

THE HOUSTON INDEPENDENT SCHOOL DISTRICT



AGENDA

**Board of Education
Meeting**

August 06, 2020

THE HOUSTON INDEPENDENT SCHOOL DISTRICT
BOARD OF EDUCATION

Agenda Index

- | | |
|--------------------------------------|---------------------------------------|
| A. Superintendent's Priority Items | G. Human Resources |
| B. Trustee Items | H. Business Operations |
| C. Closed Session (Closed to Public) | I. Finance |
| D. Academic Services | J. Other |
| E. School Offices | K. Policy |
| F. Strategy and Innovation | L. Superintendent's Information Items |

MEMBERS OF THE BOARD OF EDUCATION

Sue Deigaard, *President*
Wanda Adams, *First Vice President*
Judith Cruz, *Second Vice President*
Dr. Patricia K. Allen, *Secretary*
Dani Hernandez, *Assistant Secretary*
Kathy Blueford-Daniels
Holly Maria Flynn Vilaseca
Elizabeth Santos
Anne Sung

Grenita Lathan, Ph.D., *Interim Superintendent of Schools*

BOARD OF EDUCATION AGENDA
August 06, 2020

5:00 p.m.

- **CALL TO ORDER WHEN A QUORUM IS PRESENT**

CLOSED SESSION (IF NECESSARY)

- **ADJOURNMENT TO CLOSED OR EXECUTIVE SESSION PURSUANT TO SECTIONS 551.004, 551.071, 551.072, 551.073, 551.074, 551.076, 551.082, 551.0821, 551.083, 551.084, AND 551.089, CHAPTER 551 OF THE TEXAS GOVERNMENT CODE FOR THE PURPOSES LISTED UNDER SECTION C**

RECONVENE IN OPEN SESSION – BOARD AUDITORIUM

- **CONSIDERATION AND POSSIBLE ACTION ON MATTERS DISCUSSED IN CLOSED OR EXECUTIVE SESSION**
- **CONSIDERATION AND APPROVAL OF MINUTES FROM PREVIOUS MEETINGS**
- **SPEAKERS TO AGENDA ITEMS**
- **SUPERINTENDENT DISCUSSION ON INSTRUCTIONAL CONTINUITY**

BUSINESS AGENDA FOR AGENDA REVIEW MEETING

A. SUPERINTENDENT'S PRIORITY ITEMS

- A-1. Approval Of Personal Services Performed By The Superintendent, Including Speaking Engagements, Panel Discussions, Workshops, Etc., In Accordance With Texas Education Code Section 11.201(E)
- A-2. Approval Of Emergency Board Monitoring Update: Presentation Of Emergency Constraints 1, 2, 3, And 4 Progress Measures
 - August 2020 Emergency Constraints 1–4 Update
 - August 2020 Emergency Constraints 1–4 Monitoring Report

B. TRUSTEE ITEMS

C. CLOSED SESSION

- C-1. Personnel
 - a. Deliberate the duties of the interim superintendent of schools, chief officers, assistant superintendents, principals, employees, chief audit executive, and board members; evaluations of the interim superintendent and chief audit executive, consideration of compensation, and contractual provisions.
 - b. Consider and approve proposed appointments, reassignments, proposed terminations, terminations/suspensions, contract lengths, proposed nonrenewals, renewals, and resignations/retirements of personnel including teachers, assistant principals, principals, chief officers, assistant

superintendents, and other administrators, and, if necessary, approve waiver and release and compromise agreements.

- c. Hear complaints against and deliberate the appointment, evaluation and duties of public officers or employees and resolution of same.
- d. Receive evaluative feedback from Lone Star Governance coaches concerning board member responsibilities.

C-2. Legal Matters

- a. Matters on which the district's attorney's duty to the district under the Code of Professional Responsibility clearly conflicts with the Texas Open Meetings Law, including specifically any matter listed on this agenda and meeting notice
- b. Pending or contemplated litigation matters and status report
- c. Update on federal law enforcement activity on February 27, 2020.
- d. Legal discussion and advice concerning House Bill 1842 (84th Leg., 2015), Senate Bill 1882 (85th Leg., 2017), and the district's options
- e. Receive legal advice concerning the Texas Education Agency special accreditation investigation and possible options.
- f. Legal discussion concerning *Houston ISD v. Texas Education Agency, et al.*, in the 459th Judicial District Court, Travis County, Texas, Cause No. D-1-GN-19-003695

C-3. Real Estate

- D. ACADEMIC SERVICES**
- E. SCHOOL OFFICES**
- F. STRATEGY AND INNOVATION**
- G. HUMAN RESOURCES**
- H. BUSINESS OPERATIONS**
- I. FINANCE**
- J. OTHER**

K. POLICY

K-1. Approval Of Proposed Revisions To Board Policies DIA(LOCAL), *Employee Welfare: Freedom From Discrimination, Harassment, And Retaliation*; FB(LOCAL), *Equal Educational Opportunity*; And FFH(LOCAL), *Student Welfare: Freedom From Discrimination, Harassment, And Retaliation*, As Pertaining To Compliance With The New Title IX Regulations Issued By The Department Of Education And Legal Update Related To Title VII—First Reading - *Revised*

- DIA(LOCAL), First Reading - *New*
- FB(LOCAL), First Reading - *New*
- FFH(LOCAL), First Reading - *New*

L. SUPERINTENDENT'S INFORMATION ITEMS

AGENDA REVIEW FOR REGULAR BOARD MEETING

Review of superintendent's agenda items to be presented to the Board of Education at the board's next business meeting. See the agenda for that meeting.

ADJOURN

REPORT FROM THE SUPERINTENDENT

Office of the Superintendent of Schools
Board of Education Meeting of August 6, 2020

**SUBJECT: APPROVAL OF EMERGENCY BOARD MONITORING UPDATE:
PRESENTATION OF EMERGENCY CONSTRAINTS 1, 2, 3, AND 4
PROGRESS MEASURES**

The Houston Independent School District (HISD) exists to strengthen the social and economic foundation of Houston by assuring its youth the highest-quality elementary and secondary education available anywhere.

In accordance with the Texas Education Agency (TEA) Lone Star Governance guidance, the HISD Board of Education has adopted four emergency constraints in response to the COVID-19 outbreak.

Attached to this update are a presentation and report regarding the Emergency Constraint Progress Measures (ECPMs). The following measures have new data this meeting:

Emergency Constraint 1: The superintendent will not operate without addressing the social and emotional needs of all students.

- ECPM 1.1—The number of participants in HISD Social and Emotional Learning (SEL) and counseling support webinars will increase from 0 on March 20, 2020, to 15,200 by July 1, 2020.
- ECPM 1.2—The number of remote assistance services connected each week through Wraparound Services will increase from 0 on March 20, 2020, to 15,000 by July 1, 2020.
- ECPM 1.3—The number of centrally documented remote academic, social, and emotional contacts with students and families will increase from 0 on March 20, 2020, to 175,000 by July 1, 2020.

Emergency Constraint 2: The superintendent will not operate without addressing the health and safety needs of all students.

- ECPM 2.1—The number of remote nurse wellness checks with students and families will increase from 0 on March 20, 2020, to 50,000 by June 1, 2020.
- ECPM 2.2—The number of meals distributed through the Houston Food Bank and district collaboration will increase from 0 meals on March 13, 2020, to 6,654,550 meals by August 1, 2020.

REPORT FROM THE SUPERINTENDENT

Emergency Constraint 3: The superintendent will not operate without engaging all students in learning.

- ECPM 3.1—The percentage of students digitally engaging with HISD@H.O.M.E. through the Clever Portal at least once during the week will increase 43 percentage points from 0% on March 20, 2020, to 43% by June 1, 2020.
- ECPM 3.2—The number of students receiving non-digital resources distributed for student HISD@H.O.M.E. learning will increase from 0 on March 20, 2020, to 40,644 by June 1, 2020.
- ECPM 3.3—The percentage of special education students receiving remote services at least once weekly will increase from 0% the week of March 23, 2020, to 85% by August 1, 2020.

Emergency Constraint 4: The superintendent will not operate without protecting the health and safety of employees.

- ECPM 4.1—The number of COVID-19 communications distributed to district employees will increase from 0 on February 24, 2020, to 33 by August 1, 2020.
- ECPM 4.2—The percent of employees who are directed to work on site while the district is closed but instructing students who are equipped with personal protective equipment (PPE) will increase from 0% March 13, 2020, to 100% by August 1, 2020.

HOUSTON INDEPENDENT SCHOOL DISTRICT

Emergency Constraints 1, 2, 3, & 4 Progress Measures

Date: 8/6/2020

Presenter:

Allison E. Matney, Ed.D.

Officer, Department of Research and Accountability



Emergency Constraint 1

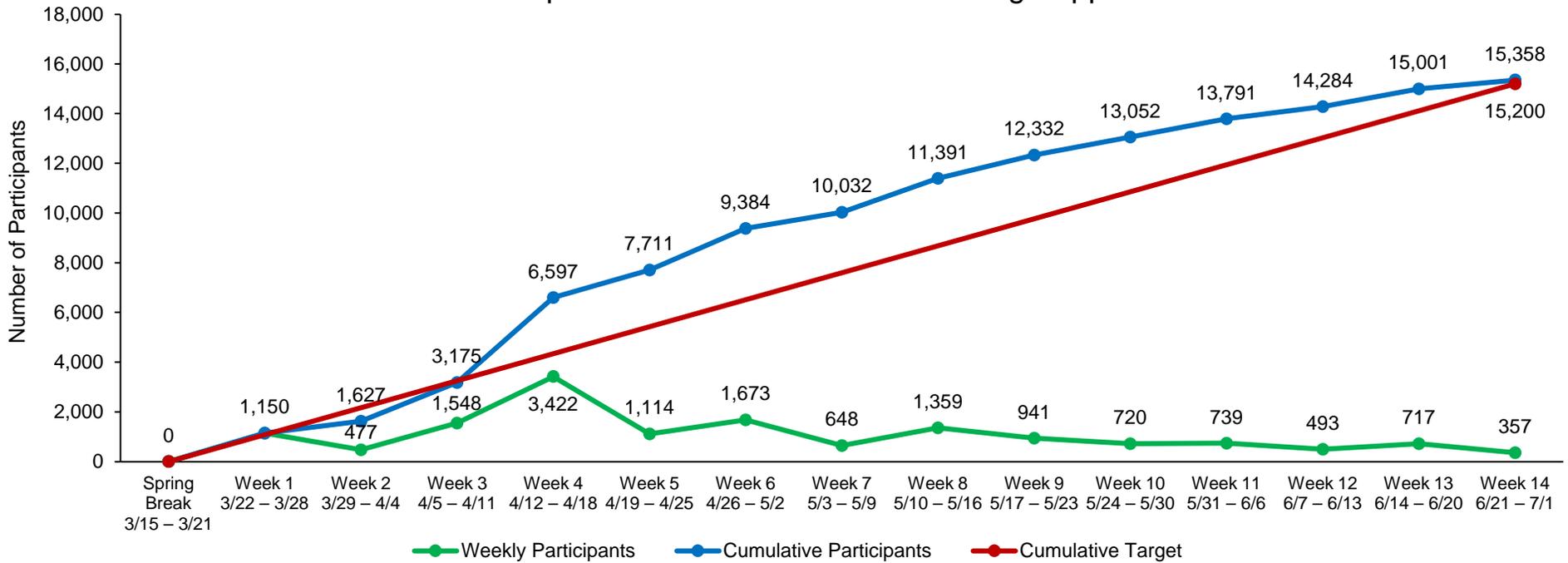
- The superintendent will not operate without addressing the social and emotional needs of all students.

ECPM 1.1

- The number of participants in HISD Social and Emotional Learning (SEL) and counseling support webinars will increase from 0 on March 20, 2020, to 15,200 by July 1, 2020.

ECPM 1.1 – Met Goal

Number of Participants in HISD SEL and Counseling Support Webinars

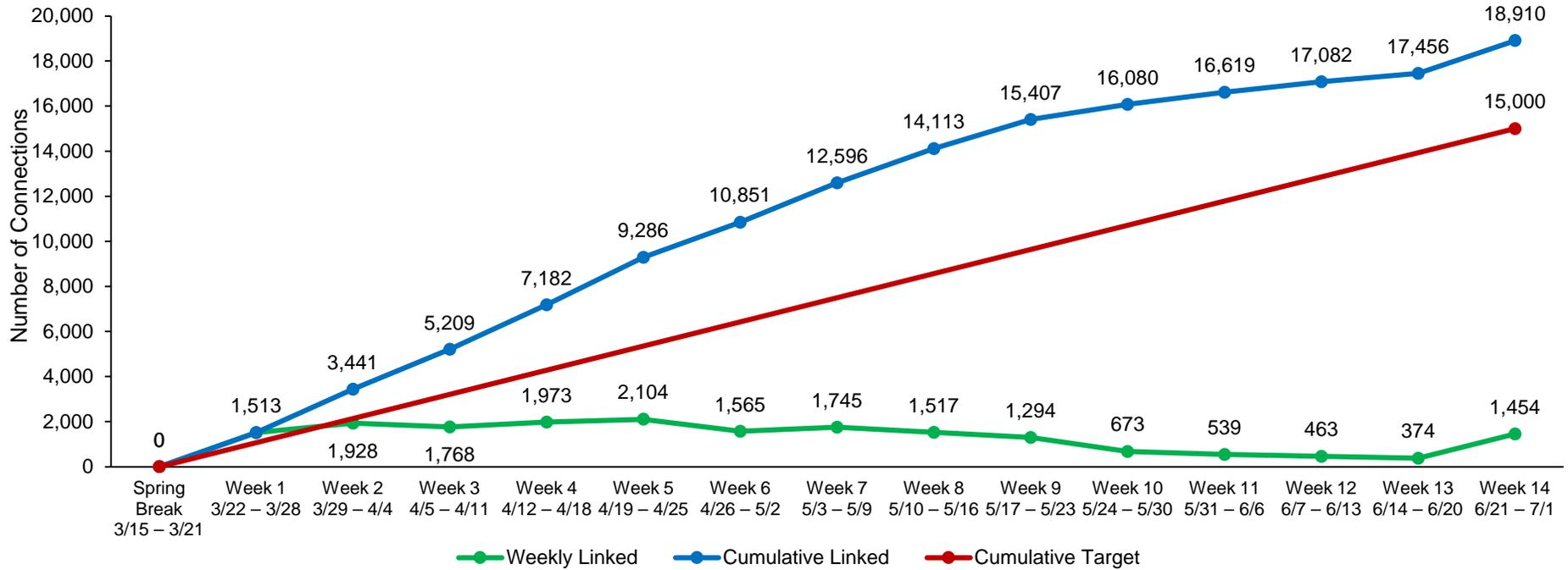


ECPM 1.2

- The number of remote assistance services connected each week through Wraparound Services will increase from 0 on March 20, 2020, to 15,000 by July 1, 2020.

ECPM 1.2 – Exceeded Goal

Number of Remote Assistance Services Connected Through Wraparound Services

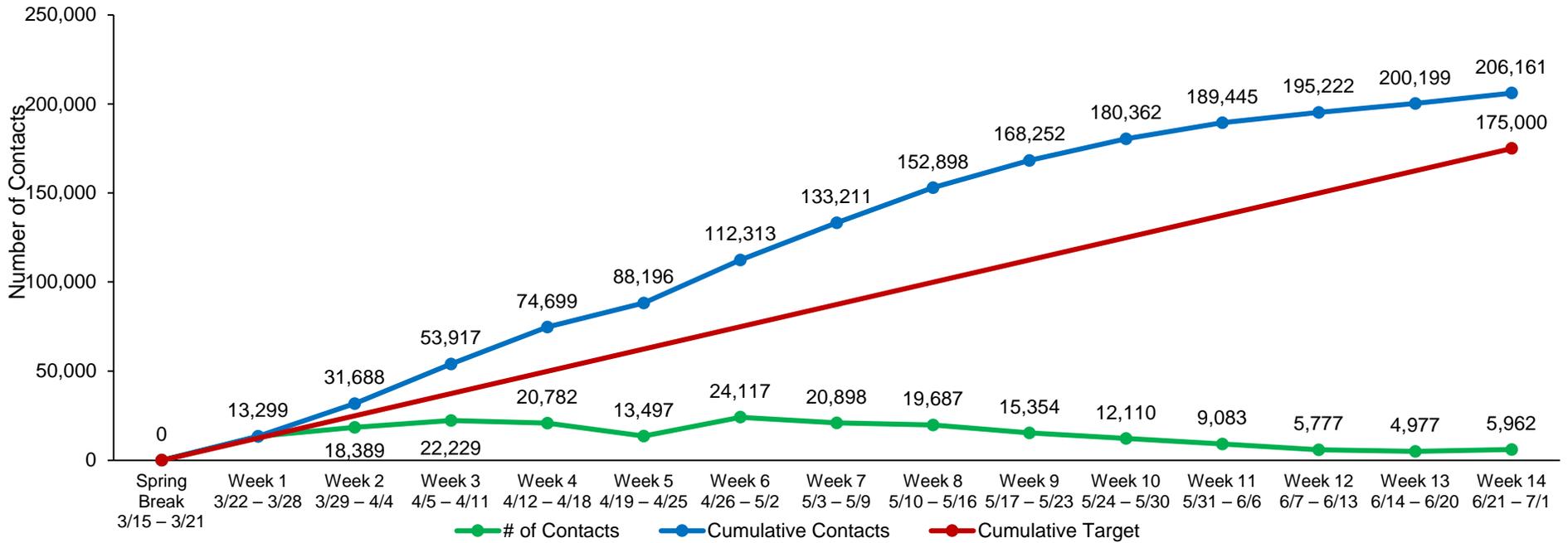


ECPM 1.3

- The number of centrally documented remote academic, social, and emotional contacts with students and families will increase from 0 on March 20, 2020, to 175,000 by July 1, 2020.

ECPM 1.3 – Exceeded Goal

Number of Academic, Social, and Emotional Contacts



Emergency Constraint 1 Summary

ECPM	Description	Current Value	Current Target	Evaluation
1.1	SEL Counseling and Support Webinars	15,358 Participants	15,200	Met Goal
1.2	Wraparound Services	18,910 Services	15,000	Exceeded Goal
1.3	Counseling Checks	206,161 Checks	175,000	Exceeded Goal

Emergency Constraint 2

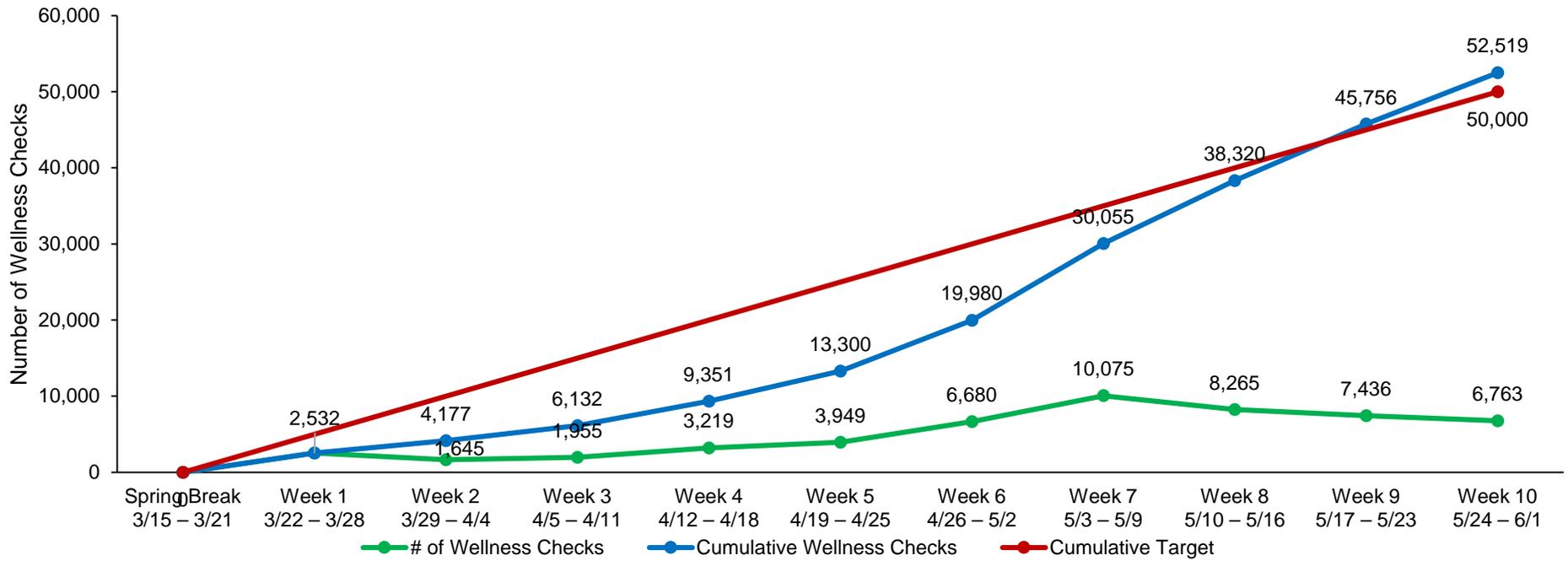
- The superintendent will not operate without addressing the health and safety needs of all students.

ECPM 2.1

- The number of remote nurse wellness checks with students and families will increase from 0 on March 20, 2020, to 50,000 by June 1, 2020.

ECPM 2.1 – Met Goal

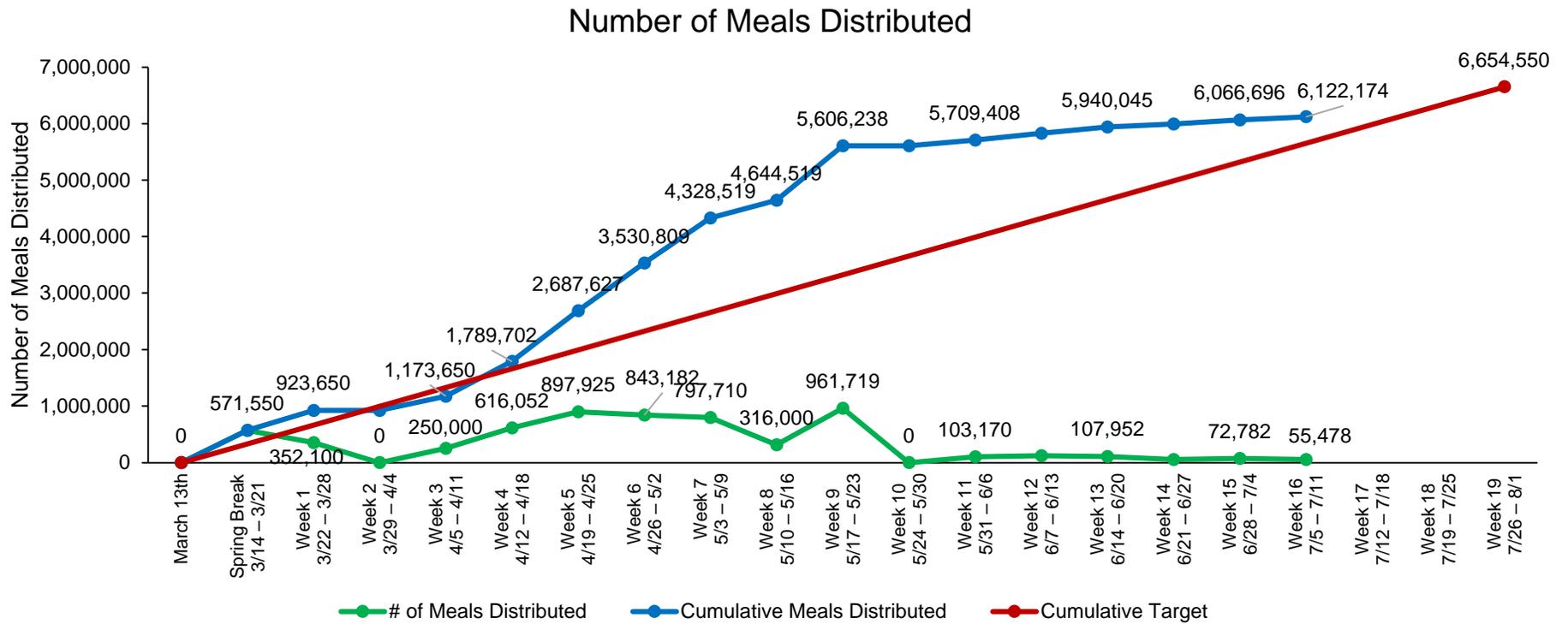
Number of Remote Nurse Wellness Checks



ECPM 2.2

- The number of meals distributed through the Houston Food Bank and district collaboration will increase from 0 meals on March 13, 2020, to 6,654,550 meals by August 1, 2020.

ECPM 2.2 – Not On Track



Emergency Constraint 2 Summary

ECPM	Description	Current Value	Current Target	Evaluation
2.1	Remote Nurse Wellness Checks	34,710 Checks	40,000	Met Goal
2.2	Food Distribution	3,530,809 Meals	2,329,093	Not On Track*

*Due to the surge in COVID-19 in the Houston area, food distribution was reduced from 42 to 5 sites between July 2nd and 20th to protect the health and safety of students and staff. Before the change, the district was on track to meet the final goal of 6,654,550 meals distributed but will now likely fall short.

Emergency Constraint 3

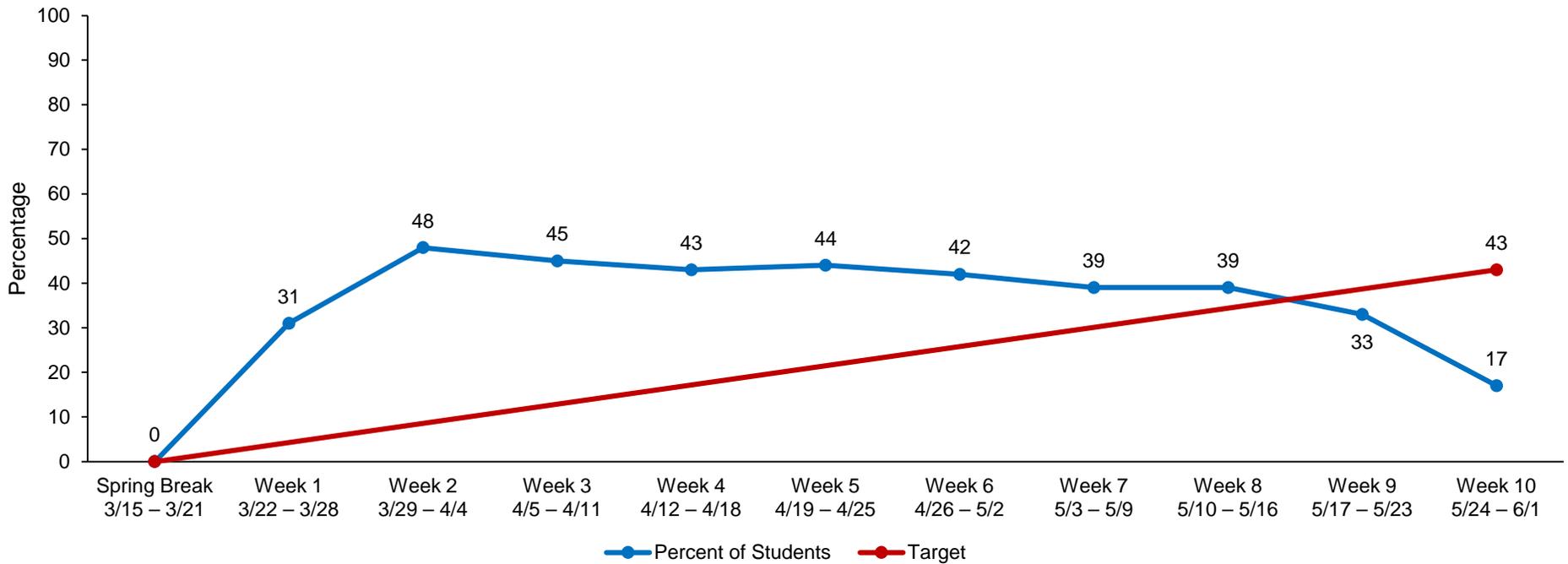
- The superintendent will not operate without engaging all students in learning.

ECPM 3.1

- The percentage of students digitally engaging with HISD@H.O.M.E. through the Clever Portal at least once during the week will increase 43 percentage points from 0% on March 20, 2020, to 43% by June 1, 2020.

ECPM 3.1 – Met Goal

Percent of Students Digitally Engaging Through the Clever Portal

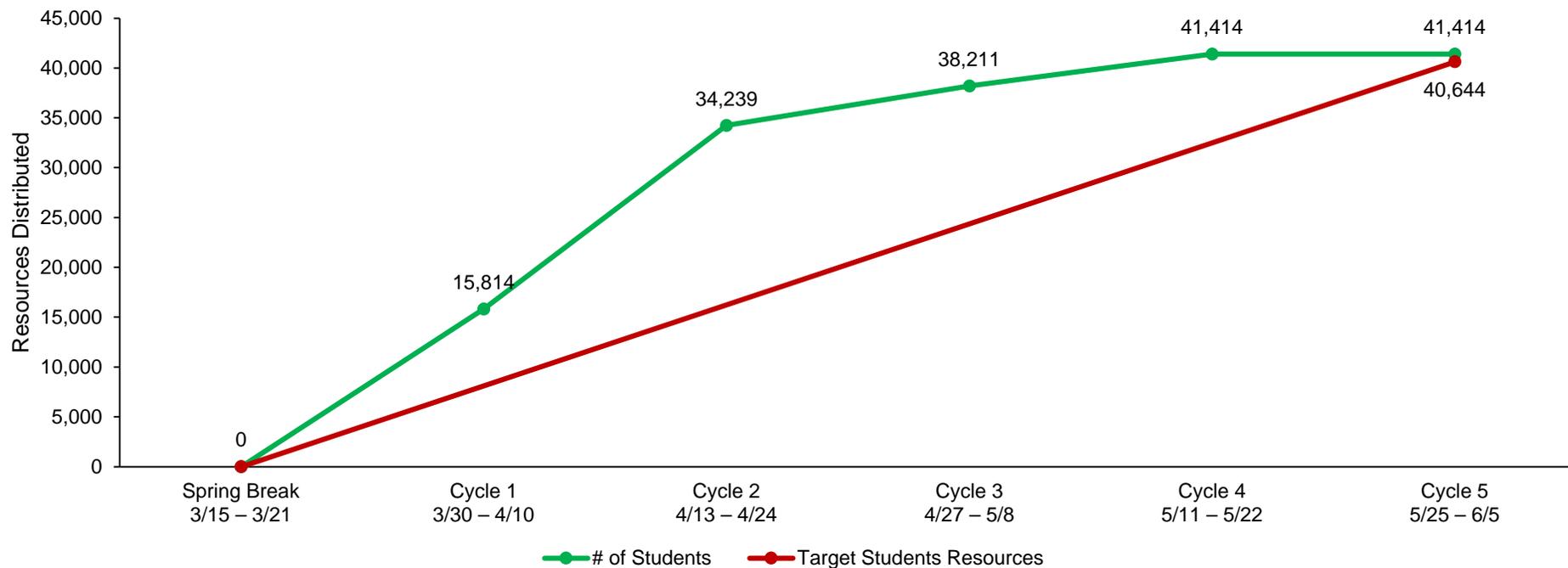


ECPM 3.2

- The number of students receiving non-digital resources distributed for student HISD@H.O.M.E. learning will increase from 0 on March 20, 2020 to 40,644 by June 1, 2020.

ECPM 3.2 – Exceeded Goal

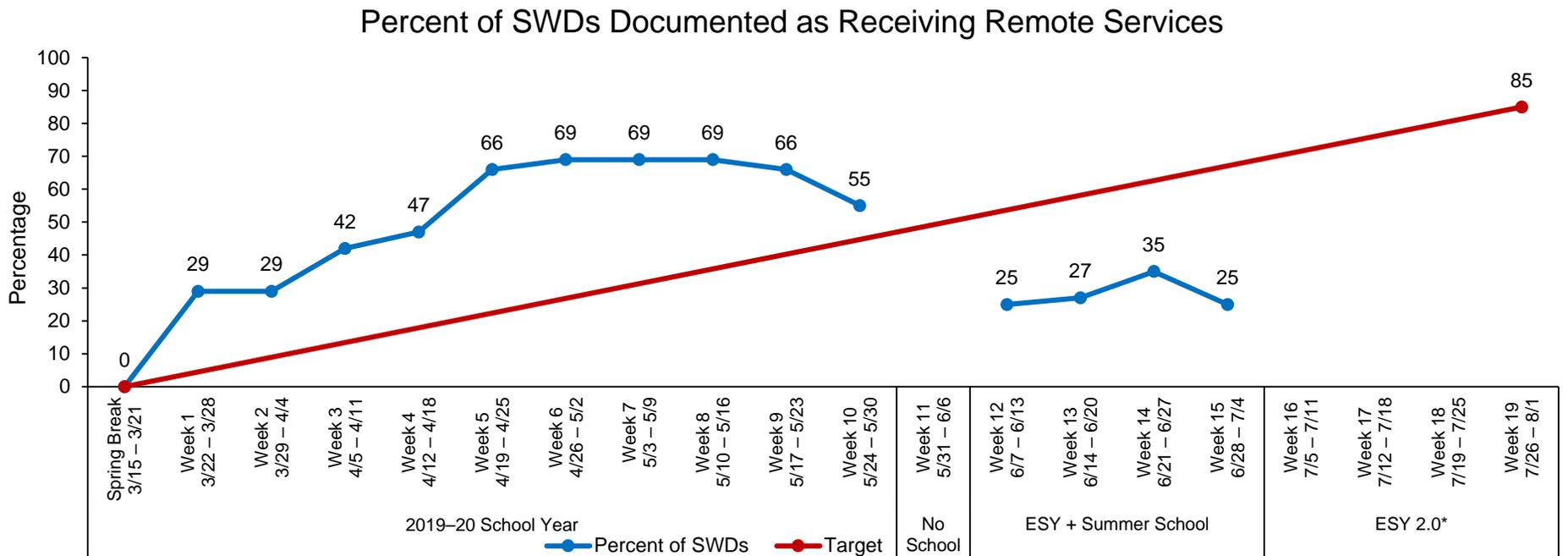
Number of Non-Digital Resources Distributed



ECPM 3.3

- The percentage of special education students receiving remote services at least once weekly will increase from 0% the week of March 23, 2020 to 85% by August 1, 2020.

ECPM 3.3 – Did Not Meet



*ESY 2.0 is for students needing additional time for recoupment as outlined by an ARD committee in their IEP. Due to the very small number of students in this group, it is inappropriate to track towards ECPM 3.3. Therefore, the progress measure tracking will end with the conclusion of summer school and ESY on July 2.

Emergency Constraint 3 Summary

ECPM	Description	Current Value	Current Target	Evaluation
3.1	Digital Engagement – Clever Portal	17% of Students	43%	Met Goal*
3.2	Printed Packets Distributed	41,414 Packets	40,644	Exceeded Goal
3.3	Documented SWD Services	25% of SWDs	85%	Did Not Meet

*Between the weeks of March 29th and April 25th, the district was above the goal of 43%.

Emergency Constraint 4

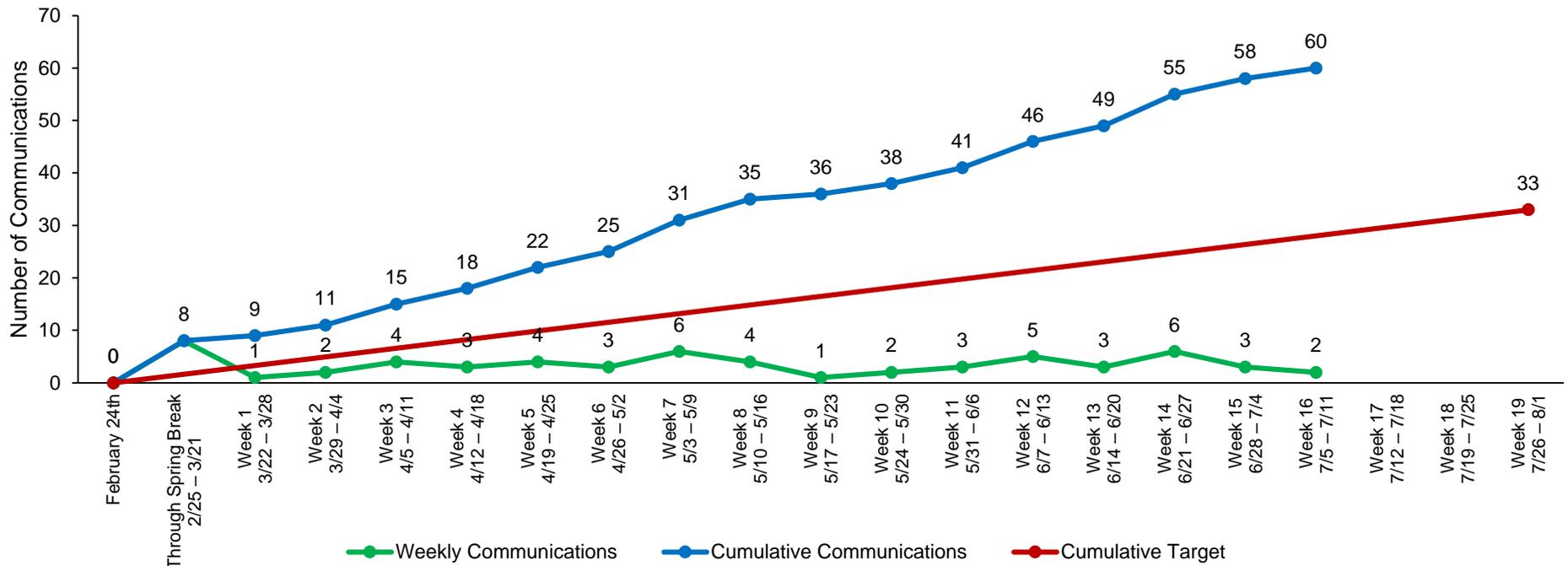
- The superintendent will not operate without protecting the health and safety of employees.

ECPM 4.1

- The number of COVID-19 communications distributed to district employees will increase from 0 on February 24, 2020 to 33 by August 1, 2020.

ECPM 4.1 – Exceeded Goal

Number of COVID-19 Communications

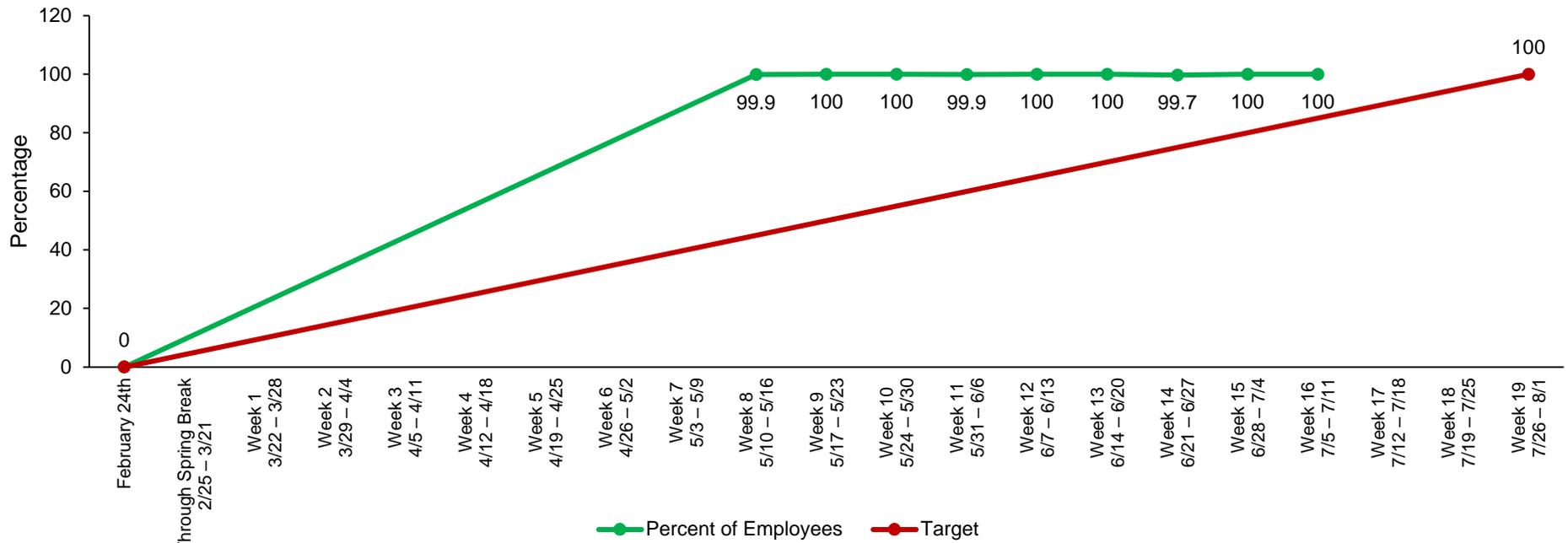


ECPM 4.2

- The percent of employees who are directed to work on site while the district is closed but instructing students who are equipped with personal protective equipment (PPE) will increase from 0% March 13, 2020 to 100% by August 1, 2020.

ECPM 4.2 – On Track

Percent of On Site Employees Documented as Equipped with PPE



Houston ISD COVID-19 PPE Tracker implemented the week of May 10th. See the May Board Meeting Constraint Monitoring Report for more information.

Emergency Constraint 4 Summary

ECPM	Description	Current Value	Current Target	Evaluation
4.1	COVID-19 Communications	60 Communications	26	Exceeded Goal
4.2	PPE	100%	100%	On Track

Note: The Houston ISD COVID-19 PPE Tracker was officially implemented the week of May 11th.

HOUSTON INDEPENDENT SCHOOL DISTRICT

Thank you



HISD | Research and Accountability

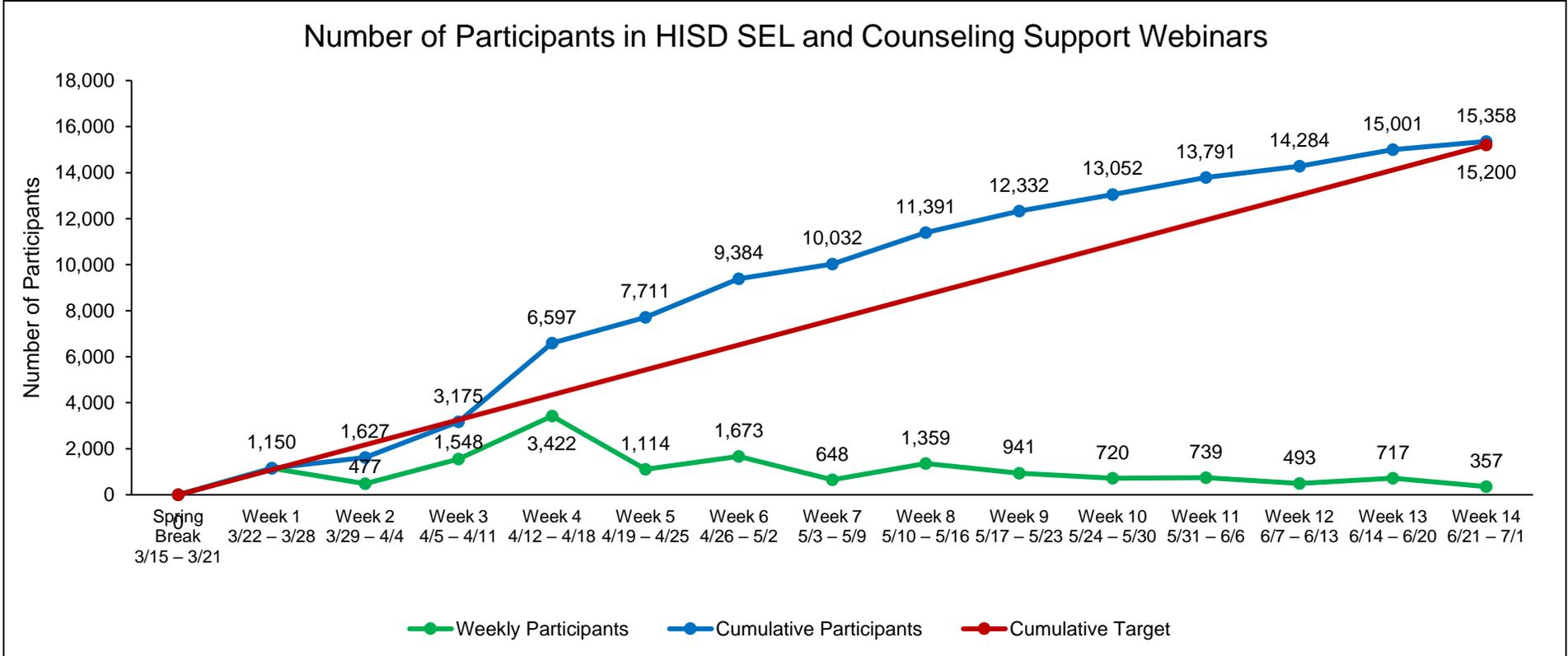
ANALYZING DATA, MEASURING PERFORMANCE.

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

Emergency Constraint 1, Agenda Review - August 2020				
Emergency Constraint 1				
The superintendent will not operate without addressing the social and emotional needs of all students.				
Emergency Constraint 1 – Next Steps				
Emergency Constraint 1 Summary				
ECPM	Description	Current Value	Current Target	Evaluation
1.1	SEL Counseling and Support Webinars	15,358 Participants	15,200	Met Goal
1.2	Wraparound Services	18,910 Services	15,000	Exceeded Goal
1.3	Counseling Checks	206,161 Checks	175,000	Exceeded Goal

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

Emergency Constraint Progress Measure 1.1 – Agenda Review - August 2020	Evaluation
The number of participants in HISD Social and Emotional Learning (SEL) and counseling support webinars will increase from 0 on March 20, 2020, to 15,200 by July 1, 2020.	Met Goal



Notes

- Source: Webinar participants live and recorded.

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

ECPM 1.1 Support Data – SEL and Counseling Support Webinars

The SEL and Counseling Support Webinars are 30-minute webinars every Wednesday that focus on how parents can address their children's Social and Emotional needs. In addition, 15-minute Mindful Monday webinars are offered bi-weekly which focus on interactive Mindfulness tools. Weekly updated resources are also provided such as SEL lesson plans and tips for their social and emotional learning (SEL) growth during the COVID-19 school closures. Toolkits for children, teens, and parents are provided for their mental health needs.

Families are alerted to the webinars by Media Relations in addition to Twitter (@SELHISD), Facebook, and LinkedIn. Links to webinars are provided through the Microsoft Teams platform. In addition, parents can access the webinars through the SEL HISD webpage and YouTube.

Webinar Topics

Topics are determined based on emails and referrals received in addition to recommendations from The Collaborative for Academic and Social and Emotional Learning (CASEL), Mental Health America (MHA), and National Alliance on Mental Illness (NAMI). These topics include but are not limited to:

- Coping with Stress, Anxiety, and Depression;
- How to Avoid Coronavirus Anxiety and Stress;
- Supporting Teenagers during the Coronavirus Crisis;
- How to Interact with Your Child(ren);
- How to be Okay During a Crisis; and
- How to Understand if You Need Professional Services

Additional SEL Counseling Services

The SEL Department has established a process to provide virtual counseling services to students during his transition period. Virtual services include academic, behavioral, and student support and resources. They provide resources to assist campuses and families with managing behavior and addressing mental health concerns. Campus support is available to help with triaging crisis concerns, behavioral incidents, and mental health referrals.

Point of Contact During Business Hours: HISDSEL@houstonisd.org or 713-923-8597

Support is provided for Tier 1, 2, & 3 – Academic, Behavioral Strategies, and Interventions

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

ECPM 1.1 Support Data – SEL and Counseling Support Webinars

Additional SEL Department Services

- Behavioral Consultations for Parents and Campus Staff
- SEL Lessons to assist with Stress, Anxiety, and Coping Strategies
- Parental Consultation for extreme mental health and psychotic behaviors
- Restorative Practices for families
- Mindfulness for Adults and Students
- SEL Lessons and Strategies for students and families
- Teacher Support for SEL Curriculum

Webinar Participation – Live vs Recorded by Week

Week Number	Date Range	Live Participants	Recorded Participants	Total Participants
Week 1	3/22 – 3/28	888	262	1,150
Week 2	3/29 – 4/4	200	277	477
Week 3	4/5 – 4/11	1,180	368	1,548
Week 4	4/12 – 4/18	2,551	871	3,422
Week 5	4/19 – 4/25	722	392	1,114
Week 6	4/26 – 5/2	1,356	317	1,673
Week 7	5/3 – 5/9	317	331	648
Week 8	5/10 – 5/16	1,035	324	1,359
Week 9	5/17 – 5/23	565	376	941
Week 10	5/24 – 5/30	414	306	720
Week 11	5/31 – 6/6	503	236	739
Week 12	6/7 – 6/13	236	257	493
Week 13	6/14 – 6/20	504	213	717
Week 14	6/21 – 7/1	106	251	357

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

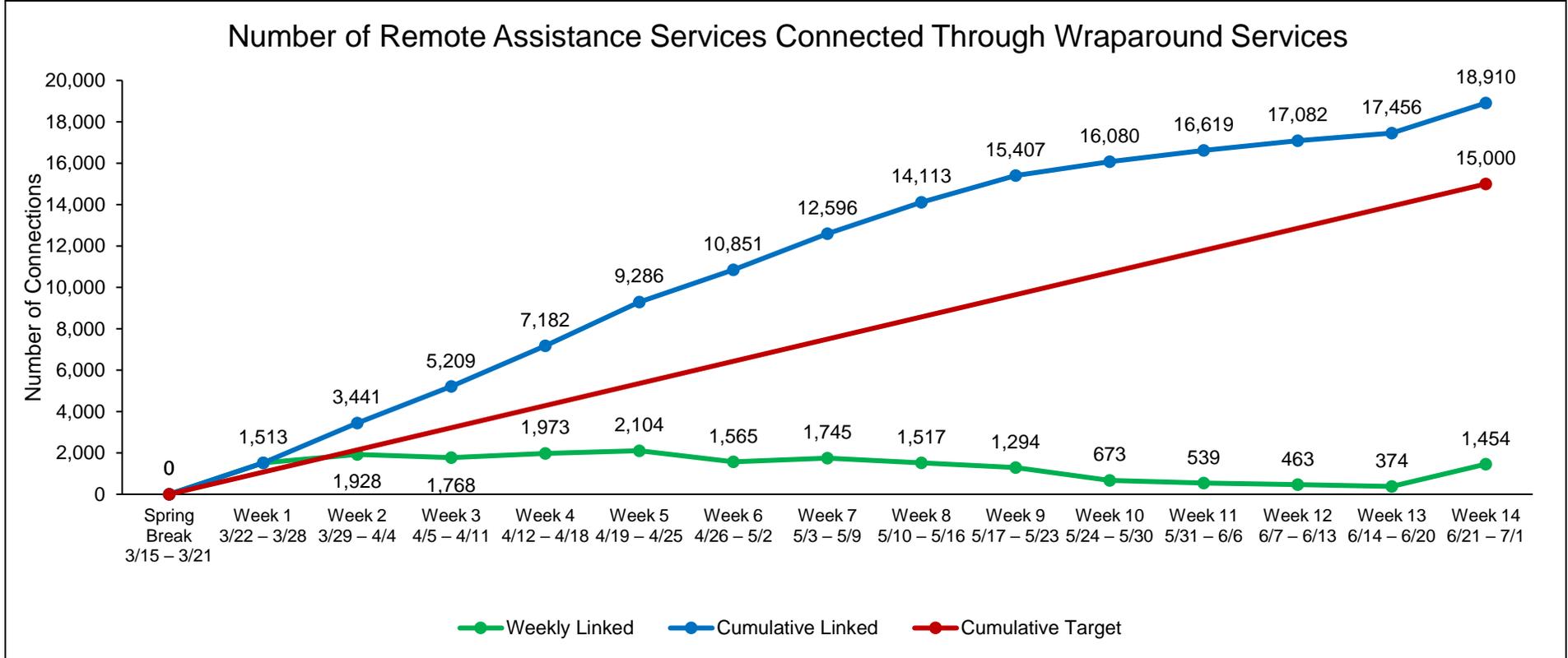
ECPM 1.1 Status

During the COVID-19 pandemic, the Social Emotional and Learning (SEL) Department has been committed to improving the emotional wellness of our students and families. Our department has developed and implemented initiatives to ensure students health, safety, and well-being by continuing to serve our families with additional resources and SEL services. The SEL team has been dedicated to increasing awareness and resources for students, parents, and teachers around mental health, trauma informed practices, mindfulness, and resources to improve outcomes for our students.

- At the start of the COVID-19 closing, the SEL team quickly worked to address the impending crisis by quickly moving as many services to digital and remote platforms as possible. This included Weekly SEL Webinars and services focused on dealing with anxiety, coping, stress, and trauma for HISD Students, Families, and Staff. As the semester continued, our Communications department provided services in helping to spread the word around the trainings and webinars through various platforms, including social media.
- This fall, we will provide monthly mental health webinars and partner in Parent University to provide students, parents, and teachers with online training for anxiety, self-awareness, self-regulation, de-escalation, conflict resolution, mental health first aid and restorative practices for families. Parents and caregivers will receive resources to support their own emotional well-being so that they are better able to help their children manage their emotions and build resiliency.
- In addition, we will implement online SEL curriculum for students and parents designed to foster communication, connection, and community. Additionally, it teaches coping skills, self-awareness, self-regulation, problem solving, and decision making for use both in and outside the classroom.
- The Mental Health Hotline will provide parental consultation and will be leveraged to provide on-demand counseling services and support for students and families.

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

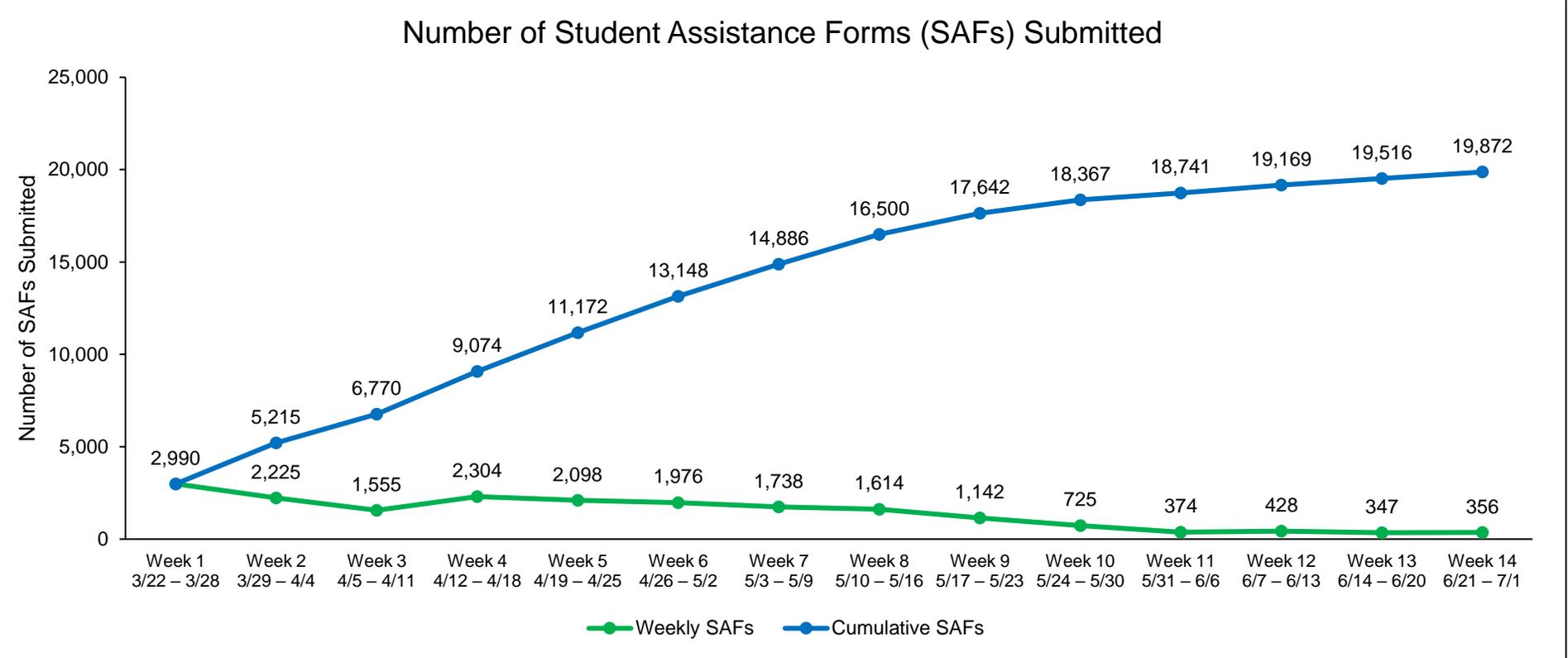
Emergency Constraint Progress Measure 1.2 – Agenda Review - August 2020	Evaluation
The number of remote assistance services connected each week through Wraparound Services will increase from 0 on March 20, 2020, to 15,000 by July 1, 2020.	Exceeded Goal



Notes
<ul style="list-style-type: none"> Source: Student Assistance Forms (SAFs) Submitted Report from ProUnitas Only includes SAFs opened and closed after March 22, 2020 until July 1, 2020.

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

ECPM 1.2 Support Data – Student Assistance Forms Submitted



- Notes**
- Source: SAFs Submitted Report from ProUnitas
 - Only includes SAFs opened after March 22, 2020 until July 1, 2020.

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

ECPM 1.2 Support Data – Student Assistance Forms

Student Assistance Forms (SAFs)

When a SAF is submitted:

- A new SAF item is created in PURPLE (the district's wraparound service tracker).
- The campus' wraparound specialist receives the form.
- The specialist links the student to an appropriate resource or service (i.e. check-in, external service, counseling session).
Note: Specialists use a vetted list of providers and resources.
- The SAF is marked as linked in PURPLE.

In light of COVID-19, the wraparound specialists have been assigned to serve students from campuses not currently designated as wraparound campuses. Therefore, a wraparound specialist has been assigned to every campus.

Note: A SAF can be filled out by student, parent, community member, or staff member. It can be found at www.tinyurl.com/hisdsaf (Must disable popup blocker).

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

ECPM 1.2 Support Data – Wraparound Resource Specialists

Updated for COVID-19: Wraparound Resource Specialists Tasks

- Revise the current campus plan based on Coronavirus current situation:
 - Help identify where food pantries/distribution sites are available;
 - Help families apply for Food Stamps and Medicare/Medicaid;
 - Help student and families with basic needs (toiletries/clothing);
 - Help connect students to Mental Health providers; and
 - Provide extended learning tips for caregivers – create a list of fun activities that can be done at home or at a park.
- Outreach to families using campus-wide communication processes to broadcast information about available resources.
- Check in with families for specific needs (pre-existing from Purple priority list).
 - Develop a specific list for students coded as homeless and other special populations, and coordinate with Manager for prescriptive plan of action.
- Continue to request SAFs from staff members who hear of student's needs.
- Log all interventions in Purple each day.
- Call families in case of need (as observations)/Create means of direct communication with parents (cell or *67).
- Coordinate weekly check-ins with the Principal. Inform him/her of student needs' that have been requested.
- Continue to use PurpleSense as the primary form of documentation of work.
- Coordinate donation drives and social distancing for pick up (optional).
- Communicate with Community Partners and Service Providers to seek additional resources, if available.
- Coordinate a plan of action with current Service Providers to continue services that do not require face-to-face meetings.
- Continue to Volunteer at HISD Food Distribution/Pickup Sites (optional).

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

ECPM 1.2 Status

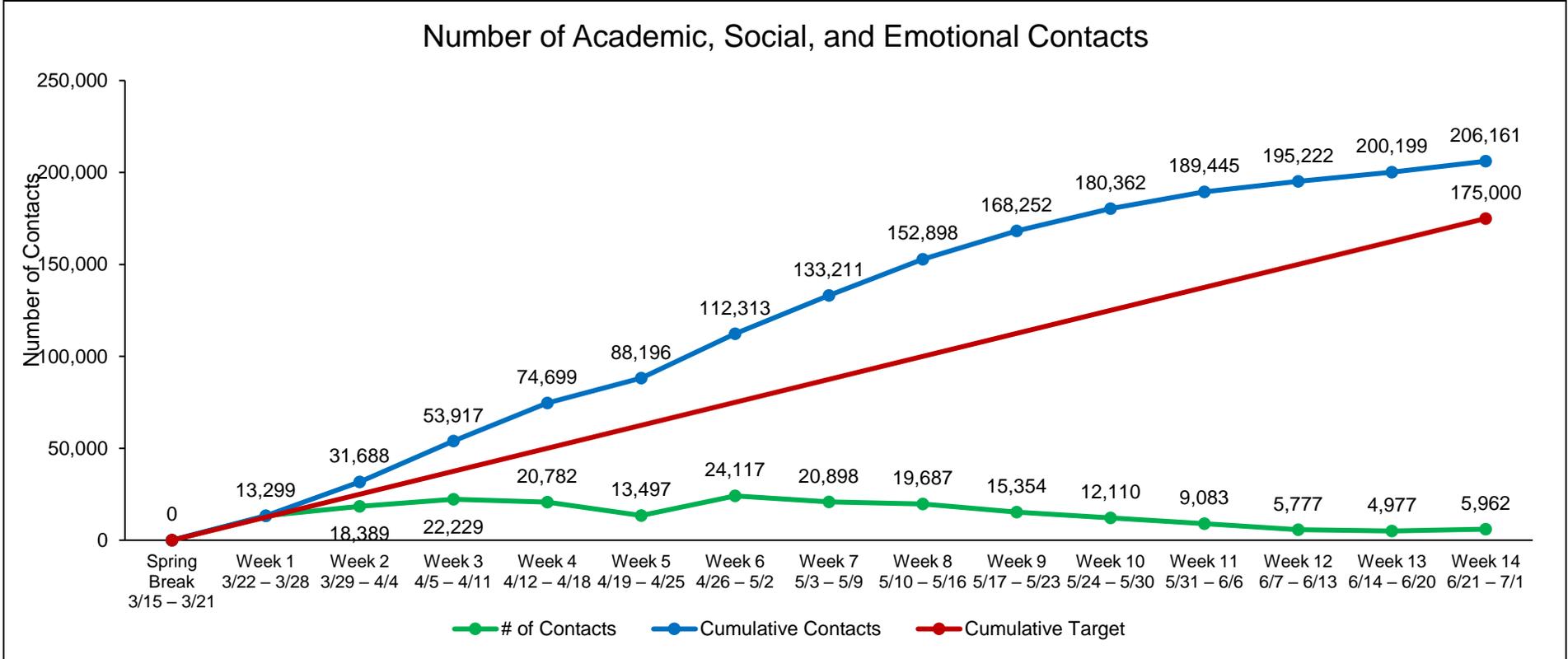
The onset of the COVID-19 pandemic has highlighted the tremendous value of Wraparound Resource Specialists and the roles they play in supporting the non-academic needs of our students and families. The unprecedented transition to remote learning and massive shifts in the local employment landscape, created an unprecedented demand for services to meet basic needs. This continuous growth in SAF referrals represents the growth in need, especially considering the context of working within a remote environment.

In response to the pandemic, we expanded Wraparound Services to all 280 campuses by pairing specialists with a second campus, so that all families could be served. This upcoming year, the program will expand from having a specialist at 140 campuses, to having specialists at 210 campuses. Independent of how we return to school, Wraparound Services will be in alignment with district re-opening plans that will accommodate physical, virtual, and hybrid options; and the program will continue to offer Wraparound Supports to all district schools, independent of whether the campus has a full-time Wraparound Specialist assigned.

Wraparound Services sees itself as vital to the district's Instructional Continuity plan. Wraparound Service Specialists will continue to build partnerships between their campuses and resources that are available within their local communities. Specialists will continue to work collaboratively with school leadership, counselors, nurses and teachers to ensure that families are properly connected to resources that will enhance their child's overall academic success. Wraparound specialists will also play an important role in supporting the recovery of students back to their campuses, especially those who may not have fully engaged during the spring semester; often times lack of engagement is tied to lack of access to more basic needs, which Wraparound Specialists are uniquely positioned to support.

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

Emergency Constraint Progress Measure 1.3 – Agenda Review - August 2020	Evaluation
The number of centrally documented remote academic, social, and emotional contacts with students and families will increase from 0 on March 20, 2020, to 175,000 by July 1, 2020.	Exceeded Goal



Notes
 Source: Counseling Department
 Note: Campuses reported counseling contact made to families regarding academic, social, and emotional needs to the Counseling Department.

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

ECPM 1.3 Support Data – Academic, Social, and Emotional Counseling Support

Campus counseling supports are provided by the campus counselor, a counselor designee, or the campus dean. A student needing SEL assistance at a campus without a counselor or social worker is referred to the Academic and Career Counseling team or the SEL team.

Academic Counseling Support

Include, but not limited to, students not logging into lessons, graduation needs, and students missing assignments for a particular class and the teacher is having trouble contacting the student.

Social and Emotional Counseling Support

Counselors are continuing group sessions in Teams, keeping office hours for students, and offering bookings for students to reach out for counseling. In addition, counselor are providing support to students missing school friends, depressed student due to a break-up, or a student is experiencing grief or suicidal thoughts.

Contacts can include, but are not limited to, ClassDoJo, YouTube, emails with a response from parents and/or students, Google Voice, phone calls, texts, and Microsoft Teams.

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

ECPM 1.3 Status

During the COVID 19 pandemic, the Department of Counseling and Compliance has been committed to training campus-based personnel on conducting wellness check-ins for students and their families around academic and social and emotional needs. This included providing virtual plans for campus staff to use in virtual meetings with students/families when they had questions or concerns around academics and/or social and emotional needs.

Campus counseling supports are provided by the campus counselor, a counselor designee, or the campus dean/AP. A student needing SEL assistance at a campus without a counselor or social worker is referred to the Academic and Career Counseling team or the SEL team. Contacts included, but are not limited to, ClassDoJo, YouTube, emails with a response from parents and/or students, Google Voice, phone calls, texts, and Microsoft Teams.

Why did we see this result?

- The counselors/counselors designees have been providing these services to their campuses all year. The change to providing these services virtually was not the norm, but the counselors/counselor designees made the necessary adjustments to support their students, community, and campus families.

What changes will be made in the fall?

- The Academic and Career Counseling Department (ACC) attended virtual trainings throughout this summer in preparation to provide training and support to the campus-based counselor/counselor designees. Job Alike professional development will focus on Virtual Counseling: Academic and Social & Emotional Support. Throughout the year each professional development opportunity will have a component that focuses on providing virtual counseling.
- The ACC Department has teamed up with the SIS team to ensure the new SIS system has a place on the counseling dashboard to easily document the services the counselor/counselor designee will be providing for the students on campus.

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

Emergency Constraint 2, Agenda Review - August 2020

Emergency Constraint 2

The superintendent will not operate without addressing the health and safety needs of all students.

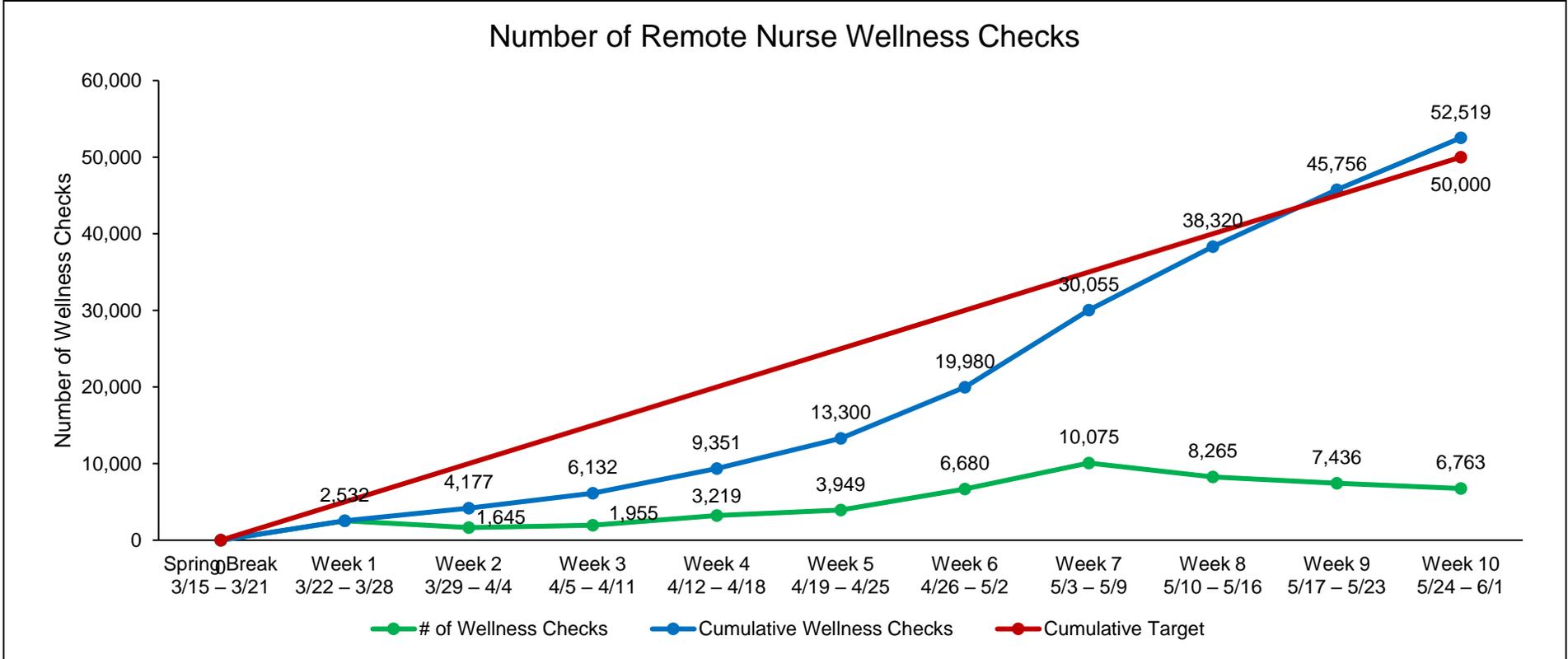
Emergency Constraint 2 – Next Steps

Emergency Constraint 2 Summary				
ECPM	Description	Current Value	Current Target	Evaluation
2.1	Remote Nurse Wellness Checks	52,519 Checks	50,000	Met Goal
2.2	Food Distribution	6,122,174 Meals	5,323,640	Not On Track*

*Due to the surge in COVID-19 in the Houston area, food distribution was reduced from 42 to 5 sites between July 2nd and 20th to protect the health and safety of students and staff. Before the change, the district was on track to meet the final goal of 6,654,550 meals distributed but will now likely fall short.

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

Emergency Constraint Progress Measure 2.1 – Agenda Review - August 2020	Evaluation
The number of remote nurse wellness checks with students and families will increase from 0 on March 20, 2020, to 50,000 by June 1, 2020.	Met Goal



Notes
Source: Chancery SIS

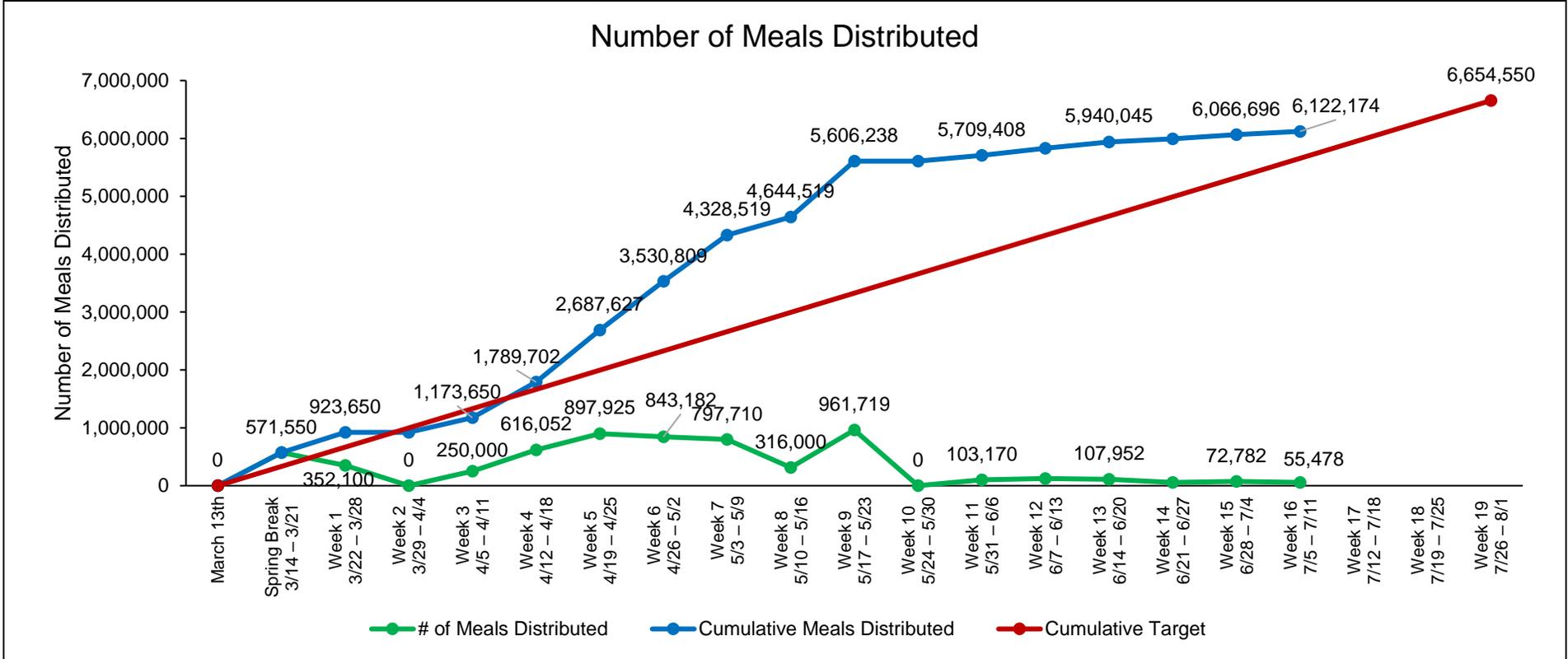
COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

ECPM 2.1 Status

- During the closure of schools, nurses conducted wellness checks on students weekly. Initially nurses checked only on students with documented chronic illnesses and students receiving medications. Nurses started having an increase in the number of Covid-19 positive students and their and families. Some of the nurses started making wellness calls to all their students. There were 25,488 students documented with medical alerts and chronic health conditions in HISD. Our targeted goal was 50,000 by June 1, 2020 to reach students at least twice during the closure of schools. Nurses remote wellness checks goal was met at 52,519.
- This fall, while working remotely, nurses will continue wellness checks on students with chronic illnesses and medications. With the increase number of Covid-19 positive cases in Houston, nurses will be busier monitoring for Covid-19 positive individuals, doing contact tracing and providing support for students and parents.
- During the reopening of schools all school must select a Wellness Team. Nurses will take part in the reopening plan of their schools by leading the wellness team to screen students and staff upon entry. They will check for Covid-19 symptoms during the day when students and staff return to the campus. PPE will be provided for all campuses. Nurses will provide resources for students and their families for physical and mental healthcare during the Coronavirus pandemic and the opening of school.

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

Emergency Constraint Progress Measure 2.2 – Agenda Review - August 2020	Evaluation
The number of meals distributed through the Houston Food Bank and district collaboration will increase from 0 meals on March 13, 2020, to 6,654,550 meals by August 1, 2020.	Not On Track*



Notes

- Sources: March 13th through Week 9 – HISD Nutrition for weekday distribution; Houston Food Bank for NRG distribution. Week 10 through Week 19 – HISD Nutrition Services Compliance and Accountability
- *Due to the surge in COVID-19 in the Houston area, food distribution was reduced from 42 to 5 sites between July 2nd and 20th to protect the health and safety of students and staff. Before the change, the district was on track to meet the final goal of 6,654,550 meals distributed but will now likely fall short.

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

ECPM 2.2 Notes – Meal Program Closures

- No food was distributed the week of March 29th while the food distribution health and safety procedures were reviewed.
- No food was distributed the week of May 24th as Nutrition Services transitioned from the Houston Food Bank partnership to the Summer Meals Program.
- Curbside Summer Meals sites closed at several schools on June 22nd due to inlement weather.
- HISD temporarily closed most Curbside Summer Meals sites from July 3rd until July 20th due to guidance from public health officials and rising numbers of COVID-19 cases throughout the city. Five strategically located sites continued to offer Curbside Summer Meals and the Houston Food Bank's Coronavirus Food Asistance Program throughout the closure.

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

ECPM 2.2 Notes – Summer Meals Program

How Food is Counted Towards ECPM

- Breakfast, Lunch, and Dinner each count as one meal distributed.
- Each snack is counted as 1/5th of a meal.

Program Overview

- The Summer Meals Program is a state mandated program that started June 1st.
- Families can pick up 3 days worth of boxed student meals on Mondays and 4 days worth on Thursdays at [designated schools](#).
- Meals will be distributed between 10:00AM and noon and noon and 2:00PM depending on campus site.
- Each box contains breakfast, lunch, dinner, and a snack.
- Boxes will be provided for all children in the vehicle.
- If children are absent, the driver must show proof of enrollment in any school district (report card, student ID, etc.) or a birth certificate.
- Further information is available at www.houstonisd.org/summermeals or calling Customer Care at 713-556-9400.
- Planning to distribute food through August 23rd.

Community Outreach

- Nutrition Services is routinely monitoring community needs and may add additional campuses for food distribution when necessary.

Fresh Bus Food Distribution

- Fresh Bus school buses are providing weekly deliveries of fresh fruit and vegetables to several locations in each school community.
- Additional information can be found at <https://www.houstonisd.org/freshbus>.
- These distributions are not counted toward the ECPM.

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

ECPM 2.2 Notes – Houston Food Bank Partnership (Ended May 22nd)

How Food is Counted Towards ECPM

- Each package distributed at a campus contains 30 pounds of food. This is 25 meals per package using the Feeding America Standard (1.2 pounds per meal).
- Each package distributed at NRG contains 80 pounds of food. Each package is counted as 67 meals.

Food Distribution Process

- HISD Nutrition Services, working with the Houston Food Bank, is using the Hexser T. Holliday Food Services Support Facility as the central hub.
- Staff pack food boxes at the facility, which are distributed to sites Monday through Friday.
- Each site distributes up to 500 boxes per day.

Onsite Distribution Process

- Staff members fill out an Emergency Food Assistance Program form for each family and place boxes of food in the car.
- Families walking to distribution sites must adhere to social distancing requirements.

Safety Measures

- HISD is employing the Standard Distribution Method developed by the I Love You Guys Foundation.
- More information can be found at <https://iloveguys.org/sdm.html>.

Saturday Super Site (NRG) Food Distribution Process

- Food is delivered from the Houston Food Bank and given out to present families.
- The food is not pre-boxed at the Bennington facility by HISD staff.
- Emergency Food and Shelter Program (EFSP) forms are not completed for the super site distributions, since the Houston Food Bank is not using EFSP funds for the food distributed.

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

ECPM 2.2 Status

- HISD temporarily closed most Curbside Summer Meals sites from July 3rd until July 20th due to guidance from public health officials and rising numbers of COVID-19 cases throughout the city. Five strategically located sites continued to offer Curbside Summer Meals and the Houston Food Bank's Coronavirus Food Assistance Program throughout the closure.

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

Emergency Constraint 3, Agenda Review - August 2020

Emergency Constraint 3

The superintendent will not operate without engaging all students in learning.

Emergency Constraint 3 – Next Steps

Emergency Constraint 3 Summary				
ECPM	Description	Current Value	Current Target	Evaluation
3.1	Digital Engagement – Clever Portal	17% of Students	43%	Met Goal*
3.2	Printed Packets Distributed	41,414 Packets	40,644	Exceeded Goal
3.3	Documented SWD Services	25% of SWDs	85%	Did Not Meet

*Between the weeks of March 29th and April 25th, the district was above the goal of 43%.

Needed Actions

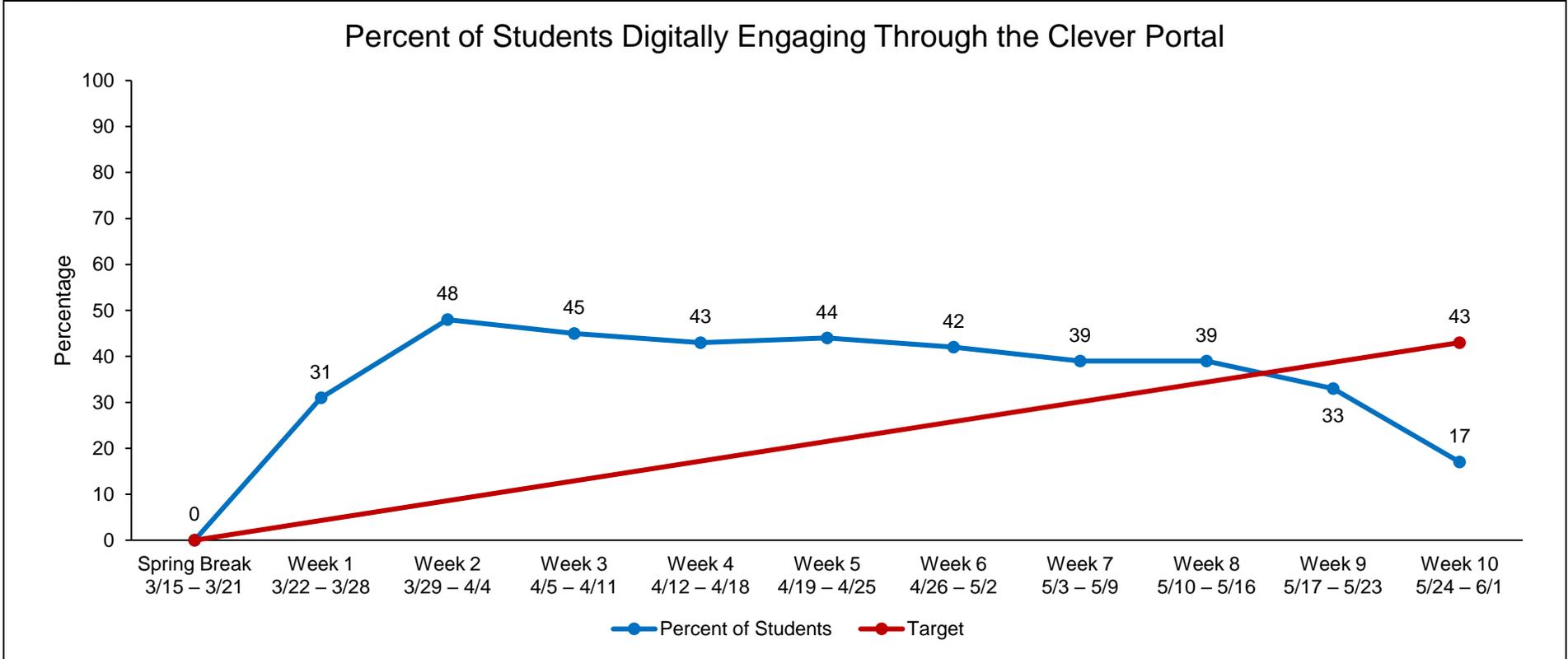
- Adoption of a constraint addressing students receiving special education services. Specifically, “The superintendent shall not operate without addressing the needs of students receiving special education services.”

HISD | Research and Accountability

ANALYZING DATA, MEASURING PERFORMANCE.

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

Emergency Constraint Progress Measure 3.1 – Agenda Review - August 2020	Evaluation
The percentage of students digitally engaging with HISD@H.O.M.E. through the Clever Portal at least once during the week will increase 43 percentage points from 0% on March 20, 2020, to 43% by June 1, 2020.	Exceeded Goal

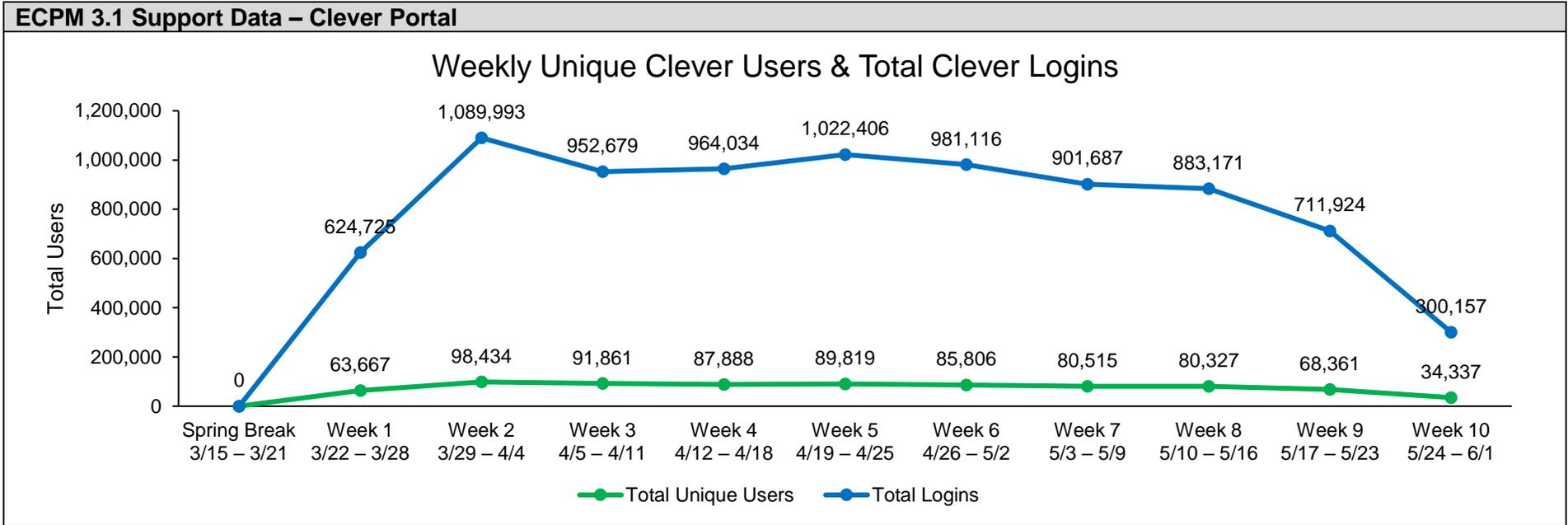


Notes
<ul style="list-style-type: none"> • Source: Clever data files • The HUB metrics are provided in support data.

HISD | Research and Accountability

ANALYZING DATA, MEASURING PERFORMANCE.

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020



COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

ECPM 3.1 Support Data – Digital Resources

Online learning is primarily happening through the Clever Portal, The HUB, Microsoft Teams, and Google Classroom. A brief description of each digital environment is provided below:

Clever Portal

- Clever Portal is the access point for most of our digital resources. This allows teachers and students to have a primary login to minimize the number of usernames and passwords required.
- Clever Portal provides access to a number of applications including Imagine Math, myON, Imagine Language & Literacy, OnTrack, and Khan Academy.
- Teachers can create a customized experience for their students including highlighting resources used in the course.

The Hub

- Data Source: The HUB Advanced Reporting.
- The HUB is a learning management system. It allows teachers to give assignments and provide digital resources to students.
- The HUB allows teachers to create interactive, online lessons with a variety of resources.

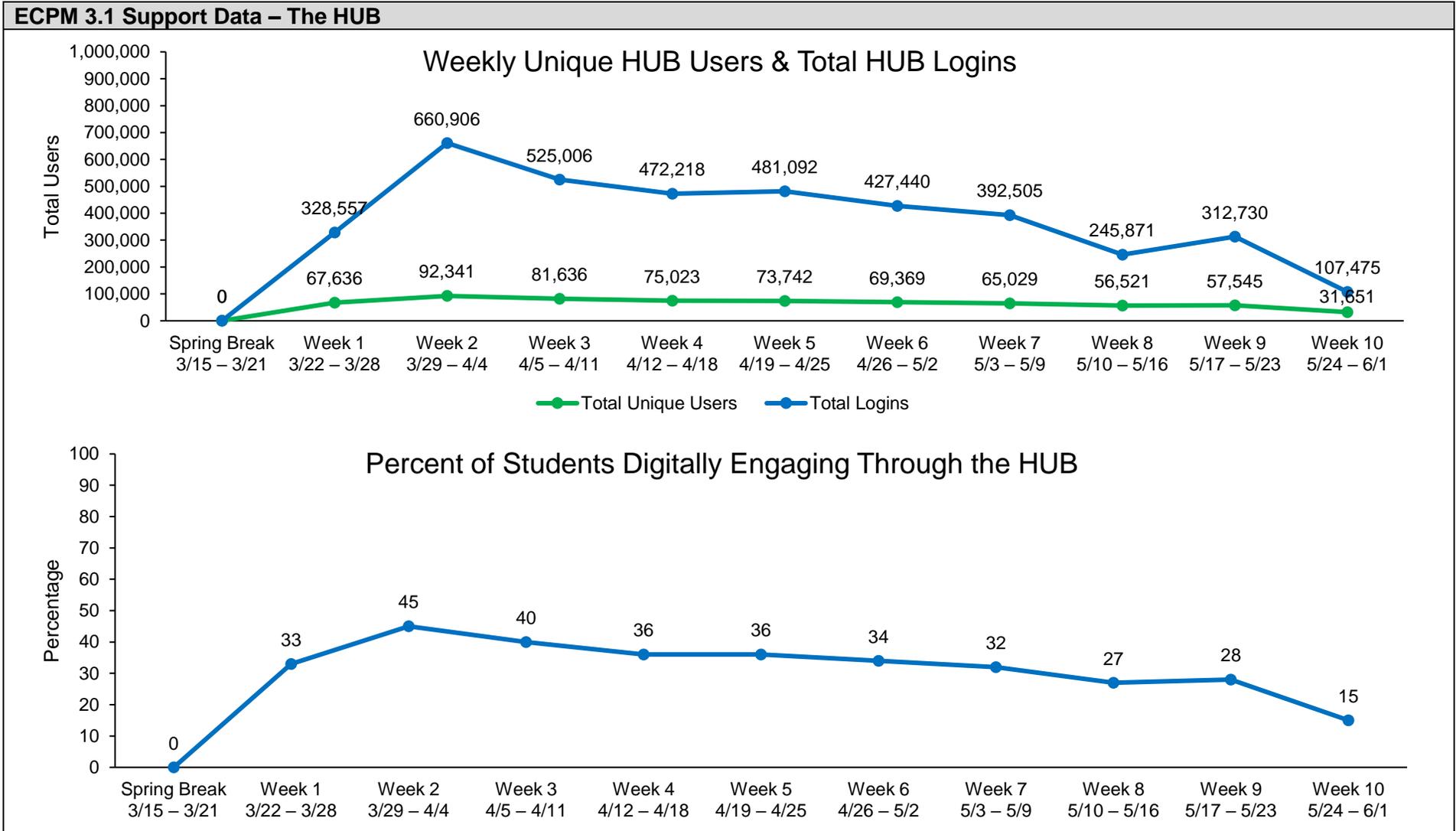
Google Classroom

- Data Source: Google Analytics
- Google Classroom is a light version of a Learning Management System (LMS).
- Classroom allows teachers to give assignments and provide digital resources to students.
- Teachers can create interactive, online lessons with a variety of resources.
- Metrics (such as unique and total student logins) are not currently provided in alignment with board reporting.

Microsoft Teams

- Data Source: Microsoft
- Teams is a way to virtually interact with students.
- Assignments can be given to students and provides teachers a way of having a more personalized experience with their students.
- Metrics (such as unique and total student logins) are not currently provided in alignment with board reporting.

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020



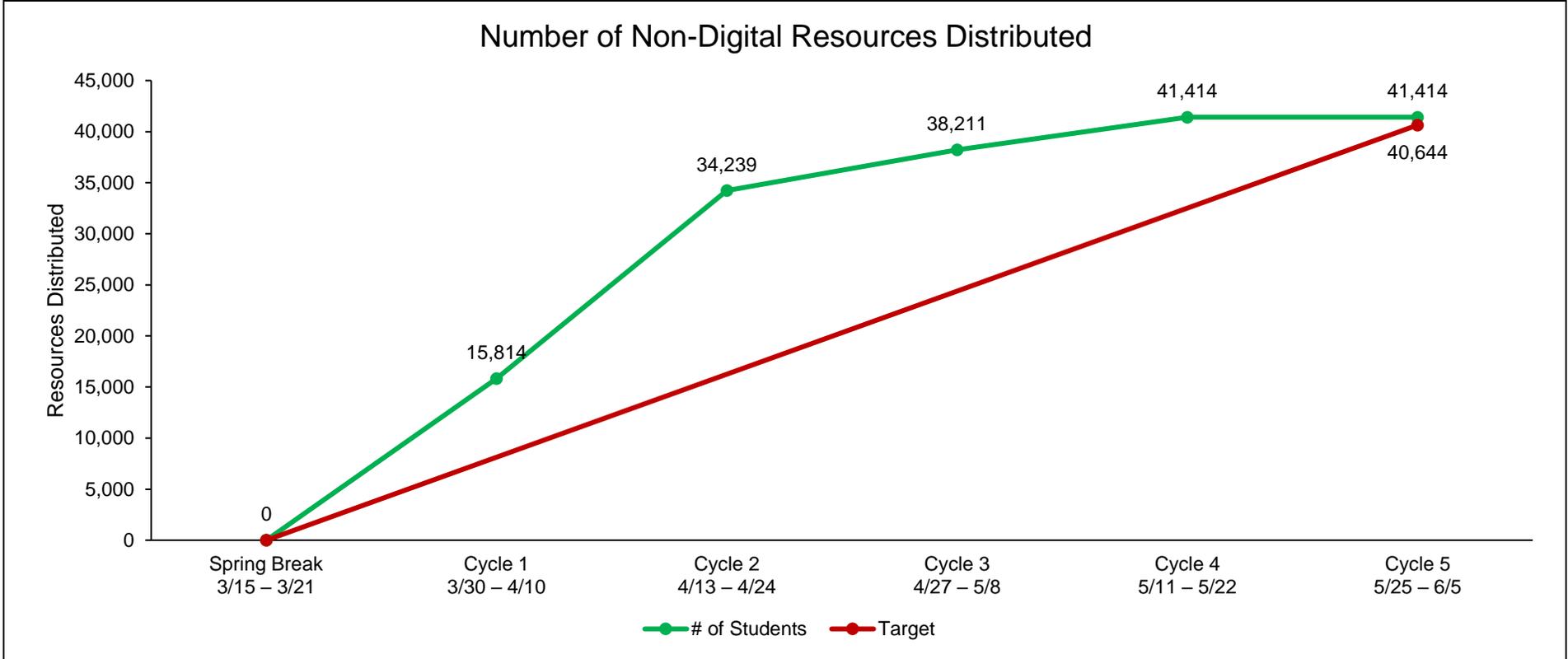
COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

ECPM 3.1 Status – Digital Engagement

Participation increased when students were under the assumption that grades would be counted for the semester. When the announcement was made regarding grades not counting for the remainder of the semester, there was a significant decrease in student participation. During the 2020–2021 school year, all grades will be counted for all subjects. Students will also be held accountable for attendance daily. As outlined in the Instruction Continuity Plan, it clarifies the roles of administrators, teachers, students, and families relative to the implementation of remote instruction, as well as content delivery options. The plan also provides clear expectations regarding the amount of time students will need to devote to schooling each day and throughout the week. Professional development opportunities and standardized digital platforms will be available for all stakeholders. The key goal of the plan is to keep instruction at the forefront for all students.

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

Emergency Constraint Progress Measure 3.2 – Agenda Review - August 2020	Evaluation
The number of students receiving non-digital resources distributed for student HISD@H.O.M.E. learning will increase from 0 on March 20, 2020 to 40,644 by June 1, 2020.	Exceeded Goal



Notes
<ul style="list-style-type: none"> Source: Academic Directors

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

ECPM 3.2 Support Data – Non-Digital Resources

Non-Digital Resource Production

- The Elementary Curriculum Department develops two-week instructional packets for grade levels PreK-5 in core content areas and fine arts.
- The Secondary Curriculum Department develops two-week discipline/literacy focused instructional packets for Middle and High Schools.
- The Special Education Department develops two-week instructional packets for students in self-contained service areas.
- Instructional Packets are provided in English and Spanish.
- The master files for all packets are provided to HISD Printing Services for production (printing and mailing/distribution).

Student Identification Process

- Schools conducted a technology wellness survey with students and families to identify students who would need the support of non-digital instructional materials. Each school provided their list of student names to the Area Office Directors.
- The Area Office Directors provided the combined Area student request list to Academics. Addresses are obtained from the student information system to provide HISD Printing Services by packet level for production.
- Students and families can self-identify need for a non-digital instructional packet by calling the HISD@H.O.M.E. Hotline (713-892-7378).

Distribution Process

- Non-digital instructional resources are provided to students in a two-week instructional cycle.
- Initial cycle 1 packets were provided to schools to distribute with at-home materials.
- Cycles 2 through 5 packets are mailed to student homes in envelopes labeled 'HISD Curriculum Packet Enclosed.'

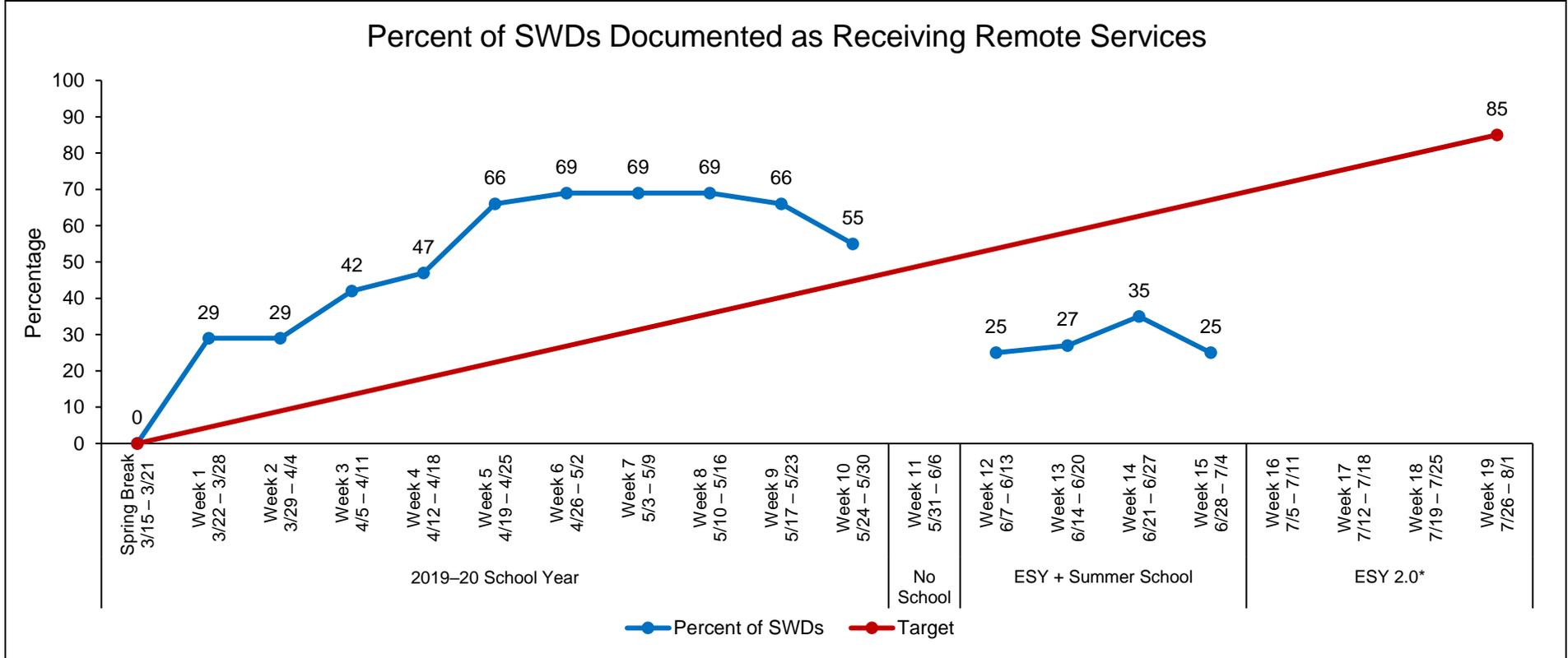
COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

ECPM 3.2 Status – Non-Digital Resources

- The district met the goal set around providing non-digital resource to the projected number of students with limited to no technology access or functional technology resources in the home.
- The COVID-19 pandemic has increased the awareness of students' access to technology and internet services, as families and students are grappling with issues related to academics, general wellbeing, and financial challenges.
- The district will continue to support students through the fall to provide non-digital instructional resources by providing grade-level appropriate resources with timely distribution.

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

Emergency Constraint Progress Measure 3.3 – Agenda Review - August 2020	Evaluation
The percentage of special education students receiving remote services at least once weekly will increase from 0% the week of March 23, 2020 to 85% by August 1, 2020.	Did Not Meet



Notes

- Source: Office of Special Education Services Support Log; TCAH Special Education Services Support Log (3/31 – 5/7); EasyIEP (3/23 – 6/2)
- Note: *ESY 2.0 is for students needing additional time for recoupment as outlined by an ARD committee in their IEP. Due to the very small number of students in this group, it is inappropriate to track towards ECPM 3.3. Therefore, the progress measure tracking will end with the conclusion of summer school and ESY on July 2.

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

ECPM 3.3 Status – SWDs Receiving Remote Service

Summer School and Extended School Year (ESY) Services: June vs July

- During summer 2020, learning for students with disabilities was offered in two ways: 1) traditional **Summer School** (non-ESY ARDed) for students with disabilities who access the general education curriculum and who were identified in the fifth quantile. All students who were identified in the fifth quantile were offered traditional Summer School to address potential deficits and/or regression due to COVID-19. Traditional Summer School was a district-wide intervention for non-ESY ARDed students who receive direct core content instruction within the general education setting and 2) **Extended School Year (ESY) Services** for students with disabilities who have ESY goals and objectives to address academic regression. Academic goals and objectives addressed in ESY may also include speech and language therapy services. ESY is an ARD-IEP committee decision and upon completion of the ESY timeframe, the ARD-IEP committee may determine that additional ESY time is needed to sufficiently address ESY goals and objectives.

Data Collection Process

- The use of the Constraint-3 Log continued during traditional Summer School and ESY. The intent of the log was to capture teacher-student contact and document services provided to students with disabilities during both Summer School and ESY. The Constraint-3 Log was a three-way collaborative data collection effort between the Office of Special Education Services, the Office of Research and Accountability, and campus leadership. Based on enrollment, student information was prepopulated by campus assignment onto the Constraint-3/Google spreadsheet and access was provided to the Office of Research and Accountability data tracking. Every Monday (started June 8, 2020 - Summer School/ESY launch), these prepopulated Constraint-3 spreadsheets were disseminated to each campus principal and/or teacher who provided the services during Summer School and/or ESY Services. The expectation for teachers was to make contact and capture services rendered to student at least three times per weeks. Campus principals monitor the completion of the log weekly. The Constraint-3 Log was closed out each Thursday to pull data for tracking and reporting purposes. This data collection process continued through the end of Summer School and ESY.

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

ECPM 3.3 Status – SWDs Receiving Remote Service (Continued)

Ensuring Special Education Student Learning Moving Forward: Next Steps

- There were many lessons learned during the pandemic in terms of how services were provided to students with disabilities and methods for tracking these services. Lessons Learned include the following, but not limited to:
 - Inclusion/Co-Teacher/Resource Teachers must become a standard Summer School staffing need for students with disabilities who access the general education curriculum.
 - Ensure that the Office of Special Education Services has Summer School preplanning and in-service time with campus principals, general and special education teachers to establish clear expectations for data collection, tracking, and reporting student contact and services.
 - Ensure that related services provided to students are captured in the Easy-IEP system for tracking and reporting purposes.

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

Emergency Constraint 4, Board Meeting - August 2020

Emergency Constraint 4

The superintendent will not operate without protecting the health and safety of employees.

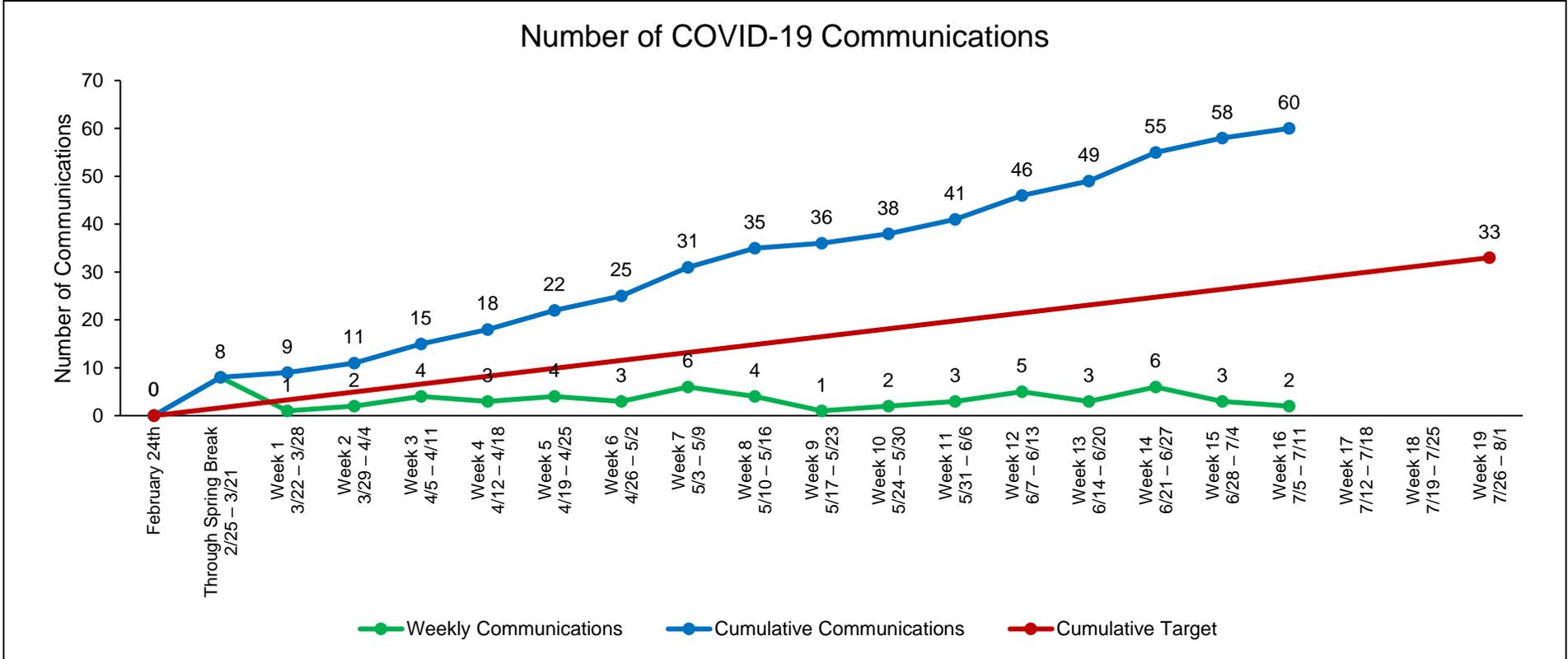
Emergency Constraint 4 – Next Steps

Emergency Constraint 3 Summary				
ECPM	Description	Current Value	Current Target	Evaluation
4.1	COVID-19 Communications	60 Communications	26	Exceeded Goal
4.2	PPE	100%	100%	On Track

Note: The Houston ISD COVID-19 PPE Tracker was officially implemented the week of May 11th.

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

Emergency Constraint Progress Measure 4.1 – Agenda Review - August 2020	Evaluation
The number of COVID-19 communications distributed to district employees will increase from 0 on February 24, 2020 to 33 by August 1, 2020.	Exceeded Goal



Notes

- Source: Houston ISD COVID-19 Communication Tracker
- Note: Superintendent Staff Update eBlasts are counted toward the goal.
- Note: Publicly posted Superintendent updates are posted [here](#).

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

ECPM 4.1 Support Data – COVID-19 Staff Communication

Superintendent COVID-19 Communications:

- Staff Coronavirus Update ([2/26/2020](#))
- Staff Coronavirus Update ([3/3/2020](#))
- Staff Coronavirus Update regarding self-quarantine requirements and perfect attendance and attendance final exam exemptions ([3/5/2020](#))
- Staff Coronavirus Update regarding Travel Reporting, Campus Visitation Policy, Student Workers, Campus Related Events, Spring Breaks, and Absence Policy ([3/11/2020](#))
- Staff Coronavirus Update regarding canceling of classes on March 13th ([3/12/2020](#))
- Staff Coronavirus Update regarding HISD Helping Hands ([3/16/2020](#))
- Staff Coronavirus Update regarding extension of districtwide closure ([3/16/2020](#))
- Staff Coronavirus Update regarding Education Support Professionals Day (3/17/2020)
- Staff Coronavirus Update regarding availability of staff for digital engagement ([3/19/2020](#))
- Staff Coronavirus Update regarding suspension of food distribution ([3/25/2020](#))
- Staff Coronavirus Update regarding HISD@H.O.M.E. ([3/31/2020](#))
- Staff Coronavirus Update regarding continuation of food distribution and safety procedures ([4/1/2020](#))
- Staff Coronavirus Update regarding HISD Spirit Week ([4/7/2020](#))
- Staff Coronavirus Update regarding team HISD efforts during COVID-19 ([4/8/2020](#))
- Staff Coronavirus Update regarding HISD@H.O.M.E. Hotline ([4/9/2020](#))
- Staff Coronavirus Update regarding Grading Guidelines ([4/9/2020](#))
- Staff Coronavirus Update regarding HISD@H.O.M.E. Hotline ([4/15/2020](#))
- Staff Coronavirus Update regarding closure of the school district for the rest of the school year ([4/17/2020](#))
- Staff Coronavirus Update regarding COVID-19 Updates (4/22/2020)
- Staff Coronavirus Update regarding Administrative Professionals Day (4/23/2020)
- Staff Coronavirus Update regarding April 2020 Superintendent's News (4/23/2020)
- Staff Coronavirus Update regarding team HISD efforts during COVID-19 ([4/24/2020](#))
- Staff Coronavirus Update regarding More Information on the CARES Act (4/29/2020)
- Staff Coronavirus Update regarding Lunch Hero Day during COVID-19 ([5/1/2020](#))
- Staff Coronavirus Update regarding Principal Day during COVID-19 ([5/1/2020](#))
- Staff Coronavirus Update regarding Teacher Appreciation Week during COVID-19 ([5/3/2020](#))
- Staff Coronavirus Update regarding Senior Spirit Week ([5/5/2020](#))
- Staff Coronavirus Update regarding COVID-19 Updates (5/6/2020)
- Staff Coronavirus Update regarding District of Innovation ([5/6/2020](#))

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

ECPM 4.1 Support Data – COVID-19 Staff Communication (Cont.)

- Staff Coronavirus Update regarding National School Nurse Day ([5/6/2020](#))
- Staff Coronavirus Update regarding Emergency Constraints (5/8/2020)
- Staff Coronavirus Update regarding National Police Week ([5/10/2020](#))
- Staff Coronavirus Update regarding Graduation ([5/11/2020](#))
- Staff Coronavirus Update regarding Staff Update (5/12/2020)
- Staff Coronavirus Update regarding COVID-19 Updates (5/14/2020)
- Staff Coronavirus Update regarding COVID-19 Updates (5/21/2020)
- Staff Coronavirus Update regarding Let's Stay Connected Hotline ([5/26/2020](#))
- Staff Coronavirus Update regarding Virtual Summer School ([5/27/2020](#))
- Staff Coronavirus Update regarding End of School Year ([6/1/2020](#))
- Staff Coronavirus Update regarding More COVID-19 Testing Sites Open (6/2/2020)
- Staff Coronavirus Update regarding Update on Summer food Distribution ([6/4/2020](#))
- Staff Coronavirus Update regarding Providing Feedback on an 11-Month 2020–2021 Academic Calendar (6/8/2020)
- Staff Coronavirus Update regarding HMW Closure ([6/8/2020](#))
- Staff Coronavirus Update regarding Curbside summer Meals Sites Closures ([6/8/2020](#))
- Staff Coronavirus Update regarding Benefits Update (6/10/2020)
- Staff Coronavirus Update regarding Budget Update (6/10/2020)
- Staff Coronavirus Update regarding Summer Meals Closed at Paige and Port Houston, Re-Open at Oates (6/15/2020)
- Staff Coronavirus Update regarding Update on 2020–21 Academic Calendar ([6/18/2020](#))
- Staff Coronavirus Update regarding HISD Streamlining Food Distribution Programs ([6/18/2020](#))
- Staff Coronavirus Update regarding Chavez Curbside Summer Meal Sites Closed ([6/21/2020](#))
- Staff Coronavirus Update regarding Curbside Summer Meal Sites, Fresh Bus Stops Closed Due to Inclement Weather ([6/22/2020](#))
- Staff Coronavirus Update regarding Update on 2020–21 School Year ([6/23/2020](#))
- Staff Coronavirus Update regarding Information on the CARES Act ([6/24/2020](#))
- Staff Coronavirus Update regarding Benefits Update (6/25/2020)
- Staff Coronavirus Update regarding Fresh Bus Produce Delivery Program Ending ([6/25/2020](#))
- Staff Coronavirus Update regarding No Access to HISD Schools, Facilities from July 3–19 ([6/29/2020](#))
- Staff Coronavirus Update regarding Benefits Update (6/30/2020)
- Staff Coronavirus Update regarding Curbside Summer Meals Update ([6/30/2020](#))
- Staff Coronavirus Update regarding 2020–2021 School Year ([7/8/2020](#))
- Staff Coronavirus Update regarding Benefits Update (7/9/2020)
- Staff Coronavirus Update regarding 2020–2021 School Year Update ([7/15/2020](#))

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

ECPM 4.1 Support Data – COVID-19 Staff Communication (Cont.)

Benefits Communications COVID-19 Communications:

- **February 24–April 21, 2020**
 - [Tweets](#): 25 tweets and numerous retweets on [@TeamHISD](#)
 - [Facebook](#): 14 posts
 - [Instagram](#): 17 Posts
 - Created new [COVID-19 webpage](#) with 3 stories and links to 10 free coronavirus webinars.
 - Added 6 COVID-19-related stories on the [Benefits Spotlight page](#) on “staying active and healthy while staying home.”
 - Added information on 2 free EAP webinars with flyers on [Benefits EAP page](#).
 - Added COVID-19-related information to these Benefits pages: [Kelsey-Seybold](#) (2), [FSA Payflex](#) (2), [Dental Benefits](#) (2).
- **April 22–26, 2020**
 - [Tweets](#): 3 tweets
 - [Facebook](#): 3 posts
 - [Instagram](#): 3 Posts
 - Sent out 1 extensive eBlast to all employees titled “COVID-19 Updates” on April 23.
 - Created new [Retirement Resources](#) page with information on what potential retirees should be doing if they plan to retire after the semester or at the end of the summer.
 - Posted 1 COVID-19-related story on [Benefits Spotlight](#) page on “Smiles for Seniors.”
- **April 28–May 3, 2020**
 - [Tweets](#): 4 tweets
 - [Facebook](#): 2 posts
 - [Instagram](#): 2 Posts
 - Sent out 1 extensive eBlast to all employees titled “More information on the CARES act” on April 29.
 - Posted 2 CareConnect webinars on Benefits COVID-19 page.
 - Posted [Memorial Hermann’s phased approach to safely resume elective services PDF](#) on Benefits COVID-19 page.
 - Posted Kelsey-Seybold “Guidelines for a Healthier Office” PDFs in [English](#) and [Spanish](#) on Benefits COVID-19 page.

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

ECPM 4.1 Support Data – COVID-19 Staff Communication (Cont.)

- **May 4–May 10, 2020**
 - [Tweets](#): 5 tweets
 - [Facebook](#): 5 posts
 - [Instagram](#): 4 Posts
 - May 4: Post Kelsey-Seybold Health Check Newsletter on COVID-19 on the [COVID-19 webpage](#).
 - May 6: Send out 1 eBlast to all employees titled “COVID-19 Updates” with information on the district’s EAP, the Supplemental Sick Leave Bank, Life Events, a Memorial Hermann update, and current HISD testing sites.

- **May 11–May 17, 2020**
 - [Tweets](#): 6 tweets
 - [Facebook](#): 6 posts
 - [Instagram](#): 4 Posts
 - May 11: Post Aetna Mental Health Awareness Guide on [COVID-19 webpage](#).
 - May 11: Post EAP webinar on “Stress: A Way of life or a Fact of Life” at 11 a.m. on May 19, 2020, on [EAP page](#).
 - May 11: Post EAP webinar on “Counseling and Therapy Demystified” at 12 p.m. on May 21, 2020, on [EAP page](#).
 - May 14: Send out 1 eBlast to all employees titled “COVID-19 Updates” with information on May being National Mental Health Awareness Month Kelsey-Seybold clinics reopening, and current HISD testing sites.

- **May 18–May 24, 2020**
 - [Tweets](#): 3 tweets
 - [Facebook](#): 3 posts
 - [Instagram](#): 3 Posts
 - May 21: Post 10 upcoming EAP webinars on [Benefits calendar](#).
 - May 21: Send out 1 eBlast to all employees titled “COVID-19 Testing Sites on HISD property” with information on current HISD testing sites.
 - May 22: Write story on EAP Overview webinar on June 3 and post on [EAP page](#).

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

ECPM 4.1 Support Data – COVID-19 Staff Communication (Cont.)

- **May 30–June 5, 2020**
 - [Tweets](#): 1 tweet
 - [Facebook](#): 1 post
 - [Instagram](#): 1 Post
 - June 2: Sent eBlast to all employees on June 2, 2020, that includes current CVS testing sites and current testing sites on HISD properties.
- **June 6–June 12, 2020**
 - [Tweets](#): 2 tweets
 - [Facebook](#): 2 posts
 - [Instagram](#): 2 Posts
 - June 10: Sent eBlast to all employees on June 10, 2020, that included CVS rapid response testing information, as well as current CVS testing sites and current testing sites on HISD properties.
 - Posted information on HISD Benefits website regarding (1) how to schedule virtual health conversations with Kelsey-Seybold experts and (2) virtual summer camps for kids with Camp Gladiator.
- **June 20–June 26, 2020**
 - [Tweets](#): 1 tweet
 - [Facebook](#): 1 post
 - [Instagram](#): 1 Post
 - June 26: Sent eBlast to all employees that included information on how to get your maintenance prescriptions delivered at no cost, an upcoming virtual wellness series from Aetna in July, current testing sites on HISD properties, and current CVS testing sites.
- **June 27–July 3, 2020**
 - June 30: Sent eBlast to all employees that included information on current testing sites on HISD properties, Next Level onsite and offsite clinics, CVS pharmacies, and Kelsey-Seybold clinics.

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

ECPM 4.1 Support Data – COVID-19 Staff Communication (Cont.)

- **July 4–July 10, 2020**
 - [Tweets](#): 1 tweet
 - [Facebook](#): 1 post
 - [Instagram](#): 1 Post
 - July 9: Sent eBlast to all employees that included information on current testing sites on HISD properties and Next Level onsite and offsite clinics, as well as a link to the Benefits COVID-19 page.

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

ECPM 4.1 Status – COVID-19 Staff Communication

The HISD Communications Department exceeded Emergency Progress Constraint Measure 4.1 by providing frequent, timely, and thorough updates and communications to district staff. Communications to staff were related to COVID-19, nutrition services and food distribution, facilities closures and management, important updates on virtual learning, 2019-2020 end of school year, high school graduation, and summer school plans, and district re-opening plans for the 2020-2021 school year. A total of 60 communications were distributed under Emergency Progress Constraint Measure 4.1. This figure nearly doubled the target number of communications.

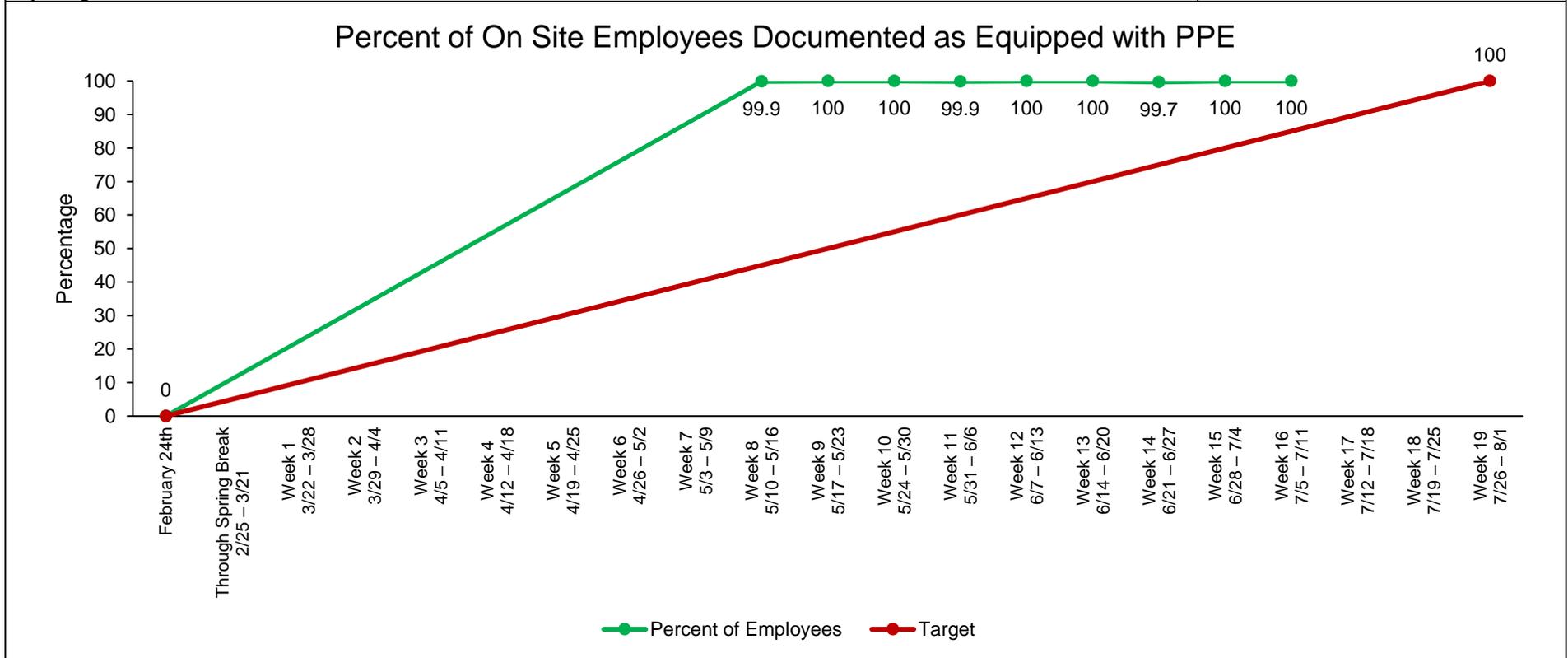
Communications measured under the emergency progress constraint were provided to district staff via districtwide email. However, when appropriate, the department also provided communications to staff through social media platforms, recorded phone callouts, SMS text messages, the HISD Weekly Wrap and Superintendent's Spotlight, and the HISD News Blog. The Communications Department also shared important updates to media partners via district press releases.

The HISD Communications Department will continue to communicate to staff important district updates related to COVID-19, virtual learning and the 2020-2021 school year, and plans outlined in the district's instructional continuity and reopening plans.

Additionally, in a districtwide survey conducted from June 15, 2020 through July 2, 2020 that contained a total of 66,009 respondents, 87.3% answered that they had received information from HISD related to COVID-19, and 72% responded that the amount of communication was "just the right amount".

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

Emergency Constraint Progress Measure 4.2 – Agenda Review - August 2020	Evaluation
The percent of employees who are directed to work on site while the district is closed but instructing students who are equipped with personal protective equipment (PPE) will increase from 0% March 13, 2020 to 100% by August 1, 2020.	On Track



Notes
<ul style="list-style-type: none"> Source: Microsoft Forms – “Houston ISD COVID-19 PPE Tracker” Houston ISD COVID-19 PPE Tracker implemented the week of May 10th.

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

ECPM 4.2 Support Data – Staff PPE

PPE Distribution Before Implementation of PPE Tracker

During Weeks 1 through 8 access to campuses and other district buildings was severely limited. PPE was distributed via Plant Operators who confirmed to their managers that it was provided to appropriate personnel working on campus. Exact numbers of staff members were not reported.

Overview of PPE Distribution After Houston ISD COVID-19 PPE Tracker Implementation

- PPE for COVID-19 is defined as protective clothing or equipment meant to minimize the spread of illness.
- Proper PPE is face masks and access to proper hand sanitation for most employees.
 - Staff handling food, cleaning products, or serving in a healthcare role are also required to be equipped with gloves.
 - Nutrition staff are required to utilize all HISD provided equipment.
 - All other employees may use their own masks or face coverings as long as they are workplace appropriate and adhere to HISD dress code.
- The manager or supervisor is required to ensure proper PPE is available and offered to staff who are required to work **on site**.
 - On site is defined as any location outside the employee's home where they have been directed to work. This includes but is not limited to any HISD facility, parking lot, and grounds. Any HISD-Houston Food Bank distribution sites, such as NRG, are also included.
 - The manager or supervisor is required to account for numbers of staff working on site as well as the numbers who were equipped with the proper PPE.
 - Individual record keeping for audit purposes, such as individual sign out sheets or rosters of staff working must be maintained by the manager/supervisor.
 - The manager/supervisor uses the Houston ISD COVID-19 PPE Tracker to log their role, facility, and number of staff working as well as the number of staff equipped with the proper PPE for each day.

COVID-19 Emergency Constraint Monitoring Report: Agenda Review - August 2020

ECPM 4.2 Status – Staff PPE

- We are currently on track with distributing personal protective equipment (PPE) to all employees who are required to work on site at a campus or facility. To limit the exposure to viruses and bacteria, supervisors distributed PPE to staff members. It is critical that we work to protect our staff as much as possible.
- In alignment with the CDC guidelines as well as stated in HISD's Communicable Disease Plan, in the Fall, all staff and students will receive masks. Custodial staff, nutrition/food services staff, and teachers will receive gloves as well as masks.
- In addition to the PPE distribution, signage will be placed throughout every campus and facility to help communicate the COVID-19 symptoms, how to slow the spread of the virus, the need for social distancing, and the facial covering requirement.

Office of the Superintendent of Schools
Board of Education Meeting of August 6, 2020

Office of Legal Services
Elneita Hutchins-Taylor, General Counsel

SUBJECT: APPROVAL OF PROPOSED REVISIONS TO BOARD POLICIES DIA(LOCAL), EMPLOYEE WELFARE: FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION; FB(LOCAL), EQUAL EDUCATIONAL OPPORTUNITY; AND FFH(LOCAL), STUDENT WELFARE: FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION, AS PERTAINING TO COMPLIANCE WITH THE NEW TITLE IX REGULATIONS ISSUED BY THE DEPARTMENT OF EDUCATION AND LEGAL UPDATE RELATED TO TITLE VII—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 Policies DIA(LOCAL), *Employee Welfare: Freedom From Discrimination, Harassment, and Retaliation*; FB(LOCAL), *Equal Educational Opportunity*; and FFH(LOCAL), *Student Welfare: Freedom From Discrimination, Harassment, and Retaliation*, to update various sections of all aforementioned policies to align with the new Title IX regulations.

On May 6, 2020, the United States Department of Education issued new regulations regarding Title IX which go into effect on August 14, 2020. The new Title IX regulations prescribe the manner in which all public school districts which receive federal funding are required to reasonably respond to, handle, and address alleged Title IX complaints/violations—whether the complaint involves student-on-student gender-based or sexual discrimination, retaliation, or harassment; employee-on-student gender-based or sexual discrimination, retaliation, or harassment; or employee-on-employee gender-based or sexual discrimination, retaliation, or harassment. The new Title IX regulations also changed the definition of sexual harassment as well as the term “actual knowledge” as it pertains to when a school district is on notice of and required to respond to an alleged Title IX complaint or violation. Further, the new Title IX regulations legally mandate:

- Positions/personnel school districts are required to have in place to receive and reasonably respond to reports of alleged Title IX complaints/violations;
- The components of a reasonable investigation and what the investigation process must entail;
- Grievance and appeals processes that districts are required to have in place to ensure both the complainant and respondent are treated fairly and equally and receive appropriate due process; and
- Information that school districts must disclose and make available to all students, employees, and the general public via websites and handbooks pertaining to the

district Title IX coordinator and training provided by the district to personnel who are members of the Title IX team.

Additionally, a recent United States Supreme Court decision held that an adverse employment action against an employee on the basis of homosexuality or transgender status violates Title VII's prohibition on sex discrimination in employment. As a result, policy DIA(LOCAL) has been updated to clarify that discrimination on the basis of sex includes discrimination on the basis of biological sex, gender identity, sexual orientation, gender stereotypes, or any other prohibited basis related to sex.

The current versions of relevant HISD board policies, specifically DIA(LOCAL), *Employee Welfare: Freedom From Discrimination, Harassment, and Retaliation*; FB(LOCAL), *Equal Educational Opportunity*; and FFH(LOCAL), *Student Welfare: Freedom From Discrimination, Harassment, and Retaliation*, will be revised to include:

- The updated definition of “sex-based harassment” which reads: “As required by law, the District shall follow the procedures below at Response to Sexual Harassment—Title IX upon a report of sex-based harassment, including sexual harassment, when such allegations, if proved, would meet the definition of sexual harassment under Title IX. [See FFH(LEGAL)].” FFH(LEGAL) defines sexual harassment under Title IX as it pertains to students and employees as found in updates to FFH(LEGAL). Specifically, “sexual harassment” means under Title IX as conduct on the basis of sex that satisfies one or more of the following:
 1. An employee of the district conditioning the provision of an aid, benefit, or service of the district on an individual's participation in unwelcome sexual conduct;
 2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity; or
 3. “Sexual assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. 12291(a)(10), “domestic violence” as defined in 34 U.S.C. 12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a)(30).
- The updated definition of actual knowledge under Title IX as it pertains to kindergarten grade 12 schools. Specifically, a district is deemed to have “Actual Knowledge” of sexual harassment or allegations of a Title IX violation when a report is made to a district's Title IX coordinator or any official of the district who has authority to institute corrective measures on behalf of the district, or to any employee of an elementary and secondary school.
- The definition of “prohibited conduct” which states that the term includes “discrimination, harassment, dating violence, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct. Prohibited conduct also includes sexual harassment as defined by Title IX. [See FFH(LEGAL)]”

- Specific duties and responsibilities of the Title IX coordinator when allegations of a Title IX violation are reported to the Title IX coordinator, to include that the Title IX coordinator shall promptly contact the complainant to:
 1. Discuss the availability of supportive measures and inform the complainant that they are available, with or without the filing of a formal complaint;
 2. Consider the complainant's wishes with respect to supportive measures; and
 3. Explain to the complainant the option and process for filing a formal complaint.
- Basic requirements of the Title IX formal complaint process as required by new Title IX regulations to include:
 1. Equitable treatment of complainants and respondents;
 2. An objective evaluation of all relevant evidence;
 3. A requirement that the Title IX coordinator, investigator, decision-maker, or any person designated to facilitate an informal resolution process not have a conflict of interest or bias;
 4. A presumption that the respondent is not responsible for the alleged sexual harassment until a determination is made at the conclusion of the Title IX formal complaint process;
 5. Time frames that provide for a reasonably prompt conclusion of the Title IX formal complaint process, including time frames for appeals and any informal resolution process, and that allow for temporary delays or the limited extension of time frames with good cause and written notice as required by law;
 6. A description of the possible disciplinary sanctions and remedies that may be implemented following a determination of responsibility for the alleged sexual harassment;
 7. A statement of the standard of evidence to be used to determine responsibility for all Title IX formal complaints of sexual harassment;
 8. Procedures and permissible bases for the complainant and respondent to appeal a determination of responsibility or a dismissal of a Title IX formal complaint or any allegations therein;
 9. A description of the supportive measures available to the complainant and respondent;
 10. A prohibition on using or seeking information protected under a legally recognized privilege unless the individual holding the privilege has waived the privilege;
 11. Additional formal complaint procedures in 34 C.F.R. 106.45(b), including written notice of a formal complaint, consolidation of formal complaints, recordkeeping, and investigation procedures; and
 12. Other local procedures as determined by the superintendent.
- The standard of evidence used to determine responsibility in a Title IX formal complaint of gender-based and/or sex-based discrimination or harassment shall be the preponderance of the evidence.
- Specifications that the name, contact phone number, email address, and office mailing address of the designated district Title IX coordinator and ADA/504 Coordinator be listed and available to all students, employees, and the public as

set forth in HISD DIA(EXHIBIT), FB(EXHIBIT), and FFH(EXHIBIT).required by the new Title IX regulations.

- A section on Retaliation which reads: “The District prohibits retaliation by a student or District employee against a student alleged to have experienced discrimination or harassment, including dating violence, or another student who, in good faith, makes a report of harassment or discrimination, files a complaint of harassment or discrimination, serves as a witness, or participates in an investigation. The definition of prohibited retaliation under this policy also includes retaliation against a student who refuses to participate in any manner in an investigation under Title IX.”
- A section on Records Retention to which the following language was added: “[For Title IX recordkeeping and retention provisions, see FFH(LEGAL) and the District’s Title IX formal complaint process.]”

In addition, the current version of HISD Board Policy DIA(LOCAL), *Employee Welfare: Freedom From Discrimination, Harassment, and Retaliation*, will be further revised to include the following new and/or updated provisions/language as it pertains to employees and conduct that may constitute a violation of Title VII or other prohibited conduct under HISD board policy, but does not fall within the perimeters of a violation of Title IX:

- A section entitled Statement of Nondiscrimination which reads: “The District prohibits discrimination, including harassment, against any employee on the basis of 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. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.”
- A definition of the term “discrimination” which reads: Discrimination against an employee is defined as conduct directed at an employee on the basis of 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 that adversely affects the employee’s employment. In accordance with law, discrimination on the basis of sex includes discrimination on the basis of biological sex, gender identity, sexual orientation, gender stereotypes, or any other prohibited basis related to sex.”
- A definition of the term “sexual harassment” that does not rise to the level of Title IX sexual harassment, which reads: Sexual harassment is a form of sex discrimination defined as unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:
 - Submission to the conduct is either explicitly or implicitly a condition of an employee’s employment, or when submission to or rejection of the conduct is the basis for an employment action affecting the employee; or
 - The conduct is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with the employee’s work performance or creates an intimidating, threatening, hostile, or offensive work environment.

- A definition of the term “prohibited harassment” that is not based on sex or gender such that it rises to the level of Title IX harassment, which reads: Prohibited harassment of an employee is defined as physical, verbal, or nonverbal conduct based 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, when the conduct is so severe, persistent, or pervasive that the conduct:
 - Has the purpose or effect of unreasonably interfering with the employee’s work performance;
 - Creates an intimidating, threatening, hostile, or offensive work environment;
 - or
 - Otherwise adversely affects the employee’s performance, environment, or employment opportunities.
- A section entitled Notice of Report which states: “Any District supervisor who receives a report of prohibited conduct shall immediately notify the appropriate District official listed above and take any other steps required by this policy. Any District employee who receives a report of prohibited conduct based on sex, including sexual harassment, shall immediately notify the Title IX coordinator.”
- The Reporting Procedures section has been updated to include the definition of “district officials” which states, “For the purposes of this policy, District officials are the Title IX coordinator, the ADA/Section 504 coordinator, and the Superintendent.” The section also clarifies that reports of discrimination based on sex, including sexual harassment, may be directed to the designated Title IX coordinator. [See DIA(EXHIBIT)]; reports of discrimination based on disability may be directed to the designated ADA/Section 504 coordinator. [See DIA(EXHIBIT)]; and the Superintendent shall serve as coordinator for purposes of District compliance with all other nondiscrimination laws.
- A section entitled Alternative Reporting Procedures, which states “An employee shall not be required to report prohibited conduct to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the Title IX coordinator or ADA/Section 504 coordinator, may be directed to the Superintendent. A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.”
- A section entitled Timely Reporting, which states: “To ensure the District’s prompt investigation, reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act.”
- A section entitled “Investigation of Reports Other Than Title IX” provides language which clarifies that allegations of prohibited conduct not based on sex or that would not meet the definition of sexual harassment under Title X will follow the district’s existing investigation and grievance processes, as stated in HISD Board Policies DGBA(LOCAL), FFH(LOCAL), and FNG(LOCAL).
- A section on Retaliation which reads: “The District prohibits retaliation against an employee who makes a claim alleging to have experienced discrimination or harassment, or another employee who, in good faith, makes a report of harassment or discrimination, files a complaint of harassment or discrimination,

serves as a witness, or otherwise participates or refuses to participate in an investigation.

- A section on Record Retention which states: The District shall retain copies of allegations, investigation reports, and related records regarding any prohibited conduct in accordance with the District’s records control schedules, but for no less than the minimum amount of time required by law. [See CPC]

The proposed changes are shown in the attached revised Board ~~Policy~~/Policies:

- DIA(LOCAL) – *Employee Welfare: Freedom From Discrimination, Harassment, and Retaliation*
- FB(LOCAL) – *Equal Educational Opportunity*
- FFH(LOCAL) – *Student Welfare: Freedom From Discrimination, Harassment, and Retaliation*

COST/FUNDING SOURCE(S): The total cost for this program is not expected to exceed \$149,461.

Fund Source	Fund	Cost Center	Functional Area	General Ledger	Internal Order/ Work Breakdown Structure	Amount
General	1993000000	1030802001	AD41990000000000	6119010000	N/A	\$149,461

STAFFING IMPLICATIONS: The administration recommends adding two fulltime investigator positions to the HISD Human Resources staff.

ORGANIZATIONAL GOALS/IMPACT: This agenda items support 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 changes to Board Policies DIA(LOCAL), FB(LOCAL), and FFH(LOCAL) as set forth herein, on first reading.

EMPLOYEE WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

DIA
(LOCAL)

Note: This policy addresses discrimination, harassment, and retaliation against District employees. For Title IX and other provisions regarding discrimination, harassment, and retaliation against students, see FFH. For reporting requirements related to child abuse and neglect, see FFG.

Employees of the District shall not discriminate on the basis of or engage in harassment motivated by 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. A substantiated charge of harassment against a student or employee shall result in disciplinary action.

Definitions

The term “harassment” includes repeated, unwelcome, and offensive slurs, jokes, or other oral, written, graphic, or physical conduct relating to an individual's race, color, religion, ancestry, national origin, disability or handicap, age, sex, marital status, veteran status, political affiliation, sexual orientation, gender identity, and/or gender expression that creates an intimidating, hostile, or offensive educational or work environment. Solely for purposes of this policy, the term “employee” includes current employees, former employees, applicants for employment, and unpaid interns.

Statement of Nondiscrimination

The District prohibits discrimination, including harassment, against any employee on the basis of 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. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.

Discrimination

Discrimination against an employee is defined as conduct directed at an employee on the basis of 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 that adversely affects the employee's employment.

In accordance with law, discrimination on the basis of sex includes discrimination on the basis of biological sex, gender identity, sexual orientation, gender stereotypes, or any other prohibited basis related to sex.

Prohibited Conduct

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

EMPLOYEE WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

DIA
(LOCAL)

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

Prohibited Harassment

Prohibited harassment of an employee is defined as physical, verbal, or nonverbal conduct based 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, when the conduct is so severe, persistent, or pervasive that the conduct:

1. Has the purpose or effect of unreasonably interfering with the employee's work performance;
2. Creates an intimidating, threatening, hostile, or offensive work environment; or
3. Otherwise adversely affects the employee's performance, environment, or employment opportunities.

Examples

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

Sex-Based Harassment

As required by law, the District shall follow the procedures below at Response to Sexual Harassment—Title IX upon a report of sex-based harassment, including sexual harassment, when such allegations, if proved, would meet the definition of sexual harassment under Title IX. [See FFH(LEGAL)]

Sexual Harassment

Sexual harassment is a form of sex discrimination defined as unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. Submission to the conduct is either explicitly or implicitly a condition of an employee's employment, or when submission to or rejection of the conduct is the basis for an employment action affecting the employee; or
2. The conduct is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with the employee's work performance or creates an intimidating, threatening, hostile, or offensive work environment.

EMPLOYEE WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

DIA
(LOCAL)

<p><u>Examples</u></p>	<p><u>Examples of sexual harassment may include sexual advances; touching intimate body parts; coercing or forcing a sexual act on another; jokes or conversations of a sexual nature; and other sexually motivated conduct, contact, or communication, including electronic communication.</u></p>
<p>Reporting</p>	<p>Employees who believe they have been harassed shall be encouraged to promptly report such incidents to the campus principal or supervisor. If the campus principal or supervisor is the subject of a complaint, the employee shall report the complaint directly to the Superintendent.</p> <p>An employee who suspects or knows that a student is being harassed by a school employee or by another student shall inform his or her principal or immediate supervisor.</p>
<p>Investigation</p>	<p>Any allegations of harassment of students or employees shall be investigated and addressed.</p> <p>Oral complaints shall be reduced to writing to assist in the District's investigation. To the greatest extent possible, complaints shall be treated as confidential. Limited disclosure may be necessary to complete a thorough investigation.</p>
<p>Protection from Retaliation</p>	<p>The District shall not retaliate against an employee who in good faith reports perceived harassment.</p>
<p>Complaint Process</p>	<p>An employee may appeal the decision of the principal or supervisor regarding the investigation into the allegations in accordance with DGBA(LOCAL).</p>
<p>Workplace Bullying</p>	<p>The District considers workplace bullying to be unacceptable and shall not tolerate it under any circumstances.</p> <p>Workplace bullying is defined as engaging in written or verbal expression, expression through electronic means, or physical conduct that occurs in the workplace that:</p> <ol style="list-style-type: none">1. Has the effect or will have the effect of physically harming another employee, damaging the employee's property, or placing the employee in reasonable fear of harm to the employee's person or of damage to the employee's property;2. Is so sufficiently severe, persistent, and pervasive that the action or threat creates an intimidating, threatening, or abusive work environment for the employee;3. Exploits an imbalance of power between the employee perpetrator and the employee victim through written or verbal expression or physical conduct; or

EMPLOYEE WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

DIA
(LOCAL)

- 4. Interferes with the victim’s employment or substantially disrupts the operation of the work location.

Workplace bullying does not include the legitimate exercise of employee management, including task assignment, employee coaching, and work-related employee discipline.

Allegations of workplace bullying shall be handled in accordance with DIA3(REGULATION).

Reporting Procedures

Any employee who believes that he or she has experienced prohibited conduct or believes that another employee has experienced prohibited conduct should immediately report the alleged acts. The employee may report the alleged acts to his or her supervisor or campus principal.

Alternatively, the employee may report the alleged acts to one of the District officials below.

Definition of District Officials

For the purposes of this policy, District officials are the Title IX coordinator, the ADA/Section 504 coordinator, and the Superintendent.

Title IX Coordinator

Reports of discrimination based on sex, including sexual harassment, may be directed to the designated Title IX coordinator. [See DIA(EXHIBIT)]

ADA / Section 504 Coordinator

Reports of discrimination based on disability may be directed to the designated ADA/Section 504 coordinator. [See DIA(EXHIBIT)]

Superintendent

The Superintendent shall serve as coordinator for purposes of District compliance with all other nondiscrimination laws.

Alternative Reporting Procedures

An employee shall not be required to report prohibited conduct to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the Title IX coordinator or ADA/Section 504 coordinator, may be directed to the Superintendent.

A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.

Timely Reporting

To ensure the District’s prompt investigation, reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act.

Notice of Report

Any District supervisor who receives a report of prohibited conduct shall immediately notify the appropriate District official listed above and take any other steps required by this policy.

EMPLOYEE WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

DIA
(LOCAL)

Any District employee who receives a report of prohibited conduct based on sex, including sexual harassment, shall immediately notify the Title IX coordinator.

Investigation of Reports Other Than Title IX

The following procedures apply to all allegations of prohibited conduct other than allegations of harassment prohibited by Title IX. [See FFH(LEGAL)] For allegations of sex-based harassment that, if proved, would meet the definition of sexual harassment under Title IX, see the procedures below at Response to Sexual Harassment—Title IX.

The District may request, but shall not require, a written report. If a report is made orally, the District official shall reduce the report to written form.

Initial Assessment

Upon receipt or notice of a report, the District official shall determine whether the allegations, if proved, would constitute prohibited conduct as defined by this policy. If so, the District shall immediately authorize or undertake an investigation, regardless of whether a criminal or regulatory investigation regarding the same or similar allegations is pending.

Interim Action

If appropriate, the District shall promptly take interim action calculated to prevent prohibited conduct during the course of an investigation.

District Investigation

The investigation may be conducted by the District official or a designee, such as the campus principal, or by a third party designated by the District, such as an attorney. When appropriate, the principal or supervisor shall be involved in or informed of the investigation.

The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.

Concluding the Investigation

Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.

The investigator shall prepare a written report of the investigation. The report shall be filed with the District official overseeing the investigation.

District Action

If the results of an investigation indicate that prohibited conduct occurred, the District shall promptly respond by taking appropriate

EMPLOYEE WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

DIA
(LOCAL)

disciplinary or corrective action reasonably calculated to address the conduct.

The District may take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.

Confidentiality

To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.

Appeal

A complainant who is dissatisfied with the outcome of the investigation may appeal through DGBA(LOCAL), beginning at the appropriate level.

The complainant may have a right to file a complaint with appropriate state or federal agencies.

Response to Sexual Harassment—Title IX

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

General Response

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

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

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

If a formal complaint is not filed, the District reserves the right to investigate and respond to prohibited conduct in accordance with Board policies and administrative procedures.

Title IX Formal Complaint Process

To distinguish the process described below from the District's general grievance policies [see DGBA, FNG, and GF], this policy re-

EMPLOYEE WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

DIA
(LOCAL)

fers to the grievance process required by Title IX regulations for responding to formal complaints of sexual harassment as the District's "Title IX formal complaint process."

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

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

EMPLOYEE WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

DIA
(LOCAL)

11. Additional formal complaint procedures in 34 C.F.R. 106.45(b), including written notice of a formal complaint, consolidation of formal complaints, recordkeeping, and investigation procedures; and

12. Other local procedures as determined by the Superintendent.

Standard of Evidence

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

Retaliation

The District prohibits retaliation against an employee who makes a claim alleging to have experienced discrimination or harassment, or another employee who, in good faith, makes a report of harassment or discrimination, files a complaint of harassment or discrimination, serves as a witness, or otherwise participates or refuses to participate in an investigation.

Examples

Examples of retaliation may include termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include threats, intimidation, coercion, unjustified negative evaluations, unjustified negative references, or increased surveillance.

Records Retention

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

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

Access to Policy and Procedures

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

Sexual Harassment

Employee to Employee

Employees shall not engage in conduct constituting sexual harassment of other employees. Employees who believe they have been sexually harassed by other employees shall be encouraged to come forward with complaints. District officials or their agents shall promptly investigate all allegations of sexual harassment of employees by other employees, and officials shall take prompt and appropriate disciplinary action against employees found to have engaged in conduct constituting sexual harassment of employees.

Complaint Procedure

An employee who believes he or she has been or is being subjected to any form of sexual harassment shall bring the matter to the attention of the principal, immediate supervisor, or Title IX coordinator for employees in accordance with the procedures in the

EMPLOYEE WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

DIA
(LOCAL)

~~District's employee complaint policy [see DGBA(LOCAL)]. However, no procedure or step in that policy shall have the effect of requiring the employee alleging harassment to present the matter to a person who is the subject of the complaint; nor shall a sexual harassment complaint be dismissed because it is not filed within the time lines set out in DGBA(LOCAL).~~

Employee to Student

~~Employees shall not engage in conduct constituting sexual harassment or sexual abuse of students. Sexual harassment includes any welcome or unwelcome sexual advances, requests for sexual favors, and other verbal (oral or written), physical, or visual conduct of a sexual nature. Romantic relationships between District employees and students constitute unprofessional conduct and are prohibited.~~

~~All allegations of sexual harassment or sexual abuse of students by employees shall be reported to parents and investigated. Information about sexual harassment or sexual abuse of a student that may reasonably be characterized as known or suspected child abuse or neglect shall be reported to appropriate authorities, as required by law. [See FFG(LEGAL)]~~

~~In considering and investigating allegations that an employee has sexually harassed or sexually abused a student [see DIA(LEGAL)], the investigation shall proceed from the presumption that the employee's conduct was unwelcome.~~

Consequences

~~Sexual harassment is prohibited on District property, at District related events or activities, and in any other circumstance where the conduct affects the alleged victim's employment. Violations of this policy shall result in disciplinary action, up to and including termination.~~

~~Retaliation against employees or students who report sexual harassment or who assist in the investigation of a sexual harassment complaint is strictly prohibited. Acts of retaliation may result in disciplinary action up to and including termination.~~

~~[See also FFH(LOCAL), which contains the complaint procedure for students alleging sexual harassment or sexual abuse by an employee.]~~

Effective Date

~~This policy shall be effective as of the adoption date, August 1514, 20142020.~~

EQUAL EDUCATIONAL OPPORTUNITY

FB
(LOCAL)

Note: The following provisions address equal educational opportunity for all students in accordance with law. For provisions addressing discrimination, harassment, and retaliation involving District students, see FFH.

**Title IX
Office Coordinator**

The District designates ~~and authorizes the following office~~ Title IX coordinator for students to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended. [See FB(EXHIBIT)]

Office: Student Support Services
Address: 4400 W. 18th Street, Houston, TX 77092
Telephone: (713) 556-7285

**ADA/Section 504
Office Coordinator**

The District designates ~~and authorizes the following of~~ ADA/Section 504 coordinator for students to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973 (“Section 504”), as amended. [See FB(EXHIBIT)]

Office: Special Education Services
Address: 4040 West Fuqua Street, Houston, TX 77425
Telephone: (713) 556-8000

Superintendent

The Superintendent shall serve as coordinator for purposes of District compliance with all other nondiscrimination laws.

**Equal Educational
Opportunity**

General Education

The District shall provide necessary services and supports to provide students equal access to educational opportunities. [See EHBC] Certain instructional or other accommodations, including on state-mandated assessments, may be made when necessary, when allowable, and when these accommodations do not modify the rigor or content expectations of a subject, course, or assessment. [See EKB]

Additional Services
and Supports

If the District has reason to believe that a student has a disability that may require additional services and supports in order for the student to receive an appropriate education as this term is defined by law, Section 504 and/or the Individuals with Disabilities Education Act (IDEA) shall govern the evaluation, services, and supports provided by the District. [See also EHBA series]

[For information regarding dyslexia and related disorders, see EHB.]

EQUAL EDUCATIONAL OPPORTUNITY

FB
(LOCAL)

Note: The following provisions address the District’s compliance efforts and system of procedural safeguards as required by federal regulations for a student with a disability as defined by Section 504. A report of discrimination or harassment based on a student’s disability shall be made in accordance with FFH.

**Section 504
Committees**
Committees

The District shall form Section 504 committees as necessary. The section 504 office-coordinator and members of each Section 504 committee shall receive training in the procedures and requirements for identifying and providing educational and related services and supports to a student who has a disability that results in a substantial limitation of a major life activity.

Each Section 504 committee shall be composed of a group of persons knowledgeable about the student, the meaning of the evaluation data, placement options, and the legal requirements regarding least restrictive environment and comparable facilities for students with disabilities.

Referrals If a teacher, school counselor, administrator, or other District employee has reason to believe that a student may have a disability as defined by Section 504, the District shall evaluate the student. A student may also be referred for evaluation by the student’s parent.

Notice and Consent The District shall seek written parental consent prior to conducting a formal evaluation. Ordinary observations in the classroom or other school setting shall not require prior parental consent.

Evaluation and Placement The results of an evaluation shall be considered before any action is taken to place a student with a disability or make a significant change in placement in an instructional program. The Superintendent shall ensure that the District’s procedures for tests and other evaluation materials comply with the minimum requirements of law. In interpreting evaluation data and when making decisions related to necessary services and supports, each Section 504 committee shall carefully consider and document information from a variety of sources in accordance with law.

Review and Reevaluation Procedure To address the periodic reevaluation requirement of law, the District shall adhere to the reevaluation timelines in the IDEA regulations.

A parent, teacher, or other District employee may request a review of a student’s services and supports at any time, but a formal reevaluation shall generally occur no more frequently than once a year.

EQUAL EDUCATIONAL OPPORTUNITY

FB
(LOCAL)

Examining Records A parent shall make any request to review his or her child's education records to the campus principal or other identified custodian of records. [See FL]

Right to Impartial Hearing A parent shall be given written notice of the due process right to an impartial hearing if the parent has a concern or complaint about the District's actions regarding the identification, evaluation, or educational placement of a student with a disability. The impartial hearing shall be conducted by a person who is knowledgeable about Section 504 issues and who is not employed by the District or related to a member of the Board in a degree that would be prohibited under the nepotism statute [see DBE]. The impartial hearing officer is not required to be an attorney. The District and the parent shall be entitled to legal representation at the impartial hearing.

Records Retention Records specific to identification, evaluation, and placement as these pertain to Section 504 shall be retained by the District in accordance with law and the District's local records ~~retention control~~ schedules. [See CPC]

Effective Date This policy shall be effective as of the adoption date, August 14, 2020.

STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH
(LOCAL)

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

Statement of Nondiscrimination

The District prohibits discrimination, including harassment, against any student on the basis of race, color, ~~religion, sex, gender, ancestry,~~ national origin, ~~age, sex, gender, handicap or disability, ancestry,~~ age, marital status, ~~religion,~~ veteran status, political affiliation, sexual orientation, gender identity, and/or gender expression, or any other basis prohibited by law. The District prohibits dating violence, as defined by this policy. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.

Discrimination

Discrimination against a student is defined as conduct directed at a student on the basis of race, color, ~~religion, sex, gender, ancestry,~~ national origin, ~~age, sex, gender, handicap or disability, ancestry,~~ age, marital status, ~~religion,~~ veteran status, political affiliation, sexual orientation, gender identity, and/or gender expression, or any other basis prohibited by law, that adversely affects the student.

Prohibited Conduct

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

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

Prohibited Harassment

Prohibited harassment of a student is defined as physical, verbal, or nonverbal conduct based on the student’s race, color, ~~religion,~~ sex, gender, ~~ancestry,~~ national origin, ~~sex, gender, handicap or disability,~~ age, ~~disability, ancestry,~~ marital status, ~~religion,~~ veteran status, political affiliation, sexual orientation, gender identity, and/or gender expression, or any other basis prohibited by law, that when the conduct is so severe, persistent, or pervasive that the conduct:

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

STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH
(LOCAL)

- 3. Otherwise adversely affects the student's educational opportunities.

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

Examples

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

Sex-Based Harassment

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

Sexual Harassment
By an Employee

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

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

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

By Others

STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH
(LOCAL)

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

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

Examples

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

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

Gender-Based Harassment

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

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

Examples

Examples of gender-based harassment directed against a student, regardless of the student's or the harasser's actual or perceived sexual orientation or gender identity, may include offensive jokes,

STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH
(LOCAL)

name-calling, slurs, or rumors; cyberharassment; physical aggression or assault; threatening or intimidating conduct; or other kinds of aggressive conduct such as theft or damage to property.

Dating Violence

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

For purposes of this policy, dating violence is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct:

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

Examples

Examples of dating violence against a student may include physical or sexual assaults; name-calling; put-downs; or threats directed at the student, the student’s family members, or members of the student’s household. Additional examples may include destroying property belonging to the student, threatening to commit suicide or homicide if the student ends the relationship, attempting to isolate the student from friends and family, stalking, threatening a student’s spouse or current dating partner, or encouraging others to engage in these behaviors.

Retaliation

~~The District prohibits retaliation by a student or District employee against a student alleged to have experienced discrimination or harassment, including dating violence, or another student who, in good faith, makes a report of harassment or discrimination, serves as a witness, or participates in an investigation.~~

Examples

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

STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH
(LOCAL)

False Claim

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

Prohibited Conduct

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

Reporting Procedures

Student Report

Any student who believes that he or she has experienced prohibited conduct or believes that another student has experienced prohibited conduct should immediately report the alleged acts to a teacher, school counselor, principal, other District employee, or the appropriate District official listed in this policy.

Employee Report

Any District employee who suspects or receives direct or indirect notice that a student or group of students has or may have experienced prohibited conduct shall immediately notify the appropriate District official listed in this policy and take any other steps required by this policy.

Definition of District Officials

For the purposes of this policy, District officials are the Title IX coordinator, the ADA/Section 504 coordinator, and the Superintendent.

Title IX
Office Coordinator

Reports of discrimination based on sex, including sexual harassment, or gender-based harassment, or dating violence, may be directed to the designated Title IX office. The District designates the following office to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended, coordinator for students: [See FFH(EXHIBIT)]

Office: Student Support Services

Address: 4400 W. 18th Street, Houston, TX 77092

Telephone: (713) 556-7285

ADA/Section 504
Office Coordinator

Reports of discrimination based on disability may be directed to the designated ADA/Section 504 office coordinator. The District designates the following office to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973, as amended, for students: [See FFH(EXHIBIT)]

Office: Special Education Services

Address: 4040 West Fuqua Street, Houston, TX 77425

Telephone: (713) 556-8000

STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH
(LOCAL)

<i>Superintendent</i>	<p>The Superintendent shall serve as coordinator for purposes of District compliance with all other nondiscrimination laws.</p>
Alternative Reporting Procedures	<p>An student individual shall not be required to report prohibited conduct to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the Title IX coordinator or ADA/Section 504 coordinator, may be directed to the Superintendent.</p> <p>A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.</p>
Timely Reporting	<p>To ensure the District's prompt investigation, Reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the District's ability to investigate and address the prohibited conduct.</p>
Notice to Parents	<p>"Parent" for purposes of notice includes a legal guardian or a person acting as a parent, such as a grandparent or other person who has enrolled the student. The District official or designee shall promptly notify the parents of any student alleged to have experienced prohibited conduct by a District employee or another adult.</p> <p><u>[For parental notification requirements regarding an allegation of educator misconduct with a student, see FFF.]</u></p>
Investigation of the Reports Other Than Title IX	<p><u>The following procedures apply to all allegations of prohibited conduct other than allegations of harassment prohibited by Title IX. [See FFH(LEGAL)] For allegations of sex-based harassment that, if proved, would meet the definition of sexual harassment under Title IX, including sexual harassment, gender-based harassment, and dating violence, see the procedures below at Response to Sexual Harassment—Title IX.</u></p> <p>The District may request, but shall not require, a written report. If a report is made orally, the District official shall reduce the report to written form.</p>
Initial Assessment	<p>Upon receipt or notice of a report, the District official shall determine whether the allegations, if provedn, would constitute prohibited conduct as defined by this policy. If so, the District shall immediately undertake an investigation, except as provided below at Criminal Investigation.</p> <p>If the District official determines that the allegations, if provedn, would not constitute prohibited conduct as defined by this policy, the District official shall refer the complaint for consideration under FFI.</p>

STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH
(LOCAL)

Interim Action	If appropriate and regardless of whether a criminal or regulatory investigation regarding the alleged conduct is pending, the District shall promptly take interim action calculated to address prohibited conduct or bullying prior to the completion of the District's investigation.
District Investigation	<p>The investigation may be conducted by the District official or a designee, such as the principal, or by a third party designated by the District, such as an attorney. When appropriate, the principal shall be involved in or informed of the investigation.</p> <p>The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.</p>
Criminal Investigation	If a law enforcement or regulatory agency notifies the District that a criminal or regulatory investigation has been initiated, the District shall confer with the agency to determine if the District investigation would impede the criminal or regulatory investigation. The District shall proceed with its investigation only to the extent that it does not impede the ongoing criminal or regulatory investigation. After the law enforcement or regulatory agency has finished gathering its evidence, the District shall promptly resume its investigation.
Concluding the Investigation	<p>Absent extenuating circumstances, such as a request by a law enforcement or regulatory agency for the District to delay its investigation, the investigation should be completed within ten District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.</p> <p>The investigator shall prepare a written report of the investigation. The report shall include a determination of whether prohibited conduct or bullying occurred. The report shall be filed with the District official overseeing the investigation.</p>
<i>Notification of Outcome</i>	Notification of the outcome of the investigation shall be provided to both parties in compliance with FERPA.
District Action <i>Prohibited Conduct</i>	If the results of an investigation indicate that prohibited conduct occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the Student Code of Conduct and may take corrective action reasonably calculated to address the conduct.

STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH
(LOCAL)

Corrective Action Examples of corrective action may include a training program for those involved in the complaint report, a comprehensive education program for the school community, counseling to the victim and the student who engaged in prohibited conduct, follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where prohibited conduct has occurred, and reaffirming the District's policy against discrimination and harassment.

Bullying If the results of an investigation indicate that bullying occurred, as defined by FFI, the District official shall refer to FFI for appropriate notice to parents and District action. The District official shall refer to FDB for transfer provisions.

Improper Conduct If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take disciplinary action in accordance with the Student Code of Conduct or other corrective action reasonably calculated to address the conduct.

Court Orders The school shall, to the extent possible, enforce court-ordered protective orders resulting from dating violence and related issues, and, when deemed appropriate, shall implement school-based alternatives to protective orders, which shall include transferring an alleged victim or perpetrator under the safe school choice option or placing the alleged perpetrator in a District alternative educational program. [See FDE]

Confidentiality To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.

Appeal A student or parent who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level. A student or parent shall be informed of his or her right to file a complaint with the United States Department of Education Office for Civil Rights.

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

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

STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH
(LOCAL)

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

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

If a formal complaint is not filed, the District reserves the right to investigate and respond to prohibited conduct in accordance with Board policies and the Student Code of Conduct.

Title IX Formal
Complaint Process

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

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

1. Equitable treatment of complainants and respondents;
2. An objective evaluation of all relevant evidence;
3. A requirement that the Title IX coordinator, investigator, decision-maker, or any person designated to facilitate an informal resolution process not have a conflict of interest or bias;
4. A presumption that the respondent is not responsible for the alleged sexual harassment until a determination is made at the conclusion of the Title IX formal complaint process;
5. Time frames that provide for a reasonably prompt conclusion of the Title IX formal complaint process, including time frames for appeals and any informal resolution process, and that allow for temporary delays or the limited extension of time frames with good cause and written notice as required by law;

STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH
(LOCAL)

6. A description of the possible disciplinary sanctions and remedies that may be implemented following a determination of responsibility for the alleged sexual harassment;
7. A statement of the standard of evidence to be used to determine responsibility for all Title IX formal complaints of sexual harassment;
8. Procedures and permissible bases for the complainant and respondent to appeal a determination of responsibility or a dismissal of a Title IX formal complaint or any allegations therein;
9. A description of the supportive measures available to the complainant and respondent;
10. A prohibition on using or seeking information protected under a legally recognized privilege unless the individual holding the privilege has waived the privilege;
11. Additional formal complaint procedures in 34 C.F.R. 106.45(b), including written notice of a formal complaint, consolidation of formal complaints, recordkeeping, and investigation procedures; and
12. Other local procedures as determined by the Superintendent.

Standard of Evidence

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

Retaliation

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

Examples

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

False Claim

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

STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH
(LOCAL)

Records Retention

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

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

Access to Policy and Procedures

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

Effective Date

This policy shall be effective as of the adoption date, August 14, 2020.