by the Texas Association of School Boards (TASB).

RATIONALE

TASB recommends changes to Board Policy EHBC(LOCAL) to include references to accelerated instruction and accelerated learning committees as revised by House Bill (HB) 4545 and to direct parents to FNG, the district's existing grievance policy, for complaints about educational plans. The text also explains that parental requests for a student to be assigned to a particular teacher following a student's unsatisfactory performance on a grade 3, 5, or 8 math or reading assessment shall be handled in accordance with the district's administrative procedures.

In addition, HISD administration recommends changes to update the local criteria for identifying students eligible for compensatory services.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all four district goals and is aligned to Core Initiative 5: Culture of Trust through Action.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the recommended changes to Board Policy EHBC(LOCAL), *Special Programs: Compensatory/Accelerated Services*, on first reading, effective August 19, 2022.

SPECIAL PROGRAMS
COMPENSATORY/ACCELERATED SERVICES

EHBC
(LOCAL)

**Accelerated
Instruction Programs**

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

The purpose of District shall provide accelerated instruction in the applicable subject area programs and services shall be to ensure that all students are provided opportunities to meet performance standards of excellence, perform satisfactorily in accordance with law if a student fails to perform satisfactorily on a state-mandated assessment in grades 3, 4, 5, 6, 7, or 8 instruments, and graduate from school. Accordingly, accelerated instruction programs and services shall aim at improving and enhancing the educational program of eligible students in prekindergarten through grade 12 who are at risk, as defined in state guidelines.

**Accelerated
Learning Committee**

When a student fails to perform satisfactorily on a math or reading state-mandated assessment in grades 3, 5, or 8, an accelerated learning committee shall develop, not later than the start of the subsequent school year, a written educational plan in accordance with law. If a parent requests that the student be assigned to a particular teacher the following school year, the request shall be addressed in accordance with the District's administrative procedures.

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

Local Criteria

The following local criteria also identify students who are considered at risk of dropping out of school: eligible for compensatory services:

1. Students who are identified as dyslexic under general education.
2. Students who are placed in a disciplinary alternative education program for reasons other than those in Education Code 37.006, such as continued misbehavior in the classroom.

Accelerated instruction includes alternative programs and schools, student services, and extended day/extended year programs. A description of programs and services provided and a description of eligibility requirements are included in the District's State Compensatory Education Programs and Services Guide, which shall be updated annually.

**Miscellaneous
Requirements for
Specific Subjects**

Additional requirements pertaining to specified subjects and enhancements offered in conjunction with the regular instructional program may be imposed based on the following criteria.*

SPECIAL PROGRAMS
COMPENSATORY/ACCELERATED SERVICES

EHBC
(LOCAL)

- National Assessment of Educational Progress scores

Texas Assessment of Academic Skills (TAAS) scores

Texas Assessment of Knowledge and Skills (TAKS) scores

Stanford Achievement Test, Tenth Edition scores

- State of Texas Assessments of Academic Readiness (STAAR) scores

*Settlement agreement C.A. No. 10444, Delores Ross, et al., and United States of America, and Nick Estrada, et al. vs. Houston I.S.D. regarding tutorial services, under authority of TEC Education Code 21.103 and 19 TAC Administrative Code Chapter 75, as they existed on 09/10/84 September 19, 1984.

Effective Date

This policy shall be effective as of the adoption date, , 2022.

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Academics
Shawn Bird, Chief Academic Officer

**SUBJECT: APPROVAL OF PROPOSED DELETION OF BOARD POLICY
EIAB(LOCAL), GRADING/PROGRESS REPORTS TO PARENTS:
MAKEUP WORK—FIRST READING**

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves the proposed deletion of Board Policy EIAB(LOCAL), *Grading/Progress Reports to Parents: Makeup Work*, as recommended by the Texas Association of School Boards (TASB).

RATIONALE

TASB recommends the deletion of Board Policy EIAB(LOCAL) as guidelines on makeup work are typically distributed to students and parents in administrative materials, such as the district's grading guidelines or the student handbook, which creates the potential for conflicts with board-adopted provisions in the policy manual. Also, there is no requirement for such a policy to be included in the district's local board policy.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all four district goals and is aligned to Core Initiative 5: Culture of Trust through Action.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES DELETE BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the proposed deletion of Board Policy EIAB(LOCAL), *Grading/Progress Reports to Parents: Makeup Work*, on first reading, effective August 19, 2022.

GRADING/PROGRESS REPORTS TO PARENTS
MAKEUP WORK

EIAB
(LOCAL)

TESTS

~~Students shall be expected to make up assignments and tests after absences. Students shall receive a zero for any assignment or test not made up within the allotted time.~~

~~Students shall be permitted to take tests administered in any class missed because of absence.~~

~~For any class missed, the teacher may assign the student make-up work based on the instructional objectives for the subject or course and the needs of the individual student in mastering the essential knowledge and skills or in meeting subject or course requirements.~~

~~A student shall be responsible for obtaining and completing the make-up work in a satisfactory manner and within the time specified by the teacher.~~

LATE PROJECTS

~~Teachers may assign a late penalty to any project turned in after the due date in accordance with previously established guidelines approved by the principal and disseminated to students.~~

UNEXCUSED
ABSENCES

~~The District shall not impose a grade penalty for make-up work after an unexcused absence.~~

SUSPENSION

~~The District shall not impose a grade penalty for make-up work after an absence because of suspension.~~

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Academics
Shawn Bird, Chief Academic Officer

SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY EIE(LOCAL), ACADEMIC ACHIEVEMENT: RETENTION AND PROMOTION—FIRST READING

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves revisions to Board Policy EIE(LOCAL), *Academic Achievement: Retention and Promotion*, as recommended by the Texas Association of School Boards (TASB).

RATIONALE

TASB recommends changes to Board Policy EIE(LOCAL) to remove outdated provisions on grade advancement testing as a result of House Bill (HB) 4545. This includes references to assignment of retained students, which were based on Administrative Code provisions addressing grade advancement requirements. The statement about eliminating the practice of retaining students is recommended for deletion, as it is only needed if a district operates an optional extended-year program (OEYP) under Education Code 29.082.

Accelerated instruction is now addressed at EHBC.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all four district goals and is aligned to Core Initiative 5: Culture of Trust through Action.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the recommended changes to Board Policy EIE(LOCAL), *Academic Achievement: Retention and Promotion*, on first reading, effective August 19, 2022.

ACADEMIC ACHIEVEMENT
RETENTION AND PROMOTION

EIE
(LOCAL)

General Guidelines
Curriculum
Proficiency

Promotion, ~~grade-level advancement~~, and course credit shall be based on ~~mastery of the curriculum~~ demonstrated proficiency of the subject matter and compliance with attendance requirements adopted by the Board. [See also FEC(LOCAL)] Expectations and standards for promotion ~~without mandatory interventions~~ shall be established for each grade level, content area, and course, and shall be coordinated with compensatory, intensive, and/or accelerated services. ~~Decisions on promotion without mandatory interventions shall be based on grades, performances on state-administered assessment instruments, and performances on norm-referenced assessments.~~ [See EHBC(LEGAL), (LOCAL), the Elementary School Guidelines, and the Secondary School Guidelines]

The District shall comply with applicable state and federal requirements when determining methods for students with disabilities [see FB] or students who are English language learners [see EHBE and EKBA] to demonstrate mastery of the curriculum.

Students Receiving
Special Education
Services

Any modified promotion standards for a student receiving special education services shall be determined by the student's admission, review, and dismissal (ARD) committee and documented in the student's individualized education program (IEP). [See EHBA series and EKB]

Promotion
Standards for
Proficiency

In addition to the factors in law that must be considered for promotion, ~~mastery proficiency~~ shall be determined as follows:

1. ~~Course assignments and unit evaluations aligned to District curricular standards~~ shall be used to determine student grades in a subject. An average of 70 or higher shall be considered a passing grade ~~and shall signify mastery of the skills necessary for success at the next level.~~
2. ~~Students shall:~~ Proficiency of the skills necessary for success at the next level shall be validated by assessments that may either be incorporated into unit or final exams or may be administered separately. Proficiency of at least 70 percent of the objectives shall be required.

Grades 1–8

In grades 1–8, promotion to the next grade level shall be based on course assignments and unit evaluations aligned to District curricular standards to determine student grades in a subject. An average of 70 or higher shall be considered a passing grade and shall signify proficiency of the skills necessary for success at the next level.

a. ~~At For~~ students in grades 1 and 2, the student must meet the District's passing standards on the District-administered criterion-referenced assessment.

ACADEMIC ACHIEVEMENT
RETENTION AND PROMOTION

EIE
(LOCAL)

	At For students in grades 3 through 8, the student must meet the state's passing standards on the state-administered criterion-referenced assessment in reading and mathematics.
Mandatory Intervention	Mandatory intervention shall be required during the following year if a student does not meet promotion standards at the end of the spring semester. Such interventions shall also be required for students scoring below the 40th percentile in total reading (grades 1–8) and total mathematics (grades 4–8) on the District-administered norm-referenced assessments.
Potential Interventions	Potential interventions include, but are not limited to: 1. Small group instruction (30–45 minutes) with progress monitoring. 2. One-on-one tutorials. 3. Use of varied texts and supplementary materials. 4. Multiple and flexible grouping activities for differentiated instruction. 5. Use of technology to allow students to access and manipulate content in multiple ways. 6. Opportunities for students to respond to assignment in a variety of ways. 7. Instructional assignments broken down into smaller chunks to focus on mastery. 8. Additional assignments that address student needs based on data for more time on task. 9. Double-blocked class for extensive instruction. 10. TAKS preparation during or after school. 11. Peer tutoring. 12. Mentors assigned to students. 13. Computer-based instruction on campus.
Classification — High School Students Grades 9– 12	Grade-level advancement for students in grades 9–12 shall be earned by course credits. Changes in grade-level classification shall be made at the beginning of the fall semester and may be made again at the beginning of the spring semester. [See EI] High school students shall be classified annually on the basis of earned credits and course completion, as follows:

ACADEMIC ACHIEVEMENT
RETENTION AND PROMOTION

EIE
(LOCAL)

	Grade Level	Credits earned
	9	0 – 5.5
	10	6 – 11.5
	11	12 – 17.5
	12	18 and over
Accelerated Instruction	Accelerated instruction must be provided to students who do not meet promotion standards at the end of the spring semester and require mandatory intervention and students who fail to demonstrate proficiency on a state-mandated assessment. Mandatory intervention plans shall be designed to enable the student to perform at the appropriate grade level at the conclusion of the next school year. Additionally, students in grades 5 and 8 shall be subject to all provisions of GRADE ADVANCEMENT TESTING, below.	
Grade Advancement Testing	Except when a student will be assessed in reading or mathematics above his or her enrolled grade level, students in grades 5 and 8 must meet the passing standard on the applicable state-mandated assessments in reading and mathematics to be promoted to the next grade level, in addition to the District's local standards for mastery and promotion.	
Definition of 'Parent'	For purposes of this policy and decisions related to grade advancement requirements, a student's "parent" shall be defined to include either of the student's parents or guardians; a person designated by the parent, by means of a power of attorney or an authorization agreement as provided in Chapter 34 of the Family Code, to have responsibility for the student in all school-related matters [see FD]; a surrogate parent acting on behalf of a student with a disability; a person designated by the parent or guardian to serve on the grade placement committee (GPC) for all purposes; or in the event that a parent, guardian, or designee cannot be located, a person designated by the Superintendent or designee to act on behalf of the student. [See EIE(LEGAL)]	
Alternate Assessment Instrument	The District shall use the statewide assessment instrument for the third testing opportunity for students in grades and subjects designated by the state.	
Standards for Promotion upon Appeal	If a parent initiates an appeal of his or her child's retention following the student's failure to demonstrate proficiency after the third testing opportunity in the grades designated by the state, the GPC shall review all facts and circumstances in accordance with the law. The student shall not be promoted unless:	

ACADEMIC ACHIEVEMENT
RETENTION AND PROMOTION

EIE
(LOCAL)

1. All members of the GPC agree that the student is likely to perform on grade level if given additional accelerated instruction during the following school year in accordance with the educational plan developed by the GPC; and
2. The student has completed required accelerated instruction in the subject area for which the student failed to demonstrate proficiency.

Whether the GPC decides to promote or to retain a student in this manner, the committee shall determine an accelerated instruction plan for the student for the following school year, providing for interim reports to the student's parent and opportunities for the parent to consult with the teacher or principal as needed. The principal or designee shall monitor the student's progress during the following school year to ensure that he or she is progressing in accordance with the plan. The administration shall provide an annual report to the Board of Education on committee decisions.

Transfer Students

When a student in a grade designated by the state transfers into the District having failed to demonstrate proficiency on applicable assessment instruments after one testing opportunity, the District shall provide appropriate accelerated instruction prior to the next state-designated testing date. This provision shall apply to students who missed a testing opportunity, were absent, or otherwise do not have valid test results.

When a student in a grade designated by the state transfers into the District having failed to demonstrate proficiency on applicable assessment instruments after two testing opportunities, a GPC shall convene to address the student's needs. The GPC shall review any available records of decisions regarding testing and accelerated instruction from the previous district and determine an accelerated instruction plan for the student.

If a parent initiates an appeal for promotion when a student in a grade designated by the state transfers into the District having failed to demonstrate proficiency after three testing opportunities, the GPC shall review any available records of decisions regarding testing, accelerated instruction, retention, or promotion from the previous district and issue a decision in accordance with the District's standards for promotion. [See EIE(LEGAL)]

Effective Date

This policy shall be effective as of the adoption date, 2022.

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Academics
Shawn Bird, Chief Academic Officer

**SUBJECT: APPROVAL OF PROPOSED DELETION OF BOARD POLICY
EJ(LOCAL), ACADEMIC GUIDANCE PROGRAM—FIRST READING**

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves the proposed deletion of Board Policy EJ(LOCAL), *Academic Guidance Program*, as recommended by the Texas Association of School Boards (TASB).

RATIONALE

TASB recommends deletion of Board Policy EJ(LOCAL) as it no longer aligns with current state guidance regarding duties of a counselor.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all four district goals and is aligned to Core Initiative 5: Culture of Trust through Action.

THIS ITEM DOES REQUIRE CONSULTATION.

THIS ITEM DOES DELETE BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the proposed deletion of Board Policy EJ(LOCAL), *Academic Guidance Program*, on first reading, effective August 19, 2022.

ACADEMIC GUIDANCE PROGRAM

EJ
(LOCAL)

PROGRAM

The District's counseling and guidance program shall provide a comprehensive guidance and counseling program for all students from prekindergarten through grade 12. The guidance program shall be staffed with certified counselors who shall help individual students understand and use wisely the educational, career/technology, and personal opportunities they have and can develop.

These programs shall be designed and developed to offer systematic assistance to aid all students in achieving satisfactory adjustment to school and to life. The goal of the guidance and counseling process shall be to provide whatever help students need in developing interests and aptitudes, setting goals and plans, and addressing personal, social, and educational issues and concerns. [See FFE]

SERVICES

Counseling/guidance services shall be coordinated with the regular instructional program so that they contribute to a unified educational program. The guidance program shall operate with central coordination and shall be a cooperative project of the entire professional staff. Teachers shall utilize opportunities in the classroom, in extracurricular activities, and in contacts with parent(s)/guardian(s) to achieve guidance objectives. Certified counselors shall be employed to supervise the standardized testing program and to provide personal, academic, and career/technology guidance to students who need such services.

IMPLEMENTATION

The Superintendent shall implement the counseling and guidance program. Staff, facilities, and materials shall be provided that ensure an adequate program for student appraisal and diagnosis, as well as for consultation with teachers in developing teaching strategies.

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of the Board of Education
Judith Cruz, District VIII Trustee and President

**SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY
ELA(LOCAL), CAMPUS OR PROGRAM CHARTERS: PARTNERSHIP
CHARTERS—FIRST READING**

In 2018, the Houston Independent School District (HISD) Board of Education passed ELA(LOCAL), Campus or Program Charters: Partnership Charters, to govern local implementation of SB1882 partnerships. In 2022, the HISD administration successfully applied to be part of the Texas Education Agency (TEA) System of Great Schools cohort. This cohort provides an opportunity for our administration to expand innovative learning opportunities for our students that meet the diverse needs and interests of our students, increase equity of educational opportunities, attract students back to our schools, leverage our high-quality educator talent, and increase revenue for the district.

The purpose of this agenda item is to request that the HISD Board of Education approves revisions to Board Policy ELA(LOCAL), *Campus or Program Charters: Partnership Charters*, as recommended by the Texas Association of School Boards (TASB).

RATIONALE

TASB-recommended revisions to this local policy on partnership charters consist of citation changes that were prompted by House Bill (HB) 3, which moved provisions from Education Code Chapter 42 to Chapter 48. This revision also changes the terminology from campus charter/campus program to partnership charter/partnership program. This policy refers to a different type of charter than that of the district's existing performance charters. TASB recommendations are included in the proposed policy revisions for consideration.

Members of the Board of Education recommend additional revisions presented for approval that would ensure that any partnerships are done in strong collaboration between the district and the parents/guardians of students impacted by potential partnerships, and would also ensure that there is a robust vetting process and contract requirements for partnerships that exceed the requirements set by the TEA. The board-member-proposed revisions would:

- Allow parents/guardians of students in a school proposed for a partnership initiated by the administration to veto a proposed partnership
- Allow parents/guardians to initiate a partnership
- Support small-scale, new school designs in our under-utilized facilities by our parents/guardians and/or educators in order to attract students back to the district and provide new professional opportunities to our educational talent

- Create a more robust vetting process by requiring existing organizations that are considered for a partnership to demonstrate their prior success
- Create a clearly defined and transparent application process aligned to state deadlines
- Create a more robust vetting process by increasing the review committee composition and including relevant committee member expertise in order to conduct a more substantive and merit-focused evaluation of partner applications
- Increase transparency by requiring Review Committee reports to be publicly posted on the district website and for annual reports of partnerships to be provided by administration to the board
- Adds performance contract requirements including requiring student performance metrics aligned to the board's goals
- Require parent/guardian satisfaction as an additional performance metric
- Allow parent/guardian veto of a partnership renewal
- Require timely notification to parents/guardians of probation, revocation and district non-renewal of partnerships that are not meeting the requirements of their contract
- Move board authorization to the beginning of the process
- Prohibit the superintendent from entering into a partner contract outside of ELA(LOCAL) or EL(LOCAL)
- Add additional existing HISD policy with which the partner contract must comply

A copy of Board Policy ELA(LOCAL) showing the proposed changes is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all four district goals and is aligned to Core Initiative 3: Rigorous Instructional Standards and Supports.

THIS ITEM DOES REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

The K-46 cover page has been modified to include additional contextual information concerning the chronology and specifying the distinctions between the TASB-recommended changes and additional changes.

RECOMMENDED: The president of the Board of Education recommends that ~~That~~ the Board of Education accepts the proposed revisions to ELA(LOCAL), *Campus or Program Charters: Partnership Charters*, on first reading, effective August 19, 2022.

CAMPUS OR PROGRAM CHARTERS
PARTNERSHIP CHARTERS

ELA
(LOCAL)

Authorization

To provide quality educational settings for all students and to obtain benefits under Education Code 11.174 and ~~42.251~~48.252, the District may establish partnership charters as permitted by law and as described in this policy. The District shall be committed to a rigorous ~~decision-making~~authorization process and shall grant ~~campus partnership~~ charters only to applicants that have demonstrated the competence and capacity to succeed in all aspects of the proposed ~~partnership~~campus charter. Other campus charters not seeking or qualifying for the benefits under Education Code 11.174 and ~~42.251~~48.252 shall be governed by EL(LOCAL).

Definitions

"Operating Partner"

An operating partner means a state-authorized open-enrollment ~~campus~~ charter school or an eligible entity as defined by Education Code 12.101(a), provided that a for-profit entity will remain ineligible in the event that law for purposes of contracting to partner with the District to operate a District campus under state law is amended to include such entities in the definition.

"Partnership Program Charter"

A partnership ~~program charter~~ means a District-initiated ~~authorized program campus charter~~ established in accordance with state law in which the ~~Board~~ District contracts in compliance with this policy to operate a District campus in partnership with an ~~open enrollment charter school or other eligible entity as defined by law~~ operating partner.

Community-Initiated School Plan

A community-initiated plan is a school plan signed by at least one parent of no less than 60 percent of students to be served by a new or existing school under the plan.

School

School means an organizational unit, including a school within a school, that is assigned a campus number and is eligible to receive a performance rating under 19 TAC §97.1001.

Parent

Parent is defined by Education Code 26.002.

Performance Contract

Performance Contract means a contract that grants a Partnership Charter to an operating partner for a term no less than five years; affords the full autonomy available under Subchapter C, Chapter 12, Education Code; and requires academic, governance, financial, and parent satisfaction goals.

Compliance with Law

~~A partnership program~~An operating partner shall comply with all applicable requirements of state law, any applicable grant program requirements, local criteria specified in policy, and the applicable charter performance contract. ~~Campus charters~~Operating partners shall comply with all federal and state laws governing such charters and shall be nonsectarian. [See EL(LEGAL)]

CAMPUS OR PROGRAM CHARTERS
PARTNERSHIP CHARTERS

ELA
(LOCAL)

Application

Process

In establishing a partnership ~~program charter~~, the District ~~may~~ shall annually issue requests for applications designed to identify operating partners best qualified to meet the needs of families served by the District.

Requests for applications will be published on the home page of the District's website and emailed to each school principal no later than May 1 annually, except that the fall 2022 request for applications will be published no later than August 31, 2022. Except for fall 2022, applications will be accepted until September 1 for applications from operating partners seeking to operate a campus in the school year immediately following publication of the application and March 15 for applications from operating partners seeking to operate a campus in the subsequent year. Applications must be submitted in response to the fall 2022 request no later than October 15, 2022. Determinations regarding whether an operating partner is entitled to operate a campus under a charter performance contract will be made no later than December 1 of the year the request for applications is published if the applicant submits an application by October 15, 2022, or September 1 of subsequent years and by July 30 if the applicant submits an application by March 15.

The district shall publish a rubric by which it will determine whether the content of an application meets District criteria and a model application with content, with the exception of the academic plan and personnel information, meeting the district's criteria annually no later than June 30, except that the initial model application shall be published no later than August 31, 2022.

In the event the Texas Education Agency changes the annual deadline for District submission of applications for benefits under Education Code 11.174 and 48.252 from a date in December to a date in another month, the District shall adjust these timelines such that the same intervals remain between each stage of the process and shall publish the revised timeline on the home page of its website.

~~The Board shall consider a~~ An application will be considered for evaluation against established criteria if the applicant:

1. Meets the eligibility requirements for a ~~campus partnership~~ charter in accordance with law;
2. Follows the application process established by the District; and
3. Provides assurances ~~to the~~ as required by this Board policy that the applicant will comply with the statutory and District requirements for a ~~campus partnership~~ charter.

CAMPUS OR PROGRAM CHARTERS
PARTNERSHIP CHARTERS

ELA
(LOCAL)

The application process shall include:

1. A comprehensive written application;
2. A rigorous review of the application by a charter application review committee;
3. Notification to the operating partner of any deficiencies in the application and an opportunity for the operating partner to correct any deficiencies within ten business days of notification;
4. Submission of a A-formal recommendation from report by the review committee to the Superintendent for approval or denial of stating whether each application meets requirements after an opportunity to remedy identified deficiencies; and
5. An opportunity for parents of the campus proposed for operation by the operating partner to ratify the application of an operating partner that does not qualify as a Community-Initiated School Plan. Ratification of an application that qualifies as a Community-Initiated School Plan may not be required by the District. A formal recommendation from the Superintendent to the Board for approval or denial of each application; and
6. A vote by the Board to approve or deny each application.

Content

An application shall include the following, at a minimum:

1. The purpose and community need for the proposed campus partnership charter;
2. A statement of the proposed partnership campus-charter's mission and goals regarding academic performance, financial performance, governance, and parental satisfaction;
3. Identification of the students to be served;
4. The academic plan including educational focus, program, curriculum to be offered, and a description of the proposed school day, calendar, and year;
5. The plan for meeting the needs of students with disabilities, English language learners, and other special populations;
6. The plan for measuring and reporting student achievement and increases in student achievement for all student groups;
7. The financial and business plan, including a proposed five-year operating budget and a contingency budget for lower-than-expected enrollment;

CAMPUS OR PROGRAM CHARTERS
PARTNERSHIP CHARTERS

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(LOCAL)

8. Identification and description, including the expertise and professional backgrounds, of the proposed governing body members and campus leadership;
9. The governance and decision-making plan including governing board structure, campus leadership and management structure, and organization chart;
10. Indications that the proposed governance structure is conducive to sound fiscal and administrative practices and strong, accountable, independent oversight of the campus;
11. Identification and description of any services the ~~proposed campus-operating partner~~ charter expects to be performed by the District (e.g., transportation, food);
12. The ~~operating partner's~~ proposed ~~campus charter's~~ leadership roles and responsibilities regarding personnel, the budget, purchasing, program funds, and other areas of management;
13. The ~~campus charter's~~ operating partner's staffing and employment plan consistent with federal and applicable state guidelines, including due process, employment contract nonrenewal, and termination procedures;
14. Information on the qualifications, experience, recruitment, selection, professional development, and ongoing evaluation of teaching staff to be hired for the campus;
15. The proposed student recruitment, enrollment, and withdrawal processes, and a plan for ensuring equitable access in accordance with law;
16. The student discipline plan and procedures;
17. The campus safety and security plan in compliance with the current District-wide safety and security plan;
18. The petition indicating evidence of support for the approval of a charter as required by law, if applicable; ~~and~~
19. A pre-operational start-up plan detailing tasks, responsible parties, and a timeline for completion; ~~and~~
20. For operating partners that have previously operated partnership charter campuses or open-enrollment charter schools in any state or operated under a contract to provide educational services to a public or private school, evidence of a report documenting the operating partner's performance on goals

CAMPUS OR PROGRAM CHARTERS
PARTNERSHIP CHARTERS

ELA
(LOCAL)

	<u>identified in charter performance or educational service contract(s) in each of year of operation.</u>
Review Committee	
Composition	The Superintendent shall establish a review committee to conduct a substantive and merit-focused evaluation of each application submitted in accordance with the District's published application procedures.
	The review committee shall be composed of District staff and external evaluators <u>a minimum of seven members</u> with relevant and diverse <u>experience, including at least one District staff member with expertise in data analysis, academic, academic planning, or charter school authorizing practices; one external evaluator; one campus representative and/or one community representative; one member with demonstrated expertise in school model development; one member with demonstrated expertise in the exercise of school-level autonomy; one member with demonstrated expertise in authorizing practices; and one member representing a successful school operator in another district eligible for benefits under Education Code 11.174 and 48.252.</u>
Conflicts of Interest	A review committee member shall disclose any potential conflict of interest with an applicant. <u>A review committee member with a conflict of interest with an applicant shall be removed from the committee and replaced.</u>
Review Process	The review committee may: 1. Request additional information or documents from the applicants; 2. Schedule interviews with applicants; or 3. Request that the Board schedule a public hearing to allow applicants an opportunity to present their application and campus plans to the Board and to the community <u>prior to authorization under this policy</u> before formal consideration by the Board.
<u>Recommendations Reports</u>	The review committee shall <u>evaluate each application using the published rubric and provide to the Superintendent a recommendation for denial or approval of report on each application stating whether the application meets each of</u> based on <u>the District's established criteria after the operating partner has had an opportunity to correct deficiencies. The review committee shall publish the report on the home page of the District's website. After considering the review committee's recommendation, the Superintendent shall make a formal recommendation to the Board for approval or denial of each application.</u>

CAMPUS OR PROGRAM CHARTERS
PARTNERSHIP CHARTERS

ELA
(LOCAL)

<u>Delegation</u>	Pursuant to Education Code 11.1511(c)(4), the Board delegates to the Superintendent the authority, as constrained by this policy, to enter into a performance contract granting a partnership charter to an operating partner in accordance with the application process and criteria, review committee composition and process, and parental rights specified in this policy. The Board retains sole authority to renew charters and performance contracts subject to parental rights specified in this policy. The Board further retains sole authority over decisions regarding probation and revocation of charters and termination of performance contracts authorized under this policy
<u>Required Actions</u>	The Superintendent shall enter into a performance contract meeting the requirements of this policy with an operating partner that submits an application that is submitted in compliance with this policy and qualifies as a Community-Initiated School Plan if the review committee affirms that the application meets the District's established criteria. The Superintendent shall enter into a performance contract granting a charter to an operating partner that submitted an application that does not qualify as a Community-Initiated School Plan if the review committee affirms that the application meets the District's established criteria and the application is ratified by parents as provided in this policy.
<u>Constraint</u>	The Superintendent may not enter into a performance contract or grant a charter with an operating partner except as required by this policy or EL(LOCAL).
<u>Accelerated Process</u>	If the Superintendent receives a report from the review committee affirming that an operating partner's application qualifying as a Community-Initiated School Plan meets the District's established criteria, the Superintendent shall: 1. Immediately engage the operating partner to finalize and execute a performance contract granting a partnership charter to the operating entity; 2. Ensure that the performance contract meets all requirements of this policy for benefits under Education Code 11.174 and 48.252; and 3. Submit an application for benefits under Education Code 11.174 and 48.252 to the Texas Education Agency prior to the next deadline for such applications.
<u>Parental Ratification</u>	If the Superintendent receives a report from the review committee affirming that an application that does not qualify as a Community-

CAMPUS OR PROGRAM CHARTERS
PARTNERSHIP CHARTERS

ELA
(LOCAL)

Initiated School Plan meets the District's established criteria, the Superintendent shall:

1. Post the committee's report on the home page of the District's website along with the petition process by which parents of students enrolled at the campus or who are eligible to enroll in a new campus proposed for operation by the operating partner may ratify the application.
2. Establish a parental ratification process that provides parents of students enrolled at the campus or who meet enrollment eligibility criteria such as grade level and residence defined in an application for a proposed new campus the opportunity to submit a petition ratifying the application within 60 days of posting the report on the District's website.
3. If within 60 days after posting the District receives a ratification petition signed by at least one parent of 60% or more of students enrolled in the campus or at least one parent of 60% or more of students eligible to enroll in a new campus, the Superintendent shall:
 - a. Immediately engage the operating partner to finalize and execute a performance contract granting a partnership charter to the operating entity;
 - b. Ensure that the performance contract meets all requirements of this policy and for benefits under Education Code 11.174 and 48.252; and
 - c. Submit an application for benefits under Education Code 11.174 and 48.252 to the Texas Education Agency prior to the next deadline for such applications.

If the Superintendent does not receive a ratification petition signed by the requisite number of parents, the Superintendent may not enter into a performance contract with or otherwise grant a charter to the operating partner.

**Charter Performance
Contract**

If the Board approves an application, the Board shall execute a written charter performance contract that includes between the District and an operating partner will include provisions as required by law and this policy and establishes the legally binding terms under which the partnership campus charter will operate and be evaluated during the charter term and for renewal.

Each charter performance contract shall address the material terms of the campus-partnership charter's operation as required by law. Each charter performance contract shall be granted for a

CAMPUS OR PROGRAM CHARTERS
PARTNERSHIP CHARTERS

ELA
(LOCAL)

Standards Performance Goals

period of no fewer than five years and up to ten years with a rigorous review every five years.

Except as provided herein, each charter performance contract shall include a provision requiring the District to make facilities (including both classroom and non-classroom spaces) available at no cost to operating partners. The facilities must be sufficient for the operating partner to accommodate all enrolled students who reside in the District in conditions reasonably equivalent to those in which the students would be accommodated if they were attending other public schools in the District.

The performance contract will identify services such as transportation, food service, and professional development that the operating partner will, at its discretion, purchase from the District and will establish a fee schedule for such services.

In addition to standards required by law, the charter performance contract shall include additional standards performance goals established by the ~~Board~~ District, including expectations for academic performance aligned with Board goals stated in AE(LOCAL), short-term financial performance, long-term financial stability, and operational and governance performance. Every performance contract must include a performance goal requiring the operator to meet clearly defined, researched-based metrics of parental satisfaction.

The charter performance contract shall also include a requirement that the partnership charter comply with a list of District policies as they exist at the time of contract execution by which the campus charter must comply. The list of policies shall include, along with others agreed to by the operating partner:

- FFH(LOCAL): Student Welfare, Freedom from Discrimination, Harassment, and Retaliation;
- DAA(LOCAL): Employment Objectives, Equal Employment Opportunity and accompanying regulations;
- DBAA(LOCAL): Employment Requirements ~~and~~ Restrictions, Criminal History and Credit Reports;
- DI(LOCAL): Employee Welfare;
- DIA(LEGAL) and DIA(LOCAL): Employee Welfare, Freedom from Discrimination, Harassment, and Retaliation and accompanying related regulations;
- DG(LEGAL): Employee Rights and Privileges; ~~and~~
- DGA(LEGAL) and DGA(LOCAL): Employee Rights and Privileges, Freedom of Association; ~~and~~

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(LOCAL)

	• <u>FFI(LEGAL) and FFI(LOCAL): Student Welfare, Freedom from Bullying.</u>
Oversight and Evaluation	The performance standards<u>operating expectations</u> shall also address expectations for appropriate access, education, support services, and outcomes for students with disabilities.
Monitoring System	The Board shall implement a comprehensive performance accountability and compliance monitoring system that is aligned with the Board's performance standards<u>goals</u> and provides the Board with the information necessary to make rigorous, evidence-based decisions regarding charter renewal, revocation, and probation or other interventions. This monitoring system shall be based on and aligned with academic, financial, operational, <u>parental satisfaction</u>, and governance standards set forth in the charter performance contract.
	To the extent possible, the Board shall minimize administrative and compliance burdens on <u>campus partnership</u> charters and focus on holding <u>campus partnership</u> charters accountable for outcomes rather than processes.
Data Collection	Campus charters<u>Operating partners</u> shall provide information and data to the District pursuant to state law and the District's reporting schedule using a state-approved student management system.
	The District shall require each <u>campus charter operating partner</u> to report its performance separately and shall hold each <u>campus charter operating partner</u> accountable for its performance.
	Monthly and by the tenth day of the following month, the <u>campus charter operating partner</u> shall provide to the District a financial solvency statement for the prior month and an assurance of financial solvency for the remainder of the fiscal year. Annually an <u>campus charter operating partner</u> shall have, at its own expense, its fiscal accounts audited by a certified or public accountant holding a permit from the Texas State Board of Public Accountancy. No later than 150 days after the close of the fiscal year, the <u>campus operating partner</u> shall deliver the audit report to the Board.
Evaluation and Reports	<u>Quarterly during the first year of an operating partner's operation of a campus and a</u>Annually thereafter, the District shall provide a report to the Board<u>shall enabling the Board to</u> evaluate each campus charter operated by an operating partner against the performance standards<u>goals</u> established <u>in the performance contract with the operating partner</u>by the Board or law.
	The Board shall communicate evaluation results to the <u>campus charter's operating partner's</u> governing body and leadership in a written report that summarizes compliance and performance,

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(LOCAL)

including areas of strength and improvement. The results of all evaluations shall be made accessible to the public and available on the District website.

The Board shall produce for the public an annual report that provides performance data for all campuses operated under performance contracts authorized in accordance with this policy~~the campus charters it oversees~~, including individual campus performance and overall campus charter performance. The annual report shall at a minimum be posted on the District website.

**Campus Partnership
Charter Autonomy**

In accordance with law and the charter performance contract, the Board shall support the operating partner's authority over the campus charter's day-to-day operations of the campus(es) for which it is responsible under the charter performance contract.

The Board shall recognize the governing board of the campus charter operating partner as independent and autonomous from the Board and District, with full authority and accountability for the campus charter's performance and operations of the campus(es) for which it is responsible under the charter performance contract.

Conflicts of Interest

The District and the operating partner shall comply with applicable conflict of interest provisions in law.

Intervention

The District shall give timely notice to the operating partner campus charter of any violations of the charter performance contract or performance deficiencies justifying formal intervention. The notice shall identify in writing the concerns, and, if applicable, the time frame for remediation. The notice may include additional consequences if any of the concerns are not remedied within the stated timeline.

Depending on the severity of the concern or deficiency, the Board may place a performance campus charter on probation or revoke the charter performance contract, in accordance with the terms of the contract and applicable law.

**Probation
Criteria**

The Board may place a partnership campus charter on probation as permitted by law, this policy, or the charter performance contract, or for:

1. Failure to meet academic performance goals specified in the performance contract standards;
2. Parental satisfaction goals specified in the performance contract;

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(LOCAL)

Procedure

3. Material financial or operational deficiencies that pose a risk to the health and safety or academic success of students or the sustainability of the school; or

4. Material violations of the performance contract, applicable board policy, or law.

In the event of any indication or allegation that ~~a campus charter~~an operating partner has committed a violation of law or the charter performance contract that may warrant probation, the District shall take the following steps:

1. The Superintendent shall investigate the allegations and hold a conference with the chief operating officer and governing body of the campus for which the charter was granted to discuss the allegations.
2. If the Superintendent determines that a violation or mismanagement has occurred, the chief operating officer of the ~~partnership campus~~partnership campus charter shall respond to the allegation at the next regularly scheduled Board meeting.
3. The Board shall hear the presentation and take action, if necessary, to place the ~~partnership campus~~partnership campus charter on probation. If the Board decides to place the ~~partnership campus~~partnership campus charter on probation, it must provide an opportunity for a public hearing as required by law and provide the parents of students enrolled at the school notice of reasons for the proposed action and date of the hearing.
4. If a ~~partnership campus~~partnership campus charter is placed on probation, the ~~campus charter operating partner~~campus charter operating partner must take action to remedy the identified violations or underperformance and report on the status of its corrective actions in accordance within the timeline for remediation established by the District.
5. The District shall establish a timeline for monitoring and providing technical assistance in support of the ~~campus charter's~~ corrective actions required to be taken by the operating partner and re-evaluating the ~~campus partnership~~ charter's status to determine when the campus may be removed from probation or whether to consider revocation.
- ~~5.6.~~ If the Superintendent determines that a charter placed on probation has taken sufficient corrective measures, and has made sufficient academic progress, to be removed from probation, a written notification shall be sent to the Board. Notice shall also be sent to the campus's chief executive officer and to parents/guardians of students at the campus.

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(LOCAL)

Revocation

Criteria

The Board may revoke a partnership~~campus~~ charter and terminate the performance contract as permitted by law, this policy, or the charter performance contract for failure to meet performance ~~standards~~goals specified in the contract.

The Board shall revoke a partnership~~campus~~ charter and terminate the performance contract if the District finds clear evidence of a ~~campus charter's~~an operating partner's persistent or serious underperformance or violation of law, the charter performance contract, or the public trust in a way that imperils students or public funds, including any of the following:

1. Persistent or serious violation of applicable state or federal law;
2. Persistent or serious violation of a provision of the charter performance contract;
3. Persistent or serious failure to meet generally accepted accounting principles (GAAP) as evidenced by untimely financial reporting and reconciliations, and/or a qualified opinion on the charter's audited financial statements;
4. Persistent failure to improve student academic achievement for all student groups;
5. Failure for three consecutive years to meet the academic or financial accountability ~~standards~~goals outlined in law;
6. Failure for three consecutive years to meet the academic or financial performance ~~standards~~goals established in the charter performance contract;
7. Multiple placements on probation as specified in the charter performance contract; or
8. Failure of the District to obtain the benefits of Education Code 11.174 and ~~42.251~~48.252, if applicable.

The Board's decision whether to revoke a partnership~~campus~~ charter shall be based on the best interests of the students, including a decision by the commissioner to extend an exemption from a sanction or other action under Education Code 11.174(g); the severity of the violation; applicable law; and any previous violation committed by the ~~campus charter~~operating partner.

Procedure

In the event of an indication or allegation that may warrant partnership~~campus~~ charter revocation and performance contract termination, the District shall take the following steps:

CAMPUS OR PROGRAM CHARTERS
PARTNERSHIP CHARTERS

ELA
(LOCAL)

1. The Superintendent shall investigate the allegations and hold a conference with the chief operating officer and governing body of the ~~partnership~~campus charter to discuss the allegations.
2. If the Superintendent determines that a violation or mismanagement has occurred, the ~~chief operating officer of the campus charter partner~~ shall respond to the allegation at the next regularly scheduled Board meeting.
3. The Board shall hear the presentation and take action, if necessary, to revoke the ~~partnership~~campus charter and terminate the performance contract. If the board decides to revoke the ~~partnership~~campus charter, it must provide an opportunity for a public hearing as required by law.

In the event of a health or safety concern, the Board may immediately suspend ~~campus~~ operations of a campus operated under a partnership charter contract before revocation takes effect.

Notification

If the Board decides to revoke a charter performance contract and terminate the performance contract, the Board shall notify the ~~campus charter operating partner~~ and parents of students enrolled in the school of the action in writing. The notice shall include the reasons for the revocation and termination and the effective date of the revocation and termination, which shall be no later than the end of the current school year or may be effective immediately in the event of a health or safety concern. Notice to parents shall occur at least 30 days before the District's deadline for parents to apply for enrollment in schools of choice.

Contract Renewal

Upon the expiration of a charter performance contract, the Board may renew the contract for up to an additional ten-year term. In accordance with law, except as provided in this policy, the Board shall renew a charter performance contract only if the Board finds that the ~~operating partner~~campus charter has substantially fulfilled its obligations and met the performance ~~standards goals~~ in the contract and applicable law.

Notwithstanding any other provision of this policy, renewal of the charter performance contract shall be effective immediately upon expiration of the prior contract and with the same terms as the prior contract except that terms may be modified to comply with changes in applicable board policies and law.

The Board may not renew a performance contract if it receives a petition signed by parents of 60% or more of students enrolled in the school objecting to renewal.

CAMPUS OR PROGRAM CHARTERS
PARTNERSHIP CHARTERS

ELA
(LOCAL)

The Board shall consider the following, in addition to other factors specified in the charter performance contract:

1. Multiple years and measures of performance against the performance ~~standards-goals~~ and expectations established in the charter performance contract and applicable law;
2. Financial audits;
3. Performance and compliance reports, including site visit reports, if applicable; and
4. The ~~campus charter's performance~~ of the campus operated under the charter performance contract on corrective action plans or other required interventions, if necessary.

Procedure

The District shall publish the renewal application process, including the renewal criteria and timelines.

As part of the renewal application process, the District may provide each ~~operating partner~~ campus charter, in advance of the renewal decision, a cumulative report that summarizes the ~~campus charter's performance record~~ of the campus operated under the charter performance contract over the contract term and states the District's summative findings concerning the campus's performance and its prospects for renewal.

Decision Not to Renew

Notice of proposed nonrenewal of a charter performance contract shall be provided in writing to the operating partner and to parents of students enrolled at the school no fewer than 60 days in advance of the first meeting at which the Board will vote on the matter. A decision to nonrenew a charter performance is effective only if the Board votes to nonrenew the contract at two meetings held at least two weeks apart.

The Board may choose not to renew a charter performance contract for any of the following reasons:

1. Failure to meet student performance ~~standards-goals, including parental satisfaction goals,~~ or other material obligations in the charter performance contract;
2. Failure to meet GAAP as evidenced by untimely financial reporting and reconciliations, and/or a qualified opinion on the charter's audited financial statements;
3. Violation of any provision of the contract or applicable state or federal law; or
4. ~~Other reason as determined by the Board~~ Operational issues that pose a risk to student health or safety.

CAMPUS OR PROGRAM CHARTERS
PARTNERSHIP CHARTERS

ELA
(LOCAL)

<i>Notification</i>	If the Board decides not to renew a contract, the Board shall notify the <u>operating partnercampus charter</u> and parents of students enrolled in the school of the action in writing no later than the last Friday in January during the final year of the charter performance contract. The notice shall include the reasons for the action and the effective date of the <u>final termination of the partnership charter performance contract and</u> campus charter-closure, if applicable, which shall be no later than the end of the current school year. <u>Notice to parents shall occur at least 30 days before the District's deadline for parents to apply for enrollment in schools of choice.</u>
Closure Protocol	The Board shall develop a detailed campus closure protocol to apply if the Board decides not to renew or to revoke a charter performance contract and close the campus. The protocol shall ensure timely notification to parents including assistance in finding new placements; orderly transition of student records to the District; and disposition of campus funds, property, and assets in accordance with law. In the event of closing any campus <u>operated under a</u> charter <u>performance contract</u>, the District shall oversee and work with the campus-partnership charter's governing board and leadership to carry out the closure protocol.
Effective Date	This policy shall be effective as of the adoption date, <u>April 13, 2018.</u>

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of School Offices
Denise Watts, Chief of Schools

SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY FDE(LOCAL), ADMISSIONS: SCHOOL SAFETY TRANSFERS—FIRST READING

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves revisions to Board Policy FDE(LOCAL), *Admissions: School Safety Transfers*, as recommended by the Texas Association of School Boards (TASB).

RATIONALE

TASB recommends changes to Board Policy FDE(LOCAL), *Admissions: School Safety Transfers* to reflect House Bill 375, which included abuse of “a disabled individual”.

A copy of Board Policy FDE(LOCAL) showing the proposed changes is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all four district goals and is aligned to Core Initiative 5: Culture of Trust through Action.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the proposed revisions to Board Policy FDE(LOCAL), *Admissions: School Safety Transfers*, on first reading, effective August 19, 2022.

ADMISSIONS
SCHOOL SAFETY TRANSFERS

FDE
(LOCAL)

Safe Schools Data

The Superintendent or designee shall ensure that the District complies with Texas Education Agency (TEA) guidelines for the collection and maintenance of data regarding:

1. Mandatory expellable offenses committed at school or at a school-related or school-sponsored activity, on or off school property [see FOD]; and
2. Any student who becomes a victim of one of the following violent criminal offenses, as defined by the Penal Code, while on the premises of the school the student attends or while attending a school-sponsored or school-related activity, on or off school property:
 - a. Attempted murder;
 - b. Indecency with a child;
 - c. Aggravated kidnapping;
 - d. Aggravated assault on someone other than a District employee or volunteer;
 - e. Sexual assault or aggravated sexual assault against someone other than a District employee or volunteer;
 - f. Aggravated robbery; or
 - g. Continuous sexual abuse of a young child or children and disabled individual.

**School Safety
Transfers**

The parent or other person with authority to act on behalf of a student who becomes a victim of a violent criminal offense as described in the state guidance for unsafe school choice options or who is assigned to a campus identified by TEA as persistently dangerous shall be offered a transfer to a safe public or charter school within the District.

For each transfer requested, the District shall explore transfer options, as appropriate. Options may include a transfer agreement with another school district.

**From a Persistently
Dangerous School**

The parent or other person with authority to act on behalf of a student attending a school identified as persistently dangerous by TEA shall be provided notification of his or her right to request a transfer. Notification shall occur at least 14 days prior to the start of the school year or, for a student enrolling subsequently, upon the student's enrollment.

The parent or other person with authority to act on behalf of a student must submit to the Superintendent or designee an application for transfer. The Superintendent or designee shall complete the

ADMISSIONS
SCHOOL SAFETY TRANSFERS

FDE
(LOCAL)

transfer prior to the beginning of the school year, if applicable, or within 14 calendar days of the request for a subsequently enrolling student.

Any transfer arranged for a student from a campus identified by TEA as persistently dangerous shall be renewed so long as the campus from which the student transferred retains that designation.

The District shall maintain, in accordance with the District's record retention schedule, documentation of notification to parents or other person with authority to act on behalf of a student of the transfer option, transfer applications submitted, and action taken.

For a Victim of a
Violent Criminal
Offense

Within 14 calendar days after a violent criminal offense described above occurs in or on the premises of the school the student attends or while attending a school-sponsored or school-related activity, on or off school property, the District shall notify the parent or other person with authority to act on behalf of a student who is a victim of the offense of the right to request a transfer. The parent or other person with authority to act on behalf of a student must submit to the Superintendent or designee an application for transfer. The Superintendent or designee shall approve or disapprove the request within 14 calendar days of its submission.

Any transfer arranged for a student who was a victim of a violent crime as described above shall be renewed so long as the threat to the student exists at the campus to which the student would typically be assigned.

For each offense, the District shall maintain for at least five years documentation of the nature and date of the offense, notification to the parent of the transfer option, transfer applications submitted, action taken, and other relevant information regarding the offense.

**Additional Transfer
Options**

In circumstances described by Education Code 25.0341, a parent or other person with authority to act on behalf of a student who has been the victim of a sexual assault, regardless of whether the offense occurred on or off school property, may request a transfer of the student or the student assailant from the same campus.

[For other transfer provisions, see also FDA and FDB.]

Effective Date

This policy shall be effective as of the adoption date, ~~November 12, 2021~~.

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Academics
Shawn Bird, Chief Academic Officer

**SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY
FEA(LOCAL), ATTENDANCE: COMPULSORY ATTENDANCE—FIRST
READING**

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves revisions to Board Policy FEA(LOCAL), *Attendance: Compulsory Attendance*, as recommended by the Texas Association of School Boards (TASB).

RATIONALE

TASB recommends changes to Board Policy ~~FEA~~FEA(LOCAL) to include added text to address Senate Bill (SB) 289, which creates an optional excused absence for a student who is at least 15 years old to be absent for one day to obtain a learner license and for one day to obtain a driver's license.

In addition, HISD administration recommends changes to include optional excused absences for military dependents to be absent for up to five days to visit with the student's parent, stepparent, or guardian.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all four district goals and is aligned to Core Initiative 5: Culture of Trust through Action.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the recommended changes to Board Policy FEA(LOCAL), *Attendance: Compulsory Attendance*, on first reading, effective August 19, 2022.

ATTENDANCE
COMPULSORY ATTENDANCE

FEA
(LOCAL)

**Enforcing
Compulsory
Attendance**

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

Students Age 19 and Over

A student who voluntarily enrolls in or attends school after the student's 19th birthday shall attend school until the end of the school year.

A student who is at least 19 years old and is voluntarily enrolled in or attending school when he or she accumulates more than five unexcused absences in a semester may be withdrawn. In such cases, enrollment may be revoked for the remainder of the school year, except that the District may not revoke enrollment on a day on which the student is physically present at school.

A student who is withdrawn from school under this provision shall be considered a dropout for accountability purposes unless the student returns to school during the school-start window the following fall.

Excused Absences

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

Higher Education
Visits

The District shall excuse a student for up to two days during the student's junior year and up to two days during the student's senior year to visit an accredited institution of higher education to determine the student's interest in attending the institution of higher education. A student shall be required to submit verification of such visits in accordance with administrative regulations.

Military Dependents

The District shall excuse a student for up to five days, whose parent, step-parent, or guardian is an active duty member of the armed forces, and has been called to duty for, is on leave from, or immediately returned from continuous deployment of at least four months, to visit with the student's parent, step-parent, or guardian.

Armed Services
Enlistment

The District shall excuse a student 17 years of age or older for up to four days during his or her enrollment in high school for activities related to pursuing enlistment in a branch of the U.S. Armed Services or Texas National Guard. A student shall be required to submit verification of such activities in accordance with administrative regulations.

Early Voting or
Election Clerk

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

ATTENDANCE
COMPULSORY ATTENDANCE

FEA
(LOCAL)

Driver's License

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

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

[For extracurricular activity absences, see FM.]

**Withdrawal for
Students Whose
Whereabouts Are
Unknown**

The District may initiate withdrawal of a student under the age of 19 whose whereabouts can no longer be determined under the following conditions:

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

An Admission, Review, Dismissal/Individualized Education Program (ARD/IEP) Committee meeting is required for students with disabilities who are being considered for withdrawal from school because the student's whereabouts are unknown. The ARD/IEP committee should undertake additional efforts to locate the student. If the student cannot be located after these additional efforts, the District may initiate withdrawal of the student.

If students with disabilities have been absent ten consecutive school days, the ARD/IEP Committee shall meet and determine whether an evaluation or re-evaluation is needed, and revise the IEP to include strategies to target chronic absences. If the interventions developed by the ARD/IEP committee and truancy prevention measures fail to meaningfully address the student's conduct, the student may be referred to truancy court. Each referral to truancy court must specify whether the student is eligible for or receives special education services and must be accompanied by a statement from the student's school certifying that the school applied the truancy prevention measures, including the holding of an ARD/IEP committee meeting, and the measures failed to meaningfully address the student's school attendance.

**Students Attending
Homeschools**

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

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

ATTENDANCE
COMPULSORY ATTENDANCE

FEA
(LOCAL)

child is being homeschooled and the date the homeschooling began.

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

Enforcing
Compulsory
Attendance

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

Effective Date

This policy shall be effective as of the adoption date, ~~November 12,~~
~~2021.~~

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Academics
Shawn Bird, Chief Academic Officer

**SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY
FEC(LOCAL), ATTENDANCE: ATTENDANCE FOR CREDIT—FIRST
READING**

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves revisions to Board Policy FEC(LOCAL), *Attendance: Attendance for Credit*, as recommended by the Texas Association of School Boards (TASB).

RATIONALE

TASB recommends changes to Board Policy FEC(LOCAL) to include the following:

- As reflected in the revision at Absences Considered, in calculating whether a student has met the 90-percent attendance requirement, House Bill (HB) 699 creates an exception for absences resulting from a serious or life-threatening illness or related treatment. A new provision regarding the documentation of student illnesses (at Personal Illness) has been included in policy.
- Provisions on the attendance committee's consideration of the best interest of the student, extenuating circumstances, and conditions for awarding credit or a final grade have been revised and reordered to emphasize a student's mastery of the essential knowledge and skills and maintaining a passing grade rather than assigning a student to attend programs for an amount of time equivalent to the student's absences.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all four district goals and is aligned to Core Initiative 5: Culture of Trust through Action.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the recommended changes to Board Policy FEC(LOCAL), *Attendance: Attendance for Credit*, on first reading, effective August 19, 2022.

ATTENDANCE
ATTENDANCE FOR CREDIT

FEC
(LOCAL)

This policy shall apply to a student who has not been in attendance for 90 percent of the days the class is offered.

**Consideration of All
Absences
Considered**

Except as otherwise provided by law, All absences incurred while enrolled in the District shall be considered in determining whether a student has attended the required percentage of days under this policy.

**Attendance
Committees**

Campus-based attendance committees shall be established in accordance with Education Code 25.092.

The Superintendent or designee shall make the specific appointments in accordance with legal requirements. The principal shall be responsible for establishing high standards of attendance and punctuality for every student. [See the *Elementary School Guidelines* and *Secondary School Guidelines*]

**Parental Notice of
Excessive Absences**

A student and the student's parent or guardian shall be given written notice prior to and at such time when a student's attendance in any class drops below the required number of days established in the *Elementary School Guidelines* and *Secondary School Guidelines* for the current school year.

**Methods for
Regaining Credit or
Awarding a
Final Grade**

When a student's attendance drops below 90 percent but remains at least at 75 percent of the days the class is offered, the student may earn credit for the class or a final grade by completing a plan approved by the principal. This plan must provide for the student to meet the instructional requirements of the class as determined by the principal.

If the student fails to successfully complete the plan, or when a student's attendance drops below 75 percent of the days the class is offered, the student, parent, or representative may request award of credit or a final grade by submitting a written petition to the appropriate attendance committee.

Petitions for credit or a final grade may be filed at any time the student receives notice but, in any event, no later than 30 days after the last day of classes or the date the parent or adult student receives notification.

The attendance committee shall review the student's entire attendance record and the reasons for absences and shall determine whether to award credit or a final grade. The attendance committee may also, whether a petition is filed or not, review the records of all students whose attendance drops below 90 percent of the days the class is offered.

As Students who have lost credit or have not received a final grade because of excessive absences may regain credit or be

ATTENDANCE
ATTENDANCE FOR CREDIT

FEC
(LOCAL)

awarded a final grade by fulfilling the requirements established by the attendance committee.

Personal Illness

The principal or attendance committee may require verification from a health-care provider in accordance with administrative regulations as a condition of classifying an absence for personal illness as one for which there are extenuating circumstances.

Best Interest Standard

In reaching consensus regarding a student's absences and how the student can be awarded credit or a final grade, the attendance committee shall attempt to ensure that its decision is in the best interest of the student. The Superintendent or designee shall develop administrative regulations to document the attendance committee's decision.

Guidelines on Extenuating Circumstances

The attendance committee shall consider whether a student has mastered the essential knowledge and skills and maintained passing grades in the course or subject. adhere to the following guidelines to determine attendance for award of credit or a final grade:

Days of Attendance

1. If When makeup work is completed satisfactorily, the attendance committee shall consider extracurricular absences and other excused absences as excused absences that are allowed under compulsory attendance requirements shall be considered days of attendance for award of credit or a final grade. [See FEA(LEGAL) at Excused Absences for Compulsory Attendance Determinations]

Transfers / Migrant Students

2. A transfer or migrant student incurs absences only after their enrollment in the District.

Documentation

3. The committee shall consider the acceptability and authenticity of documented reasons for the student's absences.

Consideration of Control

4. The attendance committee shall consider whether reasons for the absences were for reasons out of the parent's or student's or parent's control and whether documentation for the absence is acceptable.

Student's Academic Record

5. The committee shall consider whether or not the student has completed assignments, mastered the essential knowledge and skills, and maintained passing grades in the course or subject.

Information from Student or Parent

6. The student or parent shall be given an opportunity to present any information to the committee about the absences and to discuss ways to earn or regain credit or be awarded a final grade.

ATTENDANCE
ATTENDANCE FOR CREDIT

FEC
(LOCAL)

Best Interest Standard	7.1. In reaching consensus regarding a student's absences, the committee shall attempt to ensure that its decision is in the best interest of the student. The Superintendent or designee shall develop administrative regulations addressing the committee's documentation of the decision.
Imposing Conditions for Awarding Credit or a Final Grade	The attendance committee shall consider the student's unique circumstances and, if necessary, shall may impose any of the following conditions for <u>awarding credit or a final grade that permit the student to meet the instructional requirements of the class rather than assigning a student to attend a specified program for an amount of time equivalent to the student's absences. Conditions may include</u>students with excessive absences to regain credit or be awarded a final grade: <u>1. Maintaining attendance standards for the rest of the semester.</u> 2. Completing additional assignments, as specified by the committee or teacher. 3. Attending tutorial sessions as scheduled, which may include before and after school programs. 3. Maintaining the attendance standards for the rest of the semester. <u>4. Completing other instructional programs, as specified by the committee.</u> 4.5. Taking an examination to earn credit. [See EHDB] 5. Attending a flexible school day program. 6. Attending summer school. In all cases, the student must also earn a passing grade in order to receive credit.
Appeals Process	The attendance committee's decision may be appealed in accordance with provisions included in the <i>Elementary School Guidelines</i> and <i>Secondary School Guidelines</i>.
Effective Date	This policy shall be effective as of the adoption date, <u>January 14, 2022</u>.

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Academics
Shawn Bird, Chief Academic Officer

**SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY
FFAC(LOCAL), WELLNESS AND HEALTH SERVICES: MEDICAL
TREATMENT—FIRST READING**

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves revisions to Board Policy FFAC(LOCAL), *Wellness and Health Services: Medical Treatment*, as recommended by the Texas Association of School Boards (TASB).

RATIONALE

TASB recommends several changes to Board Policy FFAC(LOCAL) to reflect current guidance from the Texas Department of State Health Services (DSHS) and common district practices.

- Administrative details on student illness and accidents at school are recommended for removal. The reference to the district's *Emergency Preparedness Handbook* is recommended to be moved to the section on medical treatment at the end of this policy.
- Provisions on administering medication provided by parents direct the superintendent to designate the employees authorized to administer medication in accordance with administrative regulations.
- Provisions on administering herbal substances or dietary supplements are recommended to address when these substances or supplements are required by a student's individualized education program or Section 504 plan.
- In accordance with DSHS guidance, the policy now reflects that the district shall not purchase non-prescription medication to administer to students.
- Medical treatment provisions have been updated to clarify who may complete medical treatment authorization forms and reflect that the district shall seek appropriate emergency care for a student as required or deemed necessary. This new text is recommended to replace previous text that covered emergency treatment forms.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all four district goals and is aligned to Core Initiative 5: Culture of Trust through Action.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the recommended changes to Board Policy FFAC(LOCAL), *Wellness and Health Services: Medical Treatment*, on first reading, effective August 19, 2022.

WELLNESS AND HEALTH SERVICES
MEDICAL TREATMENT

FFAC
(LOCAL)

Accidents / Illness of
Students at School

Procedures established in the *Emergency Preparedness Hand-
book* shall be followed when a child is injured or becomes ill at
school.

Emergency Treatment
Forms

Each year, students and parents shall complete and sign a form
that provides emergency information and authorizes school officials
to obtain emergency medical treatment, as provided by law.

Health Inventory

Each school shall have on file a health inventory of each student,
which provides the history of the student's physical, mental, and
emotional health up to the time of the student's enrollment in the
District.

Purchasing Medication

The District shall not purchase nonprescription medication to ad-
minister to a student.

Administering
Medication

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

Exception

Only authorized employees may administer to students prescrip-
tion medication with a physician's written request and in accord-
ance with legal requirements and written permission by the parent.
[See FFAC(LEGAL)]

Medication Provided
by Parent

The Superintendent shall designate the employees who are au-
thorized to administer medication that has been provided by a stu-
dent's parent. An authorized employee is permitted to administer
the following medication in accordance with administrative regula-
tions:

1. Prescription medication in accordance with legal require-
ments.
2. Nonprescription medication, upon a parent's written request,
with a physician's order. Nonprescription medication must be
properly and clearly labeled, include the manufacturer label,
and be provided in the original container.
3. Herbal substances or dietary supplements provided by the
parent and only if required by the individualized education
program or Section 504 plan for a student with disabilities.

No Medication
Provided by District

The District shall not purchase medication to administer to a stu-
dent.

Psychotropics

Except as permitted by Education Code 38.016 law, an employee
shall not:

WELLNESS AND HEALTH SERVICES
MEDICAL TREATMENT

FFAC
(LOCAL)

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

Medical Treatment

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

The District shall seek appropriate emergency care for a student as required or deemed necessary and in accordance with the Emergency Preparedness Handbook.

Health Inventory

Each school shall have on file a health inventory of each student, which provides the history of the student's physical, mental, and emotional health up to the time of the student's enrollment in the District.

Effective Date

This policy shall be effective as of the adoption date, .

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of School Offices
Denise Watts, Chief of Schools

SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY FFG(LOCAL), STUDENT WELFARE: CHILD ABUSE AND NEGLECT—FIRST READING

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves revisions to Board Policy FFG(LOCAL), *Student Welfare: Child Abuse and Neglect*, as recommended by the Texas Association of School Boards (TASB).

RATIONALE

TASB recommends changes to Board Policy FFG(LOCAL), *Student Welfare: Child Abuse and Neglect* to incorporate a reference to the definition of a person responsible for the care, custody, or welfare of a child. A copy of Board Policy FFG(LOCAL) is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all four district goals and is aligned to Core Initiative 5: Culture of Trust through Action.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the proposed revisions to Board Policy FFG(LOCAL), *Student Welfare: Child Abuse and Neglect*, on first reading, effective August 19, 2022.

STUDENT WELFARE
CHILD ABUSE AND NEGLECT

FFG
(LOCAL)

**Program to Address
Child Sexual Abuse,
Trafficking, and
Maltreatment**

The District's program to address child sexual abuse, trafficking, and other maltreatment of children, as included in the District Improvement Plan and the student handbook, shall include:

1. Methods for increasing staff, student, and parent awareness regarding these issues, including prevention techniques and knowledge of likely warning signs indicating that a child may be a victim;
2. Age-appropriate, research-based ~~antivictimization~~ anti-victimization programs for students;
3. Actions that a child who is a victim should take to obtain assistance and intervention; and
4. Available counseling options for affected students.

Training

The District shall provide training to employees as required by law and District policy. Training shall address techniques to prevent and recognize sexual abuse, trafficking, and all other maltreatment of children, including children with significant cognitive disabilities. [See DMA]

[See BBD for Board member training requirements and BJCB for Superintendent continuing education requirements.]

**Reporting Child
Abuse and Neglect**

Any person who has reasonable cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect has a legal responsibility, under state law, to immediately report the suspected abuse or neglect to an appropriate authority.

As defined in state law, child abuse and neglect include both sex and labor trafficking of a child.

The following individuals have an additional legal obligation to submit a written or oral report within 48 hours of learning of the facts giving rise to the suspicion of abuse or neglect:

1. Any District employee, agent, or contractor who suspects a child's physical or mental health or welfare has been adversely affected by abuse or neglect.
2. A professional who has reasonable cause to believe that a child has been or may be abused or neglected or may have been a victim of indecency with a child. A professional is anyone licensed or certified by the state who has direct contact with children in the normal course of duties for which the individual is licensed or certified. The report must be made within 48 hours of when the professional first had reasonable cause to believe the abuse or neglect may have occurred.

STUDENT WELFARE
CHILD ABUSE AND NEGLECT

FFG
(LOCAL)

A person is required to make a report if the person has reasonable cause to believe that an adult was a victim of abuse or neglect as a child and the person determines in good faith that disclosure of the information is necessary to protect the health and safety of another child or an elderly or disabled person.

[For parental notification requirements regarding an allegation of educator misconduct with a student, see FFF.]

Restrictions on Reporting

In accordance with law, an employee is prohibited from using or threatening to use a parent's refusal to consent to administration of a psychotropic drug or to any other psychiatric or psychological testing or treatment of a child as the sole basis for making a report of neglect, unless the employee has cause to believe that the refusal:

1. Presents a substantial risk of death, disfigurement, or bodily injury to the child; or
2. Has resulted in an observable and material impairment to the growth, development, or functioning of the child.

Making a Report

Reports may be made to any of the following:

1. A state or local law enforcement agency;
2. The Child Protective Services (CPS) division of the Texas Department of Family and Protective Services (DFPS) at (800) 252-5400 or the [Texas Abuse Hotline Website](#)¹;
3. A local CPS office; or
4. If applicable, the state agency operating, licensing, certifying, or registering the facility in which the suspected abuse or neglect occurred.

However, if the suspected abuse or neglect involves a person responsible for the care, custody, or welfare of the child, the report must be made to DFPS, unless the report is to the state agency that operates, licenses, certifies, or registers the facility where the suspected abuse or neglect took place; or the report is to the Texas Juvenile Justice Department as a report of suspected abuse or neglect in a juvenile justice program or facility. As defined by law, a person responsible for the care, custody, or welfare of a child includes school personnel and volunteers and day-care workers. [See FFG(LEGAL)]

An individual does not fulfill his or her responsibilities under the law by only reporting suspicion of abuse or neglect to a campus princi-

STUDENT WELFARE
CHILD ABUSE AND NEGLECT

FFG
(LOCAL)

pal, school counselor, or another District staff member. Furthermore, the District is prohibited from requiring an employee to first report his or her suspicion to a District or campus administrator.

Confidentiality

In accordance with state law, the identity of a person making a report of suspected child abuse or neglect shall be kept confidential and disclosed only in accordance with the rules of the investigating agency.

Immunity

A person who in good faith reports or assists in the investigation of a report of child abuse or neglect is immune from civil or criminal liability.

**Failing to Report
Suspected Child
Abuse or Neglect**

By failing to report suspicion of child abuse or neglect, an employee:

1. May be placing a child at risk of continued abuse or neglect;
2. Violates the law and may be subject to legal penalties, including criminal sanctions for knowingly failing to make a required report;
3. Violates Board policy and may be subject to disciplinary action, including possible termination of employment; and
4. May have his or her certification from the State Board for Educator Certification suspended, revoked, or canceled in accordance with 19 Administrative Code Chapter 249.

It is a criminal offense to coerce someone into suppressing or failing to report child abuse or neglect.

**Responsibilities
Regarding
Investigations**

In accordance with law, District officials shall be prohibited from:

1. Denying an investigator's request to interview a child at school in connection with an investigation of child abuse or neglect;
2. Requiring that a parent or school employee be present during the interview; or
3. Coercing someone into suppressing or failing to report child abuse or neglect.

District personnel shall cooperate fully and without parental consent, if necessary, with an investigation of reported child abuse or neglect. [See GKA]

STUDENT WELFARE
CHILD ABUSE AND NEGLECT

FFG
(LOCAL)

Effective Date

This policy shall be effective as of the adoption date, _____,
2022.

¹ Texas Abuse Hotline Website: <http://www.txabusehotline.org>

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Information Technology
Scott Gilhousen, Chief Information Technology Officer

**SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY
FL(LOCAL), STUDENT RECORDS—FIRST READING**

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves the proposed revisions to Board Policy FL(LOCAL), *Student Records*, as recommended by the Texas Association of School Boards (TASB) and the HISD administration.

RATIONALE

The revisions include:

- Add language referring to the superintendent's designee in addition to the superintendent
- Remove language referencing grade placement committee and replacing with accelerated learning committee
- Make other minor changes and clarifications

A copy of the proposed revisions to Board Policy FL(LOCAL) is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all four district goals and is aligned to Core Initiative 5: Culture of Trust through Action.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the recommended changes to Board Policy FL(LOCAL), *Student Records*, on first reading, August 19, 2022.

STUDENT RECORDS

FL
(LOCAL)

Comprehensive System

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

Cumulative Record

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

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

Custodian of Records

The principal is custodian of all records for currently enrolled students. The Superintendent or designee is the custodian of records for students who have withdrawn or graduated. Those records can be accessed at the school site or at the administration office.

Types of Education Records

Student records at a minimum shall include:

1. Admissions data, personal and family data, including certification of date of birth.
2. Withdrawal data, including student checkout sheets with leaver codes and documentation to support the codes assigned.
3. Standardized test data, including intelligence, aptitude, interest, personality, and social adjustment ratings.
4. All achievement records, as determined by tests, recorded grades, and teacher evaluations.
5. All documentation regarding a student's testing history and any accelerated instruction he or she has received, including any documentation of discussion or action by a grade placement an accelerated learning committee convened for the student.
6. Health services records, including:
 - a. The results of any tuberculin tests required by the District.

STUDENT RECORDS

FL
(LOCAL)

- b. The findings of screening or health appraisal programs the District conducts or provides. [See FFAA(LEGAL)]
- c. Immunization records. [See FFAB(LEGAL)]
- 7. Printed documentation to support data submitted electronically to the Public Education Information Management System (PEIMS), as defined in the PEIMS Data Standards.
- 8. Attendance records.
- 9. Student questionnaires.
- 10. Records of teacher, school counselor, or administrative conferences with the student or pertaining to the student.
- 11. Verified reports of serious or recurrent behavior patterns.
- 12. Copies of correspondence with parents and others concerned with the student.
- 13. Records transferred from other districts in which the student was enrolled.
- 14. Records pertaining to participation in extracurricular activities.
- 15. Information relating to student participation in special programs.
- 16. Records of fees assessed and paid.
- 17. Records pertaining to student and parent complaints.
- 18. Other records that may contribute to an understanding of the student.

Principals must designate where each record is kept and the person responsible for its maintenance, as part of the school's record management plan that will be submitted to and maintained by the Federal and State Compliance Department.

Access by Parents

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

Records may be reviewed in person during regular school hours without charge upon written request to the records custodian. For in-person viewing, the records custodian or designee shall be available to explain the record and to answer questions. The confidential nature of the student's records shall be maintained at all times, and records to be viewed shall be restricted to use only in

STUDENT RECORDS

FL
(LOCAL)

the Superintendent's, principal's, or school counselor's office, or other restricted area designated by the records custodian. The original copy of the record or any document contained in the cumulative record shall not be removed from the school.

Copies of records are available at a per copy cost, payable in advance. Copies of records must be requested in writing. Parents may be denied copies of records if they fail to follow proper procedures or pay the copying charge. If the student qualifies for free or reduced-price lunches and the parents are unable to view the records during regular school hours, upon written request of a parent, one copy of the record shall be provided at no charge.

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

**Access by School
Officials**

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

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

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

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

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

STUDENT RECORDS

FL
(LOCAL)

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

**Transcripts and
Transfers of Records**

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

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

**Records
Responsibility for
Students with
Disabilities**

The school principal shall be responsible for ensuring the confidentiality of any personally identifiable information in records of students with disabilities.

A current listing of names and positions of persons who have access to records of students in special education is maintained at the campus.

**Procedure to Amend
Records**

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

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

The parents shall be notified of the decision in writing within ten District business days of the hearing. The decision shall be based solely on the evidence presented at the hearing and shall include a

STUDENT RECORDS

FL
(LOCAL)

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

**Directory
Information**

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

1. Items for use only for school-sponsored purposes;
2. Items for use for nonschool-sponsored purposes; and
3. Items for all other purposes.

**School-Sponsored
Purposes**

For the following school-sponsored purposes—all District publications and announcements—directory information shall include student name, electronic mail address, address, telephone listing, date and place of birth, photograph, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, awards received, and the most recent previous school attended by a student.

**Nonschool-
Sponsored
Purposes**

For the following nonschool-sponsored purposes:

1. Directory information of current and former students may be released upon request to publicly elected officials in Texas. Directory information released to publicly elected officials may include student name, electronic mail address, address, telephone listing, major field of study, participation in officially recognized activities and sports, dates of attendance, and the most recent previous school attended by a student.
2. Directory information of former students may be released upon request to alumni groups and student reunion committees. Directory information released to alumni groups and student reunion committees may include student name, electronic mail address, telephone listing, dates of attendance, and the most recent previous school attended by a student.

All Other Purposes

For all other purposes, directory information shall not be released.

Effective Date

This policy shall be effective as of the adoption date, ~~August 13, 2024~~.

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of Academics
Shawn Bird, Chief Academic Officer

**SUBJECT: APPROVAL OF PROPOSED DELETION OF BOARD POLICY
FMF(LOCAL), STUDENT ACTIVITIES: CONTESTS AND
COMPETITION—FIRST READING**

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves the proposed deletion of Board Policy FMF(LOCAL), *Student Activities: Contests and Competition*, as recommended by the Texas Association of School Boards (TASB).

RATIONALE

TASB recommends deletion of this local policy on student contests and competitions as there is no requirement for board policy on these issues and the district's practices can be included in administrative procedures.

HISD administration recommends moving the *Contests and Competition* section from policy to regulation.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all four district goals and is aligned to Core Initiative 5: Culture of Trust through Action.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES DELETE BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the recommended deletion of Board Policy FMF(LOCAL), *Student Activities: Contests and Competition*, on first reading, effective August 19, 2022.

STUDENT ACTIVITIES
CONTESTS AND COMPETITION

FMF
(LOCAL)

UIL Activities

State Board and UIL rules shall govern interscholastic activities; however, Board policies and District rules may supplement State Board and UIL rules.

No event shall be scheduled and no student allowed to participate in any UIL event unless all pertinent rules and regulations are strictly enforced. The Superintendent or designee shall maintain all necessary records and reports. Sponsors and coaches are responsible for knowledge of and compliance with rules for eligibility and participation. [See FM]

Athletic Program

A well rounded program of interscholastic athletics shall be maintained in the District secondary schools. The operation of the total program, including the starting and ending dates for each sport, shall be in accordance with regulations set by the UIL and the Board.

**Cheerleader
Organization**

Cheerleading programs shall comply with general rules governing participation in extracurricular activities, including specific provisions pertaining to parental approval prior to competing for election to membership, as well as physical examination and insurance requirements upon election but prior to participation. [See also the *Athletic Handbook*]

**Supervision of
Programs**

Supervision of the program shall be the responsibility of the Superintendent or designee. In each school, the principal shall have direct responsibility to maintain the athletic program as an integral part of the educational program of that school.

Interschool competitive athletics shall not be part of the elementary grades' program. To the extent practicable, a program of intra-school sports activities for elementary students shall be maintained as part of the physical education program.

Non-UIL Activities

Contests and competitive activities that are sponsored by outside organizations shall not be recommended to students unless the activities supplement and do not interfere with the regular school program. Contests and competitive activities shall have the prior approval of the Superintendent or designee, who shall develop the necessary rules and regulations to implement this policy. [See FM]

Overnight Trips

Students involved in UIL competition above the UIL district level that requires an overnight trip shall have their expenses paid by the District.

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of School Offices
Denise Watts, Chief of Schools

**SUBJECT: APPROVAL OF PROPOSED DELETION OF BOARD POLICY
FMG(LOCAL), STUDENT ACTIVITIES: TRAVEL—FIRST READING**

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves the proposed deletion of Board Policy FMG(LOCAL), *Student Activities: Travel*, as recommended by the Texas Association of School Boards (TASB).

A copy of Board Policy FMG(LOCAL) is attached.

RATIONALE

TASB recommends deletion to Board Policy FMG(LOCAL), *Student Activities: Travel*, from the district's policy manual. Guidelines on student travel to and from school-sponsored activities, funding, makeup work, chaperones, and who approves trips are better conveyed through administrative regulations and communicated in the student and employee handbooks.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all four district goals and is aligned to Core Initiative 5: Culture of Trust through Action.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES DELETE BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the proposed deletion of Board Policy FMG(LOCAL), *Student Activities: Travel*, on first reading, effective August 19, 2022.

STUDENT ACTIVITIES
TRAVEL

FMG
(LOCAL)

School-Sponsored
student activities

Students shall be encouraged to participate in extracurricular, enrichment, and other school-related activities such as school-sponsored clubs, organizations, and activities. In accordance with Board policy, school-sponsored activities are organizations and the like initiated, planned, and conducted by student club members or faculty sponsors and may only take place with the principal's approval, and any fund accounting, if applicable, shall be in compliance with the Finance Procedures Manual. [See FM(LOCAL), FJ(LOCAL), GE2(REGULATION), and Finance Procedures Manual]

FIELD TRIPS

All students shall be invited to participate in school-sponsored field trips and other enrichment activities. No student shall be denied the opportunity to participate in a school-sponsored activity due to financial status and as such, a school/school sponsor may attempt to raise funds. [See FUNDING, below] Each student who goes on a field trip or excursion (excluding athletic participation) shall have written parental permission.

FUNDING

Funding guidelines shall include the following provisions:

1. School or District sponsors may contribute to the costs associated with the field trip including transportation, admission fees, tickets, and materials necessary for the trip.
2. Schools may hold fund-raisers to cover the costs.
3. Students and their parents may be charged a fee for student activities in compliance with Texas Education Code 11.158; however, the District has adopted reasonable procedures for waiving a deposit or fee if a student or the student's parent or guardian is unable to pay it. The principal is responsible for posting a notice of such waiver in a central location in his or her school facility and in the student handbook. [See FP(LEGAL), (LOCAL), and (REGULATION)]

LOSS OF SCHOOL
TIME

Participation in all trips involving loss of school time shall be in accordance with procedures relevant to school attendance and participation in cocurricular and extracurricular activities. Enrichment activities can relate to the curriculum but cannot be a required part of the coursework.

MAKEUP WORK

All class work missed by a student on an out-of-town trip shall be done either before the trip or as make-up after the trip.

OUT-OF-STATE and
Overnight TRIPS

Out-of-state and overnight trips must be approved by the Superintendent or designee.

OUT-OF-THE
COUNTRY TRIPS

Trips by student organizations that involve travel outside the continental United States shall be allowed only for students in grades

STUDENT ACTIVITIES
TRAVEL

FMG
(LOCAL)

SPONSORS AND
CHAPERONES

~~9-12 and shall require prior approval of the Superintendent. Such travel shall only be allowed to countries where the political climate is favorable.~~

~~District sponsors and chaperones shall adhere to established basic guidelines for District sponsored functions and additional guidelines as may be developed by the individual school. If a situation arises for which there is no published rule, common sense, prudence, and good judgment shall prevail.~~

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of School Offices
Denise Watts, Chief of Schools

**SUBJECT: APPROVAL OF PROPOSED DELETION OF BOARD POLICY
FNC(LOCAL), STUDENTS RIGHTS AND RESPONSIBILITIES:
STUDENT CONDUCT—FIRST READING**

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves the proposed deletion of Board Policy FNC(LOCAL), *Student Rights and Responsibilities: Student Conduct*, as recommended by the Texas Association of School Boards (TASB).

RATIONALE

This local policy is recommended for deletion because the provisions on rules of conduct were previously moved to FO, *Student Discipline*, where extracurricular standards of behavior are also addressed in more detail. The material on harassment is currently addressed at FFH, *Freedom From Harassment*, and in the *Student Code of Conduct*.

A copy of FNC(LOCAL) is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all four district goals and is aligned to Core Initiative 5: Culture of Trust through Action.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES DELETE BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the proposed deletion of Board Policy FNC(LOCAL), *Student Rights and Responsibilities: Student Conduct*, on first reading, effective August 19, 2022.

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT CONDUCT

FNC
(LOCAL)

STUDENT HANDBOOK
— CODE OF STUDENT
CONDUCT

The District's rules of conduct and discipline, maintained in the student handbook and/or the Board-adopted Code of Student Conduct, are established to achieve and maintain order in the schools, and to teach respect toward others and responsible behavior. [See FO series]

EXTRACURRICULAR
ACTIVITIES:
STANDARDS OF
BEHAVIOR

With the approval of the principal and Superintendent, a sponsor or a coach of an extracurricular activity may develop and enforce standards of behavior that are higher than the District-developed Code of Student Conduct and may condition membership or participation in the activity on adherence to those standards. [See FO]

PROHIBITED
HARASSMENT

A student shall not engage in prohibited harassment, including sexual harassment, of:

1. Another student, as defined at FFH.
2. A District employee, as defined at DIA.

While subject to the disciplinary control of the District, a student shall not engage in prohibited harassment, including sexual harassment, of another person, including a Board member, vendor, contractor, volunteer, or parent.

A student who violates this prohibition shall be subject to appropriate discipline in accordance with the Code of Student Conduct.

BEHAVIORAL
STANDARDS

The following specific policies address student conduct in the areas of:

1. Use of District technology resources — CQ
2. Attendance — FEC
3. Bullying — FFI
4. School-sponsored publications — FMA
5. Appropriate attire and grooming — FNCA
6. Damage to school property — FNCB
7. Prohibited organizations and hazing — FNCC
8. Tobacco use — FNCD
9. Use of personal telecommunications devices and other electronic devices — FNCE
10. Drug and alcohol use — FNCF
11. Weapons — FNCG
12. Assault — FNCH
13. 1. Disruptions — FNCI, GKA

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of School Offices
Denise Watts, Chief of Schools

**SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY
GKC(LOCAL), COMMUNITY RELATIONS: VISITORS—FIRST
READING**

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education approves proposed revisions to Board Policy GKC(LOCAL), *Community Relations: Visitors*, as recommended by the Texas Association of School Boards (TASB).

RATIONALE

TASB recommends changes to Board Policy GKC(LOCAL), *Community Relations: Visitors*. A copy of Board Policy GKC(LOCAL) is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all four district goals and is aligned to Core Initiative 5: Culture of Trust through Action.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the proposed revisions to Board Policy GKC(LOCAL), *Community Relations: Visitors*, on first reading, effective August 19, 2022.

COMMUNITY RELATIONS
VISITORS TO THE SCHOOLS

GKC
(LOCAL)

**Registered Sex
Offenders on a
District
PremisesSchool
Campus**

Prominent notices shall be posted at each campus requiring all visitors to first report to the campus administrative main office. This shall apply to parents, Board members, volunteers, social service workers, invited speakers, maintenance and repair persons not employed by the District, vendors, representatives of the news media, former students, and any other visitors.

Visits to individual classrooms during instructional time shall be permitted only with the principal's and teacher's approval, and such visits shall not be permitted if their duration or frequency interferes with the delivery of instruction or disrupts the normal school class-room environment.

[See BBE(LOCAL) for visits to District facilities by Board members.]

The Superintendent and, working with campus administrators, shall develop and implement procedures regarding a campus visitors who are identifiedis registered as a sex offenders. These procedures shall address:

1. Parental rights;
2. Escort by District personnel;
3. Access to common areas of the campus;
4. Access to classrooms;
5. Drop off and release of students;
6. Eligibility to serve as volunteers; and
7. Any other relevant issues.

Effective Date

This policy shall be effective as of the adoption date, .

Office of the Superintendent of Schools
Board of Education Meeting of August 18, 2022

Office of School Offices
Denise Watts, Chief of Schools

SUBJECT: APPROVAL OF THE ESTABLISHMENT OF BOARD POLICY GKE(LOCAL), COMMUNITY RELATIONS: BUSINESS, CIVIC, AND YOUTH GROUPS—FIRST READING

The purpose of this agenda item is to request that the Houston Independent School District (HISD) Board of Education establish Board Policy GKE(LOCAL), *Community Relations: Business, Civic, and Youth Groups*, as recommended by the Texas Association of School Boards (TASB).

RATIONALE

TASB recommends addition of Board Policy GKE(LOCAL), *Community Relations: Business, Civic, and Youth Groups*. This policy will satisfy the requirement in SB 1566 for a board policy allowing a principal to provide a representative of a patriotic society an opportunity to speak to students during the school day. The policy must give the principal discretion over the date and time and allow the principal to limit the opportunity to a single school day and to limit the presentation to ten minutes.

A copy of the proposed Board Policy GKE(LOCAL) is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all four district goals and is aligned to Core Initiative 5: Culture of Trust through Action.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES ESTABLISH BOARD POLICY.

RECOMMENDED: That the Board of Education accepts the proposed establishment of Board Policy GKE(LOCAL), *Community Relations: Business, Civic, and Youth Groups*, as recommended by TASB, effective August 19, 2022.

COMMUNITY RELATIONS
BUSINESS, CIVIC, AND YOUTH GROUPS

GKE
(LOCAL)

A campus principal shall have the authority to offer a representative of a patriotic society an opportunity to speak to students during regular school hours about membership in the society.

The principal shall have discretion over the date and time of such visits and is authorized to limit this opportunity to a single school day and to limit a presentation by a patriotic society to ten minutes in length.

[For more information about patriotic societies, see GKD(LEGAL).]

Effective Date

This policy shall be effective as of the adoption date, .