

THE HOUSTON INDEPENDENT SCHOOL DISTRICT



AGENDA

**Board of Education
Meeting**

November 13, 2014

THE HOUSTON INDEPENDENT SCHOOL DISTRICT
BOARD OF EDUCATION

Agenda Index

- | | |
|--------------------------------------|------------------------|
| A. Superintendent's Priority Items | G. Human Resources |
| B. Board of Education | H. Business Operations |
| C. Closed Session (Closed to Public) | I. Finance |
| D. Academic Services | J. Other |
| E. School Support | K. Policy |
| F. Student Support | |

MEMBERS OF THE BOARD OF EDUCATION

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Rhonda Skillern-Jones, *First Vice President*
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Anna Eastman, *Secretary*
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Terry B. Grier, Ed.D., *Superintendent of Schools*

THE HOUSTON INDEPENDENT SCHOOL DISTRICT

BOARD OF EDUCATION AGENDA

November 13, 2014

Table of Contents

Modifications List

A-1. SUPERINTENDENT'S INFORMATION ITEMS

A. SUPERINTENDENT'S PRIORITY ITEMS

B. BOARD OF EDUCATION

B-2 Approval Of Legislative Agenda For The 84th Session Of The Texas Legislature

B-3 Appointment Of Houston Independent School District Representatives To The Tax Increment Reinvestment Zones 3 And 9 Boards Of Directors

B-4 Approval Of Resolution To Recognize The Houston Independent School District Student Congress And Establish It As An Official Student Organization

- Resolution

C-2. PERSONNEL (CLOSED TO PUBLIC)

C-3. LEGAL MATTERS (CLOSED TO PUBLIC)

C-4. REAL ESTATE (CLOSED TO PUBLIC)

D. ACADEMIC SERVICES

D-1 Approval Of Current And Anticipated Donations For Districtwide And School-Specific Programs And Authorization To Negotiate, Execute, And Amend Necessary Contracts Associated With These Donations

- Attachment For Approval Of Donations

D-2 Acceptance Of Grant Funds In Support Of Districtwide And School-Specific Programs And Authorization To Negotiate And Execute Contracts Required Under The Grants

- Attachment For Acceptance Of Grants
- Detailed Budget For IAL
- Detailed Budget For TTIPS
- Revised List Of ASAP Schools

E. SCHOOL SUPPORT

E-1 Approval Of The Arabic Immersion Magnet School

F. STUDENT SUPPORT

G. HUMAN RESOURCES

H. BUSINESS OPERATIONS

H-1 Authority To Negotiate, Execute, And Amend A Contract With TBD For The Construction Of A SPARK Park At Piney Point Elementary School

H-2 Approval Of Adjustment In The Budget And Authority To Negotiate, Execute, And Amend All Necessary Contracts For The Renovation/Addition Of Joanna Southmayd Elementary School

I. FINANCE

I-1 Approval Of Consultant And Professional-Service Contracts

- Consultant Requests

I-2 Approval Of Vendor Awards For Purchases Over \$100,000 And Ratification Of Vendor Awards For Purchases Under \$100,000

- Purchasing Requests

I-3 Approval Of Resolution And Ordinance Adopting Early Additional Penalty On Delinquent Tangible Personal Property Taxes On Tax Year 2014 For The Houston Independent School District In Accordance With Section 33.11 Of The Texas Property Tax Code

- Resolution And Ordinance

I-4 Approval Of The Comprehensive Annual Financial Report And The Single Audit Report For The 2013-2014 Fiscal Year And Authority To Publish Condensed Financial Statements

I-5 Approval Of Order Amending Order Authorizing Houston Independent School District Limited Tax Schoolhouse Bonds, Series 2014B; And Approving Other Provisions Relating Thereto

- Certificate And Order

I-6 Approval Of Order Authorizing The Execution And Delivery Of A General Warranty Deed To The Houston Independent School District Public Facility Corporation Relating To Three Tracts Of Land, As Follows: Approximately 61 Acres Of Land Located Across The Street From The Existing North Forest High School At 10725 Mesa Drive, Approximately 20 Acres Of Land Located At 9709 Mesa Drive, And Approximately 12 Acres Of Land Located At 3501 Southmore Boulevard, All In Houston, Texas; Authorizing The Execution And Delivery Of A Lease Relating To The New North Forest High School, North Forest Area Early Childhood Center, And Energy Institute High School; Authorizing The Execution And Delivery Of An Assignment Agreement Relating To Contracts For Such Facilities; And Approving Other Matters Incident And Relating Thereto

- Certificate And Order
- Exhibit A: The Project

I-7 Authority To Negotiate And Execute A Contract For The Purchase Of Electrical Power

J. OTHER

J-1 Approval To Submit Four Innovative-Course Applications To The Texas Education Agency To Establish An Emergency Medical Technician Program For Twelfth-Grade Students And To Establish A Sequence Of Courses For The Maritime Academy

K. POLICY

K-1 Proposed Revisions To Board Policy CRD(LOCAL), Insurance And Annuities Management: Health And Life Insurance-First Reading

- CRD(LOCAL), 1st Reading

K-2 Approval To Waive Board Policy BF(LOCAL), Board Policies, And Approval Of Proposed Revisions To Board Policy DH(LOCAL), Employee Standards Of Conduct-First Reading

- DH(LOCAL), 1st Reading

K-3 Proposed Revisions To Board Policies DFFA(LOCAL), Reduction In Force: Financial Exigency, DFFB(LOCAL), Reduction In Force: Program Change, And DFFC(LOCAL) Reduction In Force: Continuing Contracts-First Reading

- DFFA(LOCAL), 1st Reading
- DFFB(LOCAL), 1st Reading
- DFFC(LOCAL), 1st Reading

K-4 Proposed Revisions To Board Policy BAA(LOCAL), Board Legal Status: Powers And Duties-First Reading

- BAA(LOCAL), 1st Reading

MEMORANDUM

TO: Members of the Board of Education

FROM: Terry B. Grier
Superintendent of Schools

SUBJECT: **MODIFICATIONS TO THE NOVEMBER 13, 2014, BOARD OF EDUCATION MEETING AGENDA**

The following modifications have been made to the agenda for the November 13, 2014, Board of Education meeting:

| ITEM | SUBJECT | ACTION TAKEN | DATE |
|------|--------------------------|----------------------------|---|
| B-4 | Student Congress | New Item New Attachment | 11/10/14 |
| H-1 | SPARK at Piney Point ES | Revised Item | 11/12/14 |
| I-1 | Consultant Requests | Revised Attachment | 11/10/14 |
| I-2 | Purchasing Requests | Revised Attachment | 11/7/14 11/10/14 11/11/14 11/13/14 |
| I-3 | Early Additional Penalty | New Attachment | 11/10/14 |

TG/EHT/vm/bk

Office of Superintendent of Schools
Board of Education Meeting of November 13, 2014

Juliet Stipeche, Board of Education President

**SUBJECT: APPROVAL OF LEGISLATIVE AGENDA FOR THE 84th SESSION
OF THE TEXAS LEGISLATURE**

The 84th Session of the Texas Legislature will convene on January 13, 2015. It is the practice of the Houston Independent School District (HISD) to formally approve the legislative agenda before each session. Approval of this agenda will provide focus on specific policy and school finance issues for HISD's efforts in working with members of the Texas Legislature. After adoption, the HISD legislative agenda is posted on the district's website.

A copy of HISD's legislative agenda for the 84th Session of the Texas Legislature is on file in Board Services.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports HISD Goal 5: Improve Public Support and Confidence in Schools and is not aligned to a core initiative, but is ministerial for compliance purposes only.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES NOT ESTABLISH, MODIFY, OR DELETE BOARD POLICY.

RECOMMENDED: That the Board of Education approve the legislative agenda for the Regular Session of the 84th Texas Legislature, effective November 14, 2014.

Office of Board of Education
Board of Education Meeting of November 13, 2014

Juliet Stipeche, Board President

SUBJECT: APPOINTMENT OF HOUSTON INDEPENDENT SCHOOL DISTRICT REPRESENTATIVES TO THE TAX INCREMENT REINVESTMENT ZONES 3 AND 9 BOARDS OF DIRECTORS

The Houston Independent School District (HISD) participates in 16 tax increment reinvestment zones (TIRZ) with the City of Houston. As a participant, HISD is entitled to appoint a representative to the board of directors of each zone, upon the preceding director's term expiration.

This agenda item is to authorize appointment of the following representatives for a two-year term of service to the TIRZ Boards of Directors:

- Dr. Keith Hamm – TIRZ 3 (Market Square)
- Homer Clark – TIRZ 9 (South Post Oak)

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports HISD Goal 5: Improve Public Support and Confidence in Schools and aligns to Core Initiative 5: Culture of Trust through Action.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES NOT ESTABLISH, MODIFY, OR DELETE BOARD POLICY.

RECOMMENDED: That the Board of Education approve appointment of HISD Representatives to the Boards of Directors positions for Tax Increment Reinvestment Zones 3 and 9, effective November 14, 2014.

Office of Board of Education
Board of Education Meeting of November 13, 2014

Juliet Stipeche, Board President

SUBJECT: APPROVAL OF RESOLUTION TO RECOGNIZE THE HOUSTON INDEPENDENT SCHOOL DISTRICT STUDENT CONGRESS AND ESTABLISH IT AS AN OFFICIAL STUDENT ORGANIZATION

In the spring of 2014, a group of Houston Independent School District (HISD) students formed the idea of creating a Student Congress to be a bridge between students and administrators. Over the summer, the students developed a constitution and took other steps to formalize the organization. In September the Student Congress held its opening session and elected a Speaker of the Congress and chairs for its committees. At its October 9, 2014, meeting, the HISD Board of Education recognized Zaakir Tameez for his efforts in planning and creating the Student Congress.

According to its constitution, “The HISD Student Congress is a formal student-run communication mechanism between public high school student volunteers and the Houston education community. It will engage the entire HISD student body, affirming unilaterally that students have the most vested interest in their own education and that their input should be a vital part of HISD’s planning and ongoing success.”

The attached resolution describes the Board’s wishes to acknowledge and help establish the Student Congress as an official student organization within HISD, and as a lasting entity for meaningful collaboration among HISD students, the Board, and District administration.

COST/FUNDING SOURCE(S): None. Budgeting for the Student Congress will be determined as the administration develops a regulation regarding this new organization.

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports HISD Goal 1: Increase Student Achievement and HISD Goal 6: Create a Positive District Culture, and is aligned to Core Initiative 5: Culture of Trust through Action.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES NOT ESTABLISH, MODIFY, OR DELETE BOARD POLICY.

RECOMMENDED: That the Board of Education approve the resolution to recognize the Houston Independent School District Student Congress and establish it as an official student organization, effective November 14, 2014.



STATE OF TEXAS §
 §
HOUSTON INDEPENDENT §
SCHOOL DISTRICT §

RESOLUTION TO RECOGNIZE THE HOUSTON INDEPENDENT SCHOOL DISTRICT STUDENT CONGRESS AND ESTABLISH IT AS AN OFFICIAL STUDENT ORGANIZATION

WHEREAS, Houston Independent School District (“HISD”) high school students have taken the initiative to plan and create a Student Congress for all the students of the District; and

WHEREAS, on October 9, 2014, the Board of Education (the “Board”) of HISD recognized Zaakir Tameez for his efforts to spearhead creation of the Student Congress; and

WHEREAS, the Board wishes to support and encourage the development of the Student Congress;

NOW, THEREFORE, BE IT RESOLVED that the Board of Education of HISD hereby calls upon the HISD administration to:

- (1) Establish the HISD Student Congress as an official student organization for students from any and all HISD high schools.
- (2) Create a regulation regarding the Student Congress and its affairs, including but not limited to faculty/staff sponsorship and a budget and/or fundraising mechanisms.

ADOPTED THIS 13th day of November 2014.

Juliet Stipeche, President
HISD Board of Education

Anna Eastmen, Secretary
HISD Board of Education

Office of Superintendent of Schools
Board of Education Meeting of November 13, 2014

Office of Academic Services
Daniel Gohl, Chief Academic Officer

SUBJECT: APPROVAL OF CURRENT AND ANTICIPATED DONATIONS FOR DISTRICTWIDE AND SCHOOL-SPECIFIC PROGRAMS AND AUTHORIZATION TO NEGOTIATE, EXECUTE, AND AMEND NECESSARY CONTRACTS ASSOCIATED WITH THESE DONATIONS

In accordance with board policy, all donations in aggregate of \$5,000 or more must be approved by the Houston Independent School District's (HISD's) Board of Education.

The attachment reflects a summary of proposed donations.

COST/FUNDING SOURCE(S): Shown on the attached list.

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports HISD Goal 1: Increase Student Achievement and is aligned with Core Initiative 3: Rigorous Instructional Standards and Supports.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES NOT ESTABLISH, MODIFY, OR DELETE BOARD POLICY.

RECOMMENDED: That the Board of Education accept the proposed donations for districtwide and school-specific programs and authorize the superintendent or a designee to negotiate, execute, and amend necessary contracts, effective November 14, 2014.

SUMMARY OF DONATIONS GREATER THAN \$5,000

| Donor | Receiving School/ Department | Donation Disbursement | Total Value of Donation | Budget String |
|---|---|--------------------------------------|----------------------------|--|
| Santander Bank N.A. | Wharton K–8 Dual Language Academy | Literacy Initiative | \$5,000.00 | SR1-11-6399-256-10-YY7-YY7 |
| Wharton K–8 will use these funds to purchase supplies and materials to help improve literacy. | | | | |
| John E. Jacob | Yates High School (HS) | Scholarships | \$50,000.00 | SRI-11-6XXX-020-10-YY7-YY7 |
| Mr. Jacob is donating these funds to Yates HS students who have performed well in school but do not have the necessary funds to pursue a college education. | | | | |
| Pershing Middle School (MS) Parent-Teacher Organization (PTO) | Pershing MS | Athletics Department | \$5,987.50 | SR1-11-6399-064-10-YY7-YY7 |
| Pershing MS will use these funds to purchase supplies and materials to help the school Athletics Department. | | | | |
| Dr. Pepper Snapple Group, Inc. | Houston Independent School District (HISD) | Good Sports Let's Play Initiative | \$45,000.00 (in-kind) | |
| The Good Sports Let's Play Initiative is a community partnership led by Dr. Pepper Snapple Group that is intended to get kids active. Good Sports is providing sports equipment to HISD's physical education programs. This donation will encourage participation in physical activity and lay the foundation for a healthy and active lifestyle. | | | | |
| Pin Oak MS PTO | Pin Oak MS | Field Trip | \$9,240.56 | SRI-11-6412-337-10-YY7-YY7 |
| Pin Oak MS will use the funds to cover expenses related to bus transportation for the 8 th -grade trip to the Schlitterbahn in Galveston. | | | | |
| Stacey and Bo Porter Sports, Education, Life- skills, Faith (SELF) Foundation | Key MS, Revere MS, and Welch MS | After-school Program | \$28,722 | SRI-11-61XX-XX-10-YY7-YY7 SRI-11-6399-XX-10-YY7-YY7 |
| The schools listed will use the funds to pay for a campus site coordinator, program instructors, and a program coach position for the after-school programs. They will also purchase supplies needed for the after-school programs. | | | | |

Bo Porter SELF
Foundation

Revere MS

After-school Program

\$25,000

SRI-11-61XX-XX-10-YY7-YY7
SRI-11-6399-XX-10-YY7-YY7

Revere MS will use the funds to pay for a campus site coordinator, extra-duty pay for teachers, and program coaches for the after-school program. They will also purchase supplies needed for the after-school program.

Total Value of Donations - \$ 168,950.06

Office of Superintendent of Schools
Board of Education Meeting of November 13, 2014

Office of Academic Services
Daniel Gohl, Chief Academic Officer

SUBJECT: ACCEPTANCE OF GRANT FUNDS IN SUPPORT OF DISTRICTWIDE AND SCHOOL-SPECIFIC PROGRAMS AND AUTHORIZATION TO NEGOTIATE AND EXECUTE CONTRACTS REQUIRED UNDER THE GRANTS

In accordance with board policy, all grant funds in aggregate of \$5,000 or more must be approved by the Houston Independent School District's (HISD's) Board of Education.

The attachment reflects a summary of grants awarded to HISD.

COST/FUNDING SOURCE(S): Shown on the attached list.

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports HISD Goal 1: Increase Student Achievement and is aligned with Core Initiative 3: Rigorous Instructional Standards and Supports.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES NOT ESTABLISH, MODIFY, OR DELETE BOARD POLICY.

RECOMMENDED: That the Board of Education accept the proposed grant funds for districtwide and school-specific programs and authorize the superintendent of schools or designee to negotiate and execute contracts required under the grants, effective November 14, 2014.

SUMMARY OF GRANTS GREATER THAN \$5,000

| Grantor | Receiving School/ Department | Grant Disbursement | Total Value of Grant | Budget String |
|------------------------|--|--|-------------------------|--|
| Exxon-Mobil Foundation | Secondary Curriculum and Development Department | Houston Independent School District (HISD) Southeastern Consortium for Minorities in Engineering (SECME, Inc.) Science, Technology Engineering, and Math (STEM) Program | \$50,000 | SR1-13-6491-678-99-RR7-RR7 \$30,000 (Travel, Registration, and Fees) SR1-13-6399-678-99-RR7-RR7 \$9,000 (General Supplies) SR1-13-6498-678-99-RR7-RR7 \$8,000 (In-district Bus Transportation) SR1-13-6120-67899-RR7-RR7 \$1,500 (Stipends) SR1-13-6351-678-99-RR7-RR7 \$1,500 (Food) |

The HISD Secondary Curriculum and Development Department receives a grant of \$50,000 annually from the Exxon-Mobil Foundation to implement a SECME STEM program district-wide. Plans for the use of the funds are: travel, registration, and fees for teachers and building-level leadership to attend the Annual SECME Institute and Summit; general supplies for supporting and implementing the HISD SECME activities and competitions; a stipend for the District SECME Coordinator to implement three after-school SECME implementation meetings; food/refreshments for after-school SECME implementation meetings; and bus transportation costs for students to participate in after-school and Saturday SECME events.

| | | | | |
|---|--------------------------------|--|--------------|----------------|
| United States (U.S.) Department of Education | Library Services Department | Innovative Approaches to Literacy (Project Reality) | \$422,487.00 | See Attachment |
|---|--------------------------------|--|--------------|----------------|

The Innovative Approaches to Literacy (IAL) Grant supports high-quality programs that are designed to develop and improve literacy skills for children of all ages. This grant is an innovative program that promotes early reading for young children, motivates older children to read, and will increase student achievement by using school libraries and the Houston Public Library as partners to improve literacy. Through the IAL grant, Library Services will distribute free books to children and offer high-quality literacy activities.

SUMMARY OF GRANTS GREATER THAN \$5,000

| Grantor | Receiving School/ Department | Grant Disbursement | Total Value of Grant | Budget String |
|---|--|--|-------------------------|---|
| U.S. Department of Health & Human Services Centers for Disease Control and Prevention (CDC) | Health & Physical Education Department | Project Houston's Challenge: Saving our Future | \$81,369 | XXX-XX-XXXX-XXX-XX-XXX-XXX \$35,176 SR1-XX-62XX-678-99-HD2-HD2 \$14,641 SR1-XX-64XX-678-99-HD2-HD2 \$29,358 Indirect Cost \$2,194 |

The CDC provides funds to state and local entities to improve the health, education, and well-being of young people through coordinated school health programs. HISD received additional funding, in the amount of \$81,369 for the 2014–2015 school year, from the Promoting Adolescent Health Through School-Based Human Immunodeficiency Virus/ Sexually Transmitted Disease (HIV/STD) Prevention and School-based Surveillance opportunity. The additional grant will be used to supplement previous funding for the same initiative to (1) pay professional consultants to analyze the 2014 Youth Risk Behavior Survey data and develop a variety of reports for dissemination to the CDC, district administrators, and the School Health Advisory Council; and (2) provide school incentives to support the 2014 School Health Profiles. The HIV/STD Prevention portion of the award will be used to (1) conduct professional development, (2) support stipends for 22 campus-level coordinators, (3) implement age-appropriate HIV/STD and teen pregnancy prevention strategies in schools with students of greatest need, and (4) provide funds for travel to CDC-required/approved meetings and conferences.

SUMMARY OF GRANTS GREATER THAN \$5,000

| Grantor | Receiving School/ Department | Grant Disbursement | Total Value of Grant | Budget String |
|---------------------------------|---------------------------------|---|-------------------------|----------------|
| Texas Education Agency (TEA) | Wheatley High School (HS) | Texas Title I Priority Schools Cycle 3 | \$4,762,494 | See Attachment |

HISD has been selected to receive grant funds from the TEA on behalf of Wheatley HS for the Texas Title I Priority Schools (TTIPS) Grant Cycle 3. The purpose of the TTIPS Grant is to provide funding to Title I schools identified as priority schools that demonstrate the greatest needs for funds and the strongest commitment to use the funds to provide adequate resources to substantially raise the achievement of their students. Increasing the achievement of Wheatley HS students will enable the school to meet the annual measurable objectives and exit priority status. The TTIPS grant period is from 8/1/14–7/31/17. TTIPS funds can be used to pay for personnel, technology, supplies, materials, travel, and contracted services. Wheatley HS will use these funds to hire a project director, one counselor, one campus improvement specialist, two social workers, one college access coordinator, and funding for substitutes and extra duty pay for teachers and other staff. The funds will also be used for teacher and administrative professional development; supplies and materials; travel for faculty, staff, and students; and computers and other technology to support student achievement.

| | | | | |
|-----------------|-----------------------|---|-----|----------------|
| City of Houston | After-School Programs | 2014-2015 After-School Achievement Program (ASAP) | \$0 | Not applicable |
|-----------------|-----------------------|---|-----|----------------|

Through ASAP, the City of Houston funds after-school programming for elementary and middle school-aged students. In August of 2014, HISD received ten ASAP grants for the 2014–2015 academic year (see attachment for list of schools). In tandem with the grant award, ASAP requires each campus to provide a cash match of \$10,000 and an in-kind match of \$10,000 to support the ASAP-funded after-school program. The City of Houston has informed HISD that it has revised its list of grantees to replace Black Middle School and Rodriguez Elementary School with Blackshear and Hobby Elementary Schools. Black Middle and Rodriguez Elementary, along with additional schools, have been placed on a contingency list to be considered for future funding should any other sources become available.

SUMMARY OF GRANTS GREATER THAN \$5,000

| Grantor | Receiving School/ Department | Grant Disbursement | Total Value of Grant | Budget String |
|---|--|----------------------|-------------------------|---------------|
| Robotics Education and Competition Foundation (RECF) | Mickey Leland College Preparatory Academy | Robotics Competition | \$5,000.00 (in-kind) | N/A |
| <p>Leland College Preparatory Academy was selected to receive a grant from RECF and the Texas Workforce Commission that will provide competition equipment to assist in producing high quality VEX Robotics Competition events. The campus agreed to be a Team Leader and will have perpetual use of the equipment until it no longer participates in the VEX Robotics Competition (VRC) program. A Memorandum of Understanding (MOU) will outline the guidelines for participating in this equipment lending program. The equipment can only be used for official VEX Competitions or activities. The equipment includes two field perimeters, two tile kits, two VEX controller kits, two toss up kits, one sizing tool, two monitor stands, extension cords, and one Event Partner (EP) Support kit.</p> | | | | |
| RECF | Mickey Leland College Preparatory Academy | Robotics Competition | \$5,000.00 (in-kind) | N/A |
| <p>Leland College Preparatory Academy will receive a grant from RECF and the United States (U.S.) Army that will provide competition equipment to support high quality VEX Robotics Competition (VRC) event(s) during the 2014–2015 competition season. The campus agreed to be an EP and will have perpetual use of the equipment until it no longer participates in the VRC program. An MOU will outline the guidelines for participating in this equipment lending program. The equipment can only be used for official VEX Competitions or activities. The equipment includes a U.S. Army Event Support Bundle 1 – Competition Fields and Materials (two competition field perimeter kits, two competition field tile kits, two VEXnet field controller kits, two VEX competition field monitor stands, and two VEX competition field monitors) and a U.S. Army Event Support Bundle 2- Audio/Visual Materials (two Peavey Escort 3000 sound systems, two GTD Audio G---622H UHF Wireless Microphone Systems, two 3.5mmTRS to Dual ¼ inch cables for computers, one Zoom Q4 Handy Video Recorder with enhanced sound options, and one camera tripod).</p> | | | | |

Total Value of Grants: \$5,326,350

**Detailed Budget
Innovative Approaches to Literacy
Library Services**

| Grantor | Budget String Object Description | Budget String | Amount |
|------------------------|---|------------------------------|---------------|
| Texas Education Agency | Wages and Benefits | SR1-11-6100-XXX-10-AA2-AA2 | \$155,325 |
| Texas Education Agency | Contracted Services | SR1-11-6200-XXX-10-AA2-AA2 | \$134,450 |
| Texas Education Agency | Supplies & Materials | SR1-11-6300- XXX-10-AA2-AA2 | \$37,945 |
| Texas Education Agency | Other Operational Cost | SR1-11-6400- XXX-10- AA2-AA2 | \$1,200 |
| Texas Education Agency | Capital Outlay | SR1-11-6600- XXX-10- AA2-AA2 | \$87,500 |
| Texas Education Agency | Total Direct Cost | | \$416,420 |
| Texas Education Agency | Other Indirect Cost | | \$6,067 |
| | | Total Costs | \$422,487 |

**Detailed Budget
Texas Title 1 Priority Schools Grant Cycle 3
Wheatley High School**

| Grantor | Budget String Object Description | Budget String | Amount |
|------------------------|---|----------------------------|---------------|
| Texas Education Agency | Wages and Benefits | SR1-11-6100-018-30-AP1-AP1 | \$1,948,353 |
| Texas Education Agency | Contracted Services | SR1-11-6200-018-30-AP1-AP1 | \$871,300 |
| Texas Education Agency | Supplies & Materials | SR1-11-6300-018-30-AP1-AP1 | \$394,002 |
| Texas Education Agency | Other Operational Cost | SR1-11-6400-018-30-AP1-AP1 | \$831,252 |
| Texas Education Agency | Capital Outlay | SR1-11-6600-018-30-AP1-AP1 | \$618,380 |
| Texas Education Agency | Total Direct Cost | | \$4,663,287 |
| Texas Education Agency | Other Indirect Cost | | \$99,207 |
| | | Total Costs | \$4,762,494 |

**Revised List of Schools
City of Houston
2014–2015 After-School Achievement Program (ASAP)**

The ten 2014–2015 After-School Achievement Program (ASAP) campuses include:

Benbrook Elementary School

Blackshear Elementary School

Edison Middle School

Fondren Elementary School

Law Elementary School

McReynolds Middle School

R.P. Harris Elementary School

Hobby Elementary School

Southmayd Elementary School

Tinsley Elementary School

Office of Superintendent of Schools
Board of Education Meeting of November 13, 2014

Office of School Support
Shonda Huery-Hardman, Chief School Support Officer

SUBJECT: APPROVAL OF THE ARABIC IMMERSION MAGNET SCHOOL

The purpose of this agenda item is to request that the Board of Education approve establishment of The Arabic Immersion Magnet School, set to open in the fall of 2015. This magnet school is well aligned to the Houston Independent School District's (HISD) tradition of strong magnet programs that provide educational choices and serve students with specialized interests, talents, needs, and potential career opportunities to ensure that students are prepared to enter a global economy.

As the fourth-largest city in the United States, Houston is home to more than 75,000 Arab Americans. Because of Houston's position as one of the leading energy capitals of the world and its strong economic ties to the Middle East, there is a significant demand for Arabic language training, both from families with Arabic ethnic ties and from members of other ethnic groups who simply want their children to grow up fully bilingual with valuable and rare language skills in an increasingly competitive global economy. As worldwide opportunities increase rapidly, the ability to speak Arabic will become more valuable.

An HISD cross-functional team will review available language survey data to determine the most appropriate Arabic dialect to target. In addition, partnerships are currently being discussed with the University of Texas at Austin, the University of Houston, and other key community groups such as the US/Arab Chamber of Commerce.

A complete proposal is on file in Board Services.

COST/FUNDING SOURCE(S): Funding for this program will be determined during the 2015–2016 budget adoption process.

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports HISD Goal 1: Increase Student Achievement and HISD Goal 5: Improve Public Support and Confidence in Schools and is aligned to Core Initiative 3: Rigorous Instructional Standards and Supports, and Core Initiative 5: Culture of Trust through Action.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES NOT ESTABLISH, MODIFY, OR DELETE BOARD POLICY.

RECOMMENDED: That the Board of Education approve the establishment of The Arabic Immersion Magnet School, effective November 14, 2014.

Office of Superintendent of Schools
Board of Education Meeting of November 13, 2014

Office of Business Operations
Leo Bobadilla, Chief Operating Officer

SUBJECT: AUTHORITY TO NEGOTIATE, EXECUTE, AND AMEND A CONTRACT WITH TBD DP TOPCO, LLC FOR THE CONSTRUCTION OF A SPARK PARK AT PINEY POINT ELEMENTARY SCHOOL

The Houston Independent School District (HISD) entered into an agreement with the City of Houston (City) and SPARK, a Texas non-profit corporation formed in 1983, to develop public school grounds into neighborhood parks. The first inter-local agreement was executed on March 18, 1986. A second ten-year SPARK agreement was executed on May 24, 2006 to formally continue the program. When new schools are identified to receive a SPARK Park, the SPARK program amends the agreement to include those schools that are to receive federal funding for the development of a SPARK Park.

Since 2006, subsequent amendments to the second agreement by the City, SPARK, and HISD have resulted in the following changes:

| Contract Amendment | Amendment Date | Agreement Extended Until | Increased Funding Amount |
|--------------------|------------------|--------------------------|--------------------------|
| First | April 9, 2007 | June 30, 2008 | \$394,241.00 |
| Second | March 17, 2008 | June 30, 2009 | \$200,000.00 |
| Third | April 9, 2009 | December 30, 2009 | \$190,000.00 |
| Fourth | May 20, 2010 | December 31, 2010 | \$200,000.00 |
| Fifth | October 13, 2010 | June 30, 2011 | \$65,000.00 |
| Sixth | May 17, 2011 | December 31, 2011 | \$275,000.00 |
| Seventh | July 2, 2012 | June 30, 2013 | \$175,000.00 |
| Eighth | July 1, 2013 | December 31, 2014 | \$301,500.00 |

The SPARK program combines the resources of the Department of Housing and Community Development, HISD, Harris County, the private sector, neighborhood groups, Parent Teacher Association/Parent Teacher Organization groups, and concerned citizens.

Each year the SPARK program selects schools around the Houston area to receive a SPARK Park. Piney Point Elementary School was selected as one of the schools to receive a SPARK Park.

The project was advertised on October 4 and October 11, 2014. Bids were received from the companies listed below on November 4, 2014:

TBD
DP TOPCO, LLC
P2MG, LLC

After evaluation in accordance with the procedures approved by the HISD Board of Education, TBD DP TOPCO, LLC was determined to be the highest-ranked best-value proposer. Therefore, it is recommended this contractor be awarded a contract for the construction of a SPARK Park at Piney Point Elementary School.

The work to be performed on the SPARK Park at Piney Point Elementary School includes, but is not limited to, constructing a walking/jogging trail, installing various fitness stations along the new trail, landscaping throughout the park, and drainage and grading improvements.

It is recommended that the HISD Board of Education authorize the superintendent of schools or a designee to negotiate, execute, and amend contracts necessary for the construction of a SPARK Park at Piney Point Elementary School.

| Successful Bidder | Not to Exceed Contract Amount | Change Order Allowance | Total Budget | Estimated Calendar Days | M/WBE Participation |
|------------------------------------|-------------------------------|--------------------------|-------------------------------|--------------------------|--------------------------|
| <u>TBD</u> <u>DP TOPCO, LLC</u> | <u>TBD</u> <u>\$88,900</u> | <u>TBD</u> <u>\$0</u> | <u>TBD</u> <u>\$88,900</u> | <u>TBD</u> <u>120</u> | <u>TBD</u> <u>11%</u> |

COST/ FUNDING SOURCE(S):

The cost of this project is not to exceed TBD\$88,900 and will be funded by allocations shown below:
~~(Cost centers to be determined by Finance).~~
\$5,000 – GF1 51-6299 890-99-008
\$68,900 – GF1 00-1290- Community Development Funds
\$5,000 – GF1 00-1290 - City of Houston SPARK Program
\$10,000 – GF1 00-2148 – Piney Point ES).

STAFFING IMPLICATIONS:

None

ORGANIZATIONAL GOALS/IMPACT:

This agenda item supports HISD Goal 4: Increase Management Effectiveness and Efficiency and is aligned to Core Initiative 4: Data-Driven Accountability.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES NOT ESTABLISH, MODIFY, OR DELETE BOARD POLICY.

RECOMMENDED:

That the Board of Education authorize the superintendent of schools or a designee to negotiate, execute, and amend a contract with TBD DP TOPCO, LLC for the construction of a SPARK Park at Piney Point Elementary School, effective November 14, 2014.

Office of Superintendent of Schools
Board of Education Meeting of November 13, 2014

Office of Business Operations
Leo Bobadilla, Chief Operating Officer

SUBJECT: APPROVAL OF ADJUSTMENT IN THE BUDGET AND AUTHORITY TO NEGOTIATE, EXECUTE, AND AMEND ALL NECESSARY CONTRACTS FOR THE RENOVATION/ADDITION OF JOANNA SOUTHMAYD ELEMENTARY SCHOOL

The Houston Independent School District (HISD) 2007 bond election approved the renovation of Joanna Southmayd Elementary School. On April 9, 2009, the HISD Board of Education approved the award of a design contract for the project.

At its August 27, 2009, meeting, the HISD Board of Education approved \$13.5 million to be allocated to additional facility projects in each of the nine trustee districts, for a total of \$121.5 million.

On October 8, 2009, the HISD Board of Education approved a budget of \$6 million from District III allocations for additional renovations and expansion of Southmayd Elementary School.

On May 20, 2010, the HISD Board of Education authorized the superintendent of schools or a designee to negotiate, execute, and amend a construction manager-at-risk (CMAR) contract with Morganti Texas, Inc.

On December 8, 2011, the HISD Board of Education approved award of a CMAR contract to Morganti Texas, Inc., for the renovation/addition of Southmayd Elementary School.

On March 8, 2012, the HISD Board of Education approved the award of the remaining design contract work due to the termination of the prior architect for breach of contract by bankruptcy.

On June 13, 2013, and on October 10, 2013, the HISD Board of Education approved increases to the construction contingency and design contingency allowances.

On April 10, 2014, the HISD Board of Education approved a roof replacement contract. The Southmayd Elementary School roof project required funds in the amount of \$1,461,773.

On August 14, 2014, the HISD Board of Education approved a project budget increase of \$500,000 because of unforeseen conditions associated with the renovation/addition of Southmayd Elementary School.

The renovation/addition project now requires a budget increase of \$400,000 to complete necessary work to close out the project.

An increase in budget in the amount of \$400,000 is requested.

Approval of this item will authorize the superintendent of schools or a designee to negotiate, execute, and amend all necessary contracts to implement the work.

COST/FUNDING SOURCE(S): The total cost of the budget increase shall not exceed \$400,000 and will be funded by 2007 Bond Program funds (CP1 81-6623-244-99-814-814).

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports HISD Goal 4: Increase Management Effectiveness and Efficiency and is aligned to Core Initiative 4: Data-Driven Accountability.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES NOT ESTABLISH, MODIFY, OR DELETE BOARD POLICY.

RECOMMENDED: That the Board of Education approve an increase in the budget in the amount of \$400,000 and authorize the superintendent of schools or a designee to negotiate, execute, and amend all necessary contracts for the renovation/addition of Joanna Southmayd Elementary School, effective November 14, 2014.

Office of Superintendent of Schools
Board of Education Meeting of November 13, 2014

Office of Chief Financial Officer
Kenneth Huewitt, Chief Financial Officer

SUBJECT: APPROVAL OF CONSULTANT AND PROFESSIONAL-SERVICE CONTRACTS

The purpose of this item is to authorize consultant contracts and professional-service contracts as required by board policy. According to current policy, the Houston Independent School District (HISD) Board of Education's approval is required for consultant contracts and professional services exceeding \$50,000 per engagement, inclusive of expenses, or for consultant contracts where payment to a consultant for the fiscal year has aggregated \$100,000, inclusive of all expenses. The attachment reflects a summary of proposed requests. Individual contracts are on-file in Board Services.

COST/FUNDING SOURCE(S): Funds for this recommended action are shown on the attached list.

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports HISD Goal 1: Increase Student Achievement and HISD Goal 4: Increase Management Effectiveness and Efficiency, and is aligned to Core Initiative 1: Effective Teacher in Every Classroom.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES NOT ESTABLISH, MODIFY, OR DELETE BOARD POLICY.

RECOMMENDED: That the Board of Education approve the proposed consultant and professional-service contracts, effective November 14, 2014.

SUMMARY OF CONSULTANT AND PROFESSIONAL-SERVICE REQUESTS

| Name | Using Department | Total Cost Of This Request | Total Contracts To Date | Budget |
|-----------------------|----------------------|----------------------------|-------------------------|----------------------------|
| McGraw-Hill Education | Middle School Office | \$100,000 | \$0 | GF1-13-6299-609-99-584-584 |

This agenda item requests the Houston Independent School District (HISD) Board of Education to authorize the Superintendent of Schools or a designee to negotiate and execute a contract between McGraw-Hill Education and HISD to offer professional development services. McGraw-Hill Education will deliver 40 full-day coaching sessions providing school leaders and teachers with high-quality, long-term professional development in support of the implementation of *Reading Mastery*, *Corrective Reading* and *Imaginelo*. Training dates include Pre-Planning, Initial Teacher Training, Onsite Support, and Post-Planning.

Term of Contract: August 29, 2014–June 30, 2015

| | | | | |
|-------------------------|-----------------------------|---|-----|--|
| Battelle for Kids (BFK) | Research and Accountability | \$246,375 <u>\$246,375</u> <u>\$492,750</u> | \$0 | SR1-13-6299-438-99-SF9-SF9 SR1-13-6299-438-99-SF1-SF1 |
|-------------------------|-----------------------------|---|-----|--|

BFK will support three human capital domains addressed by the Professional Educator Compensation and Support (PECAS) committee: appraisal and development, base pay, and bonus/incentives. After the conclusion of the PECAS work, BFK will bridge design and implementation of current systems to incorporate feedback from the Teacher Appraisal and Development focus area of PECAS; model and simulate a compensation system for Board review with the guiding principles from the Base Pay focus area of the PECAS work; and review bonus and incentive system (and disincentives) to formalize a proposal for Board review based on the recommendations from the Bonus and Incentive focus area of PECAS. Funds to support this contract will be paid by the U.S. Department of Education's Teacher Incentive Fund Cycle 3 Grant (Year 5) and Teacher Incentive Fund Cycle 4 Grant (Year 3).

Term of Contract: December 1, 2014–June 30, 2015

SUMMARY OF CONSULTANT AND PROFESSIONAL-SERVICE REQUESTS

| Name | Using Department | Total Cost Of This Request | Total Contracts To Date | Budget |
|--|-------------------------------|--|-------------------------|---------------------------|
| Raising the Bar Creative Concepts, LLC | Crespo Elementary School (ES) | \$32,000 <u>\$46,500</u> <u>\$78,500</u> | \$0 | GF1-11-6299-290-10-E1-101 |

Raising the Bar Creative Concepts will provide intervention/tutorials during and after school. Raising the Bar will provide bi-weekly narrative reports for teachers and administration about students' progress, including feedback and recommendations.

Term of Contract: September 22, 2014–May 12, 2015

| | | | | |
|-----------------------------------|--------------------------------------|----------|-----|----------------------------|
| Panera Bread (Rolling Dough Ltd.) | Professional Support and Development | \$65,000 | \$0 | TA3-99-2013-693-99-974-974 |
|-----------------------------------|--------------------------------------|----------|-----|----------------------------|

The New Teacher Development Academy and on-going sessions provide just-in-time training for teachers new to HISD on sharing the curriculum documents, planning resources, data tools, Teacher Appraisal and Development System, classroom management strategies, and more. The training is designed to equip all teachers new to HISD with district tools for effective instruction and to accelerate the practices of beginning teachers. The Academy sessions are full development days. Meals are provided to our newly hired teachers during the designated district-wide professional development days to maximize instructional time during limited training days. Approval of this item will grant the Superintendent of Schools or a designee the authority to negotiate and execute a contract with Panera Bread (Rolling Dough Ltd.).

Term of Contract: July 1, 2014–June 30, 2015

SUMMARY OF CONSULTANT AND PROFESSIONAL-SERVICE REQUESTS

| Name | Using Department | Total Cost Of This Request | Total Contracts To Date | Budget |
|-----------------------------------|------------------|----------------------------|-------------------------|----------------------------|
| Education Evaluation Systems, LLC | School Choice | \$59,500 | \$59,500 | SR1-13-6299-654-10-MG4-MG4 |

In October 2014, HISD was awarded a three-year, \$12 million Magnet Schools Assistance Program (MSAP) grant from the U.S. Department of Education to fund six new magnet programs. The grant specifies that external evaluation must be provided for each year of the grant. Education Evaluation Systems will obtain and analyze necessary data, conduct onsite observations, correlate program implementation indicators, and prepare and submit reports to the Department of Education in October 2014 and May 2015.

Term of Contract: October 1, 2014–September 30, 2015

| | | | | |
|--------------------|---------------|-----------------|-----|----------------------------|
| Achieve 3000, Inc. | School Choice | \$32,785 | \$0 | SR1-13-6299-072-10-MG3-MG3 |
| | | \$22,002 | | SR1-13-6299-467-10-MG4-MG4 |
| | | <u>\$17,723</u> | | SR1-13-6299-082-10-MG4-MG4 |
| | | <u>\$72,510</u> | | |

In October 2010, HISD was awarded a three-year, \$11.4 million MSAP grant with a year extension from the U.S. Department of Education to fund five new magnet programs. Fondren Middle School (MS), from the 2010 grant, and Baylor College of Medicine at Ryan MS and MC Williams MS, from the 2013 extension, as specified in the grant, will be implementing a blended learning model of instruction. All three middle schools will use the Achieve 3000 web-based reading program for the English/Language Arts component of blended learning.

Term of Contract: September 30, 2014–September 30, 2015

SUMMARY OF CONSULTANT AND PROFESSIONAL-SERVICE REQUESTS

| Name | Using Department | Total Cost Of This Request | Total Contracts To Date | Budget |
|------|------------------|----------------------------|-------------------------|--------|
|------|------------------|----------------------------|-------------------------|--------|

| | | | | |
|-----------------------------|--------------------------|----------|-----|----------------------------|
| Bridgepoint Consulting, LLC | Office of Internal Audit | \$59,625 | \$0 | GF1-41-6299-406-99-999-999 |
|-----------------------------|--------------------------|----------|-----|----------------------------|

Bridgepoint Consulting will provide general consulting to the Chief Audit Executive to assist in the transformation of internal audit. Services include, but are not limited to, a review of the internal audit organization, staffing, and assistance in the preparation of an enterprise risk assessment. The enterprise risk assessment will provide a basis for the 2015 Audit Plan. This project will facilitate compliance with the International Professional Practices Framework for Internal Auditors and address improvement opportunities.

Term of Contract: October 20, 2014–April 30, 2015

| | | | | |
|----------------------|--------------------------|---------------|-----|----------------------------|
| UHY Advisors TX, LLC | Office of Internal Audit | \$314,025-100 | \$0 | GF1-41-6299-406-99-999-999 |
|----------------------|--------------------------|---------------|-----|----------------------------|

UHY Advisors TX will assist the Office of Internal Audit in the preparation of an Information Technology (IT) risk assessment, identification of the audit universe, and preparation of the 2015 IT Audit Plan. Also, UHY Advisors TX will perform IT internal audit projects under the direction of the Chief Audit Executive on a co-sourcing basis. Each deliverable will facilitate compliance with the International Professional Practices Framework for Internal Auditors and address improvement opportunities.

Term of Contract: October 9, 2014–December 31, 2015

SUMMARY OF CONSULTANT AND PROFESSIONAL-SERVICE REQUESTS

| Name | Using Department | Total Cost Of This Request | Total Contracts To Date | Budget |
|---------------------|----------------------------|----------------------------|-------------------------|----------------------------|
| World Wide Workshop | Career Technical Education | \$24,360 | \$60,000 | SR1-13-6299-670-74-AV9-AV9 |

World Wide Workshop is the creator and developer of the Globaloria learning platform, a K–12 learning system that features courses to teach students to design, prototype, and code educational web/mobile apps, games and simulations with industry-standard technology as a means of learning content and creative innovation skills. This contract addendum will increase the original contract amount of \$60,000 by \$24,360 for additional licenses for a total amount not to exceed \$84,360.

Term of Contract: July 1, 2014–June 30, 2015

| | | | | |
|--|------------|----------|----------|---------------------------|
| The University of Texas Health Science Center at Houston | Sherman ES | \$50,400 | \$20,160 | GF1-11-6299-240-10-E1-101 |
|--|------------|----------|----------|---------------------------|

The University of Texas Health Science Center at Houston provides tutoring, intervention, and small group instruction for identified students.

Term of Contract: October 13, 2014–May 29, 2015

| | | | | |
|-----------------------------------|----------------|-------------|-----|---------------------------|
| Franklin Covey Client Sales, Inc. | Piney Point ES | \$51,367.18 | \$0 | GF1-13-6299-219-10-E1-101 |
|-----------------------------------|----------------|-------------|-----|---------------------------|

Franklin Covey Client Sales, Inc. will provide an Intellectual Property License/Web Community for one year, The Leader in Me Advanced Coaching for one year, The Leader in Me Vision Day, The 7 Habits of Highly Effective People Signature Edition, Lighthouse Team Training, Implementation Day, and classroom materials.

Term of Contract: August 1, 2014–May 30, 2015

SUMMARY OF CONSULTANT AND PROFESSIONAL-SERVICE REQUESTS

| Name | Using Department | Total Cost Of This Request | Total Contracts To Date | Budget |
|----------|------------------|----------------------------|-------------------------|----------------------------|
| Region 4 | School Choice | \$8,850 | \$53,240 | SR1-13-6299-082-10-MG4-MG4 |
| | | \$8,850 | | SR1-13-6299-467-10-MG4-MG4 |
| | | \$8,850 | | SR1-13-6299-004-10-MG4-MG4 |
| | | \$8,850 | | SR1-13-6299-007-10-MG4-MG4 |
| | | \$8,850 | | SR1-13-6299-486-10-MG4-MG4 |
| | | <u>\$8,850</u> | | SR1-21-6299-654-99-MG4-MG4 |
| | | <u>\$53,100</u> | | |

In October 2014, HISD was awarded a three-year, \$12 million MSAP grant from the U.S. Department of Education to fund six new magnet programs. Region 4 will provide technology integration support for the six schools (MC Williams MS, Baylor College of Medicine Academy at Ryan MS, Energy Institute High School (HS), Furr HS, Kashmere HS, and South Early College HS) within the grant. This support includes training and coaching to assist teachers in improving instruction by integrating technology purchased through the grant.

Term of Contract: November 17, 2014–November 17, 2015

| | | | | |
|----------------|---------------|------------------|-----|----------------------------|
| G&D Associates | School Choice | \$44,125 | \$0 | SR1-21-6299-654-99-MG4-MG4 |
| | | <u>\$58,375</u> | | SR1-21-6299-654-99-MG5-MG5 |
| | | <u>\$102,500</u> | | |

In October 2014, HISD was awarded a three-year, \$12 million MSAP grant from the U.S. Department of Education to fund six new magnet programs. G&D Associates provided strategic grant planning support in year one of the grant. G&D Associates services for year two of the grant include monitoring plan details and coaching the grant coordinator and grantee schools through grant planning revisions, re-plans, and grant activity implementation. Support from G&D Associates also includes phase two of promoting MSAP grantee magnet programs through revising and redesigning promotional outlets and materials, and creating strategic, grant-aligned recruitment plans.

Term of Contract: November 17, 2014–November 17, 2015

Office of Superintendent of Schools
Board of Education Meeting of November 13, 2014

Office of Chief Financial Officer
Kenneth Huewitt, Chief Financial Officer

SUBJECT: APPROVAL OF VENDOR AWARDS FOR PURCHASES OVER \$100,000 AND RATIFICATION OF VENDOR AWARDS FOR PURCHASES UNDER \$100,000

The purpose of this item is to authorize vendor awards for purchases over \$100,000 and ratify vendor awards for purchases under \$100,000. Pursuant to Board of Education policy, contracts for purchases over \$100,000 are submitted to the Houston Independent School District (HISD) Board of Education for approval prior to the issuance of purchase orders and/or agreement letters. Procurement Services, authorized by board policy, enters into purchase agreements for bid projects less than \$100,000, subject to ratification by the Board of Education.

When determining the successful bidder, consideration is given to the quality of the articles supplied, conformity with developed specifications, suitability to the requirements of the educational system, and delivery terms. All advertised bids are in compliance with minority- and woman-owned business enterprise procedures. All contracts are negotiated and executed with the supplier(s) providing the best overall value for the district.

The attachment reflects the names of successful bidders, the budgets to be charged, and a description of the items to be purchased. A copy of each tabulation is on file in Board Services.

COST/FUNDING SOURCE(S): Funds for these recommended actions will be necessary only one time.

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all six goals and is aligned with all five core initiatives of the district.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES NOT ESTABLISH, MODIFY, OR DELETE BOARD POLICY.

RECOMMENDED: That the Board of Education approve vendor awards for purchases over \$100,000 and ratify vendor awards for purchases under \$100,000, effective November 14, 2014.

APPROVAL OF PURCHASES OVER \$100,000

RECOMMENDED AWARD FOR NOVEMBER 13, 2014, BOARD AGENDA

| PROJECT | DESCRIPTION | *M/WBE COMMIT | M/WBE ACTUAL | BIDS/RFP'S ISSUED | BIDS REC'D | ** LOC | AWARDED TO | AMOUNT | BUDGET CHARGE |
|----------|--|--|-----------------|----------------------|---------------|--|---|------------------------------|--|
| 14-08-03 | RFP / Purchase of HVAC Parts and Supplies | <u>B-20%</u> <u>C-D</u> <u>C-D</u> <u>C-D</u> <u>C-D</u> <u>C-D</u> <u>A-100%</u> <u>A-100%</u> <u>C-D</u> | | <u>30</u> | <u>10</u> | <u>H</u> <u>OT</u> <u>H</u> <u>OT</u> <u>H</u> <u>H</u> <u>H</u> <u>H</u> | Air Filters, Inc. Carrier Enterprise, L.L.C. Hunton Distribution Johnson Controls Johnson Supply Johnstone Supply TSP Specialty Products LTD. United Air Conditioning United Refrigeration | Not To Exceed \$2,000,000 | GF1-51-6319-801-99-9XX-999 GF1-51-6319-801-99-401-999 GF1-51-6319-801-99-101-999 GF1-51-6319-801-99-201-999 GF1-51-6319-801-99-000-999 GF1-51-6319-800-99-000-999 GF1-51-6319-803-99-000-999 |
| 14-09-07 | RFP / Facility Maintenance for the Food Service Support Facility | B-25% | | 49 | 3 | | Comfort Systems (South Central) USA, Inc. | Not To Exceed \$1,759,696 | FD1-35-6299-793-99-976-976 |

Recommended award is based on bid providing best value. If the District is unable to enter into a contract with recommended firm, then administration also requests to end negotiations and permission to begin contract negotiations with the next best value proposal.

APPROVAL OF PURCHASES OVER \$100,000

RECOMMENDED AWARD FOR NOVEMBER 13, 2014, BOARD AGENDA

| <u>PROJECT</u> | <u>DESCRIPTION</u> | <u>*M/WBE COMMIT</u> | <u>M/WBE ACTUAL</u> | <u>BIDS/RFP'S ISSUED</u> | <u>BIDS REC'D</u> | <u>** LOC</u> | <u>AWARDED TO</u> | <u>AMOUNT</u> | <u>BUDGET CHARGE</u> |
|--|---|--|--|------------------------------|-----------------------|--------------------------------------|--|------------------------------|--|
| 14-07-06 | RFP / Purchase of Electrical Parts and Supplies | C-D B-25% C-D A-100% A-100% C-10% | | <u>14</u> | <u>7</u> | H H H H H H | Consolidated Electrical Distributors Crawford Electrical Supply Co., Inc. Elliot Electric Supply, Inc. Globe Electric Turtle & Hughes, Inc. Voss Lighting | Not To Exceed \$1,500,000 | GF1-51-6319-801-99-XXX-999 GF1-51-6319-800-99-XXX-999 Various School and Department Budgets |
| 14-04-06 | RFP / Garbage Can Liners | A-100% | | 23 | 9 | H | BioPlanet Corp. | Not To Exceed \$900,000 | GF1-00-1311 |
| *Canceled contract with first vendor from the August 14, 2014 Board Agenda. This is vendor number two. | | | | | | | | | |
| 14-05-10 | RFP / Translation and Interpretation Services | B-20% A-100% NP-0% A-100% B-20% A-100% C-D | B-0% A-100% NP-0% A-100% B-0% A-100% C-D | <u>21</u> | <u>11</u> | H H H H H O H H | Language Line Services MasterWord Alliance for Multicultural Community Services Universe Technical Translations, Inc. Language Line Services Travaille L.L.C. CTS Language | Not To Exceed \$500,000 | Various Department, Facilities, and School Budgets |
| 14-07-05 | RFP / Rebuilt Engines | C-D | | 10 | 1 | OT | Jasper Engines & Transmissions | Not To Exceed \$125,000 | GF1-34-6319-863-99-999-999 GF1-34-6319-865-99-999-999 GF1-34-6319-867-99-999-999 GF1-34-6319-869-99-999-999 |

APPROVAL OF PURCHASES UNDER \$100,000

RECOMMENDED AWARD FOR NOVEMBER 13, 2014, BOARD AGENDA

| PROJECT | DESCRIPTION | *M/WBE COMMIT | M/WBE ACTUAL | BIDS/RFP'S ISSUED | BIDS REC'D | ** LOC | AWARDED TO | AMOUNT | BUDGET CHARGE |
|---|--|------------------|-----------------|----------------------|---------------|-----------|--|---------------------------|--|
| 14-05-02 | RFP / Cardboard Boxes & Packaging Materials | B-20% A-100% | | 15 | 4 | H | Corrugated Concepts & Packaging Materials Taylor Packaging | Not To Exceed \$90,000 | GF1-00-1311-999-99-999 |
| <p>This item was originally approved on the September 11, 2014, Board Agenda. Corrugated Concepts & Packaging Materials is being removed from this item as they have decided not to move forward with HISD.</p> | | | | | | | | | |
| 14-09-06 | RFP / Holistic Feedback Survey Instruments | C-D | | 8 | 6 | OT | Cambridge Education L.L.C. | Not To Exceed \$50,000 | SR1-13-6299-438-99-SF8-SF8 SR1-13-6299-438-99-SF9-SF9 |

APPROVAL OF COOPERATIVE PURCHASES OVER \$100,000

RECOMMENDED AWARD FOR NOVEMBER 13, 2014, BOARD AGENDA

| <u>PROJECT</u> | <u>DESCRIPTION</u> | <u>*M/WBE COMMIT</u> | <u>M/WBE ACTUAL</u> | <u>BIDS/RFP'S ISSUED</u> | <u>BIDS REC'D</u> | <u>** LOC</u> | <u>AWARDED TO</u> | <u>AMOUNT</u> | <u>BUDGET CHARGE</u> |
|----------------|---|--------------------------|-------------------------|------------------------------|-----------------------|-------------------|--------------------------|------------------------------|----------------------------|
| DIR | Microsoft Enrollment for Education Solution (EES) | | | | | | SHI Government Solutions | Not To Exceed \$2,300,000 | GF1-53-6299-424-99-100-506 |

The Microsoft EES program allows district-wide licensing of Microsoft's operating systems and business application suite of programs, offering the District significant savings and streamlining the administration of licenses and upgrades going forward

| | | | | | | | | | |
|--------------|--|--|--|--|--|--|-----------------------------------|-----------------------------------|---------------------------------------|
| USC | Chairs, Telecom, Workstations | | | | | | Herman Miller Haworth Virco | Not To Exceed \$300,000 | Various School and Department Budgets |
| <u>TXMAS</u> | <u>Workstations / Furniture and Installation</u> | | | | | | <u>Wells & Kimich, Inc.</u> | <u>Not To Exceed \$72,850</u> | <u>GF1-51-6631-698-99-052-999</u> |

This item is for purchases of new furniture and to reconfigure workstations at the Teledyne building.

| | | | | | | | | | |
|--------------|-------------------------------------|--|--|--|--|--|---------------------------------|-----------------------------------|--|
| <u>TXMAS</u> | <u>Workstations / Furniture</u> | | | | | | <u>Wells & Kimich, Inc.</u> | <u>Not To Exceed \$50,000</u> | <u>Various School and Department Budgets</u> |
|--------------|-------------------------------------|--|--|--|--|--|---------------------------------|-----------------------------------|--|

APPROVAL OF SOLE SOURCE ITEMS

RECOMMENDED AWARD FOR NOVEMBER 13, 2014, BOARD AGENDA

| <u>PROJECT</u> | <u>DESCRIPTION</u> | <u>*M/WBE COMMIT</u> | <u>M/WBE ACTUAL</u> | <u>BIDS/RFP'S ISSUED</u> | <u>BIDS REC'D</u> | <u>** LOC</u> | <u>AWARDED TO</u> | <u>AMOUNT</u> | <u>BUDGET CHARGE</u> |
|----------------|---------------------------|--------------------------|-------------------------|------------------------------|-----------------------|-------------------|-------------------|----------------------------|--|
| Sole Source | Instructional Software | | | | | | Dreambox | Not To Exceed \$500,000 | Various School and Department Budgets |

Dreambox provides online instructional software for mathematics instruction for grades pre-K through 8.

APPROVAL OF CONTRACT RENEWAL PURCHASES OVER \$100,000

RECOMMENDED AWARD FOR NOVEMBER 13, 2014, BOARD AGENDA

| <u>PROJECT</u> | <u>DESCRIPTION</u> | <u>*M/WBE COMMIT</u> | <u>M/WBE ACTUAL</u> | <u>YEAR 2 OF 3</u> | <u>YEAR 3 OF 3</u> | <u>** LOC</u> | <u>AWARDED TO</u> | <u>AMOUNT</u> | <u>BUDGET CHARGE</u> |
|--|--|--------------------------|-------------------------|------------------------|------------------------|-------------------|---|------------------------------|---|
| 14-06-03 | Rental of Extra Curricular Charter and School Bus Services | P-Pending | A-100% | | | H | Grand Transportation Services dba Sams Limousine and Transportation, Inc. | Not To Exceed \$2,500,000 | Various School and Department Budgets |
| Note: This item was approved during the August 14, 2014, Board Meeting. This is to add a supplier. | | | | | | | | | |
| 13-07-02 | OEM Heavy Duty Parts and Service | C-I-1.87% C-I-22.64% | C-I-2.41% C-I-7% | X | | H H | Chalks Truck Parts, Inc. Genuine Parts Co. dba Napa Auto Parts | | |
| | | C-I-12% C-30% | C-20% C-30% | | | H H | International Trucks of Houston Longhorn Bus Sales | | |
| | | C-D | C-D | | | H | Ogburn Truck Parts | | |
| | | C-I-10% | C-I-5% | | | H | Northwest Drive Train | | |
| | | C-4.62% | C-6% | | | H | Pearland Alternator Co., Inc. | | |
| | | C-9.75% | C-7.67% | | | T | Rush Truck Centers of Texas, L.P. dba Rush Bus Center | | |
| | | C-I-0.11% | C-I-0.11% | | | H | Thomas Bus Gulf Coast | | |
| | | C-I-1.34% | C-I-4.61% | | | H | Timmers Chevrolet, Inc. dba Monument Chevrolet | | |
| | | C-I-3.18% | C-I-2.62% | | | H | Tommie Vaughn Motors, Inc. | Not To Exceed \$2,000,000 | GF1-00-1311 GF1-34-6249-XXX-XXX GF1-34-6319-XXX-XXX GF1-51-6249-XXX-XXX GF1-51-6319-XXX-XXX |

APPROVAL OF CONTRACT RENEWAL PURCHASES OVER \$100,000

RECOMMENDED AWARD FOR NOVEMBER 13, 2014, BOARD AGENDA

| <u>PROJECT</u> | <u>DESCRIPTION</u> | <u>*M/WBE COMMIT</u> | <u>M/WBE ACTUAL</u> | <u>YEAR 2 OF 3</u> | <u>YEAR 3 OF 3</u> | <u>** LOC</u> | <u>AWARDED TO</u> | <u>AMOUNT</u> | <u>BUDGET CHARGE</u> |
|----------------|---|--------------------------|-------------------------|------------------------|------------------------|-------------------|-------------------------------------|------------------------------|---|
| 12-05-11 | RFP / Science Supplies and Materials | C-D | C-D | | X | OT | Carolina Biological Supply Company | Not To Exceed \$2,000,000 | Various School and Dept Budgets |
| | | C-I-2% | C-I-1.14% | | | OT | Delta Education | | |
| | | C-I-0.22% | C-I-0.22% | | | OT | Fisher Science Education | | |
| | | C-D | C-D | | | OT | Flinn Scientific Inc. | | |
| | | C-I-8% | C-I-1.14% | | | OT | Frey Scientific | | |
| | | C-I-0.22% | C-I-0.15% | | | OT | NASCO | | |
| | | C-I-9% | C-I-12.91% | | | OT | Sargent Welch / VWR | | |
| | | C-I-1% | C-I-2.55% | | | OT | Ward's Natural Science | | |
| 13-06-08 | RFP / Playground Equipment | B-20% | B-0% | X | | H | May Recreation / Miracle Recreation | Not To Exceed \$1,500,000 | GF1-51-6299-802-99-702-999 Various School and Dept Budgets |
| | | C-D | C-D | | | H | PlayPower LT Farmington, Inc. | | |
| | | A-100% | A-100% | | | H | Westco Ventures, L.L.C. | | |
| 11-01-04 | RFP / Copier Rental | C-I-2.61% | C-I-2.61% | | X | T | Dahill, a Xerox Company | Not To Exceed \$1,000,000 | Various School and Department Budgets |
| | | A-100% | A-100% | | X | H | Marimon Business Systems | | |
| | | C-I-24% | C-I-24% | | X | OT | Xerox Corporation | | |
| | | C-D | C-D | | X | H | Zeno Imaging Systems | | |

This item is to cover expenses related to the retention of copier machines under the 2011 RFP project during the transition period as new copiers were being delivered and electrical outlets were being converted to accommodate the new machines.

| | | | | | | | | | |
|----------|-------------------------|--------|---------|--|---|---|-------------------------|----------------------------|--|
| 12-07-03 | RFP / Plumbing Services | C-10% | C-7.49% | | X | H | AMS of Houston | Not To Exceed \$812,500 | Various School and Department Budgets |
| | | A-100% | A-100% | | X | H | Reliasource, Inc. dba | | |
| | | C-20% | C-23.3% | | | | Charlies Plumbing | | |
| | | A-100% | A-0% | | | H | Tri-State Mechanical | | |
| | | | | | | H | Westco Ventures, L.L.C. | | |

APPROVAL OF CONTRACT RENEWAL PURCHASES OVER \$100,000

RECOMMENDED AWARD FOR NOVEMBER 13, 2014, BOARD AGENDA

| <u>PROJECT</u> | <u>DESCRIPTION</u> | <u>*M/WBE COMMIT</u> | <u>M/WBE ACTUAL</u> | <u>YEAR 2 OF 3</u> | <u>YEAR 3 OF 3</u> | <u>** LOC</u> | <u>AWARDED TO</u> | <u>AMOUNT</u> | <u>BUDGET CHARGE</u> |
|---------------------|--|--------------------------|-------------------------|------------------------|------------------------|-------------------|---|------------------------------------|---------------------------------------|
| 13-08-01 | General, Professional, and Auto Liability and Broker Services | C-20% | C-0% | | X | H | USI Southwest | Not To Exceed \$650,000 | GF1-51-6429-911-99-940-940 |
| 12-06-06 | Summer Leadership Institute PD Leadership Development | | | | | | NRG Park (Formerly Reliant Park) | Not To Exceed \$635,100 | SR1-13-6299-682-99-JY5-JY5 |

~~The Summer Leadership Institute will be held June 16-18, 2015, at the NRG Center. The Leadership Development Department will collaborate with other central office departments, thought leaders, professional development providers and district vendors to deliver comprehensive, differentiated leadership development training focused on broadening and deepening literacy development. The requested expenditure will cover the cost of the NRG Center License Fee (rental agreement) and services provided by NRG's exclusive providers (Aramark Corporation, Harper Wood Electric, Smart City Networks, CSC Event Security, Aemstar First Aid, and Waste Management). Also included in the request are expenses for internal services (example supplies, reading materials, etc.) needed to support implementation of the institute. The total cost of the institute will not exceed \$635,100.~~

| | | | | | | | | | |
|----------|---|--------|--------|---------------|--------------|---|---|---|----------------------------|
| 12-10-02 | Fleet Catastrophe Insurance | C-20% | C-0% | | X | H | USI Southwest | Not To Exceed \$500,000 | GF1-51-6427-911-99-940-940 |
| 13-07-01 | Excess Worker's Compensation Insurance Coverage | A-100% | A-100% | 29 | 1 | H | State National Insurance Company through H.P. Guillory, CLU, & Associates | Not To Exceed \$462,800 (Amendment from September Board Agenda) | IS2-41-6429-920-99-952-952 |

~~This item is an amendment to the original item approved on the September 2014 Board Agenda, increasing the amount from \$350,000 to \$462,800 due to a typographical error.~~

| | | | | | | | | | |
|----------|---------------------------------|-----------------------|------------------------|--|---|--------|---|-------------------------|---|
| 12-05-13 | RFP / Paint & Painting Supplies | C-I-2.6% C-I-5.38% | C-I-2.12% C-I-0.19% | | X | H H | PPG / Pittsburgh Paints The Sherwin Williams Company | Not To Exceed \$400,000 | GF1-00-1311 GF1-51-6319-801-99-104-999 GF1-51-6319-801-99-204-999 GF1-51-6319-801-99-304-999 GF1-51-6319-801-99-000-999 GF1-51-6319-800-99-000-999 GF1-51-6319-803-99-000-999 |
|----------|---------------------------------|-----------------------|------------------------|--|---|--------|---|-------------------------|---|

APPROVAL OF CONTRACT RENEWAL PURCHASES OVER \$100,000

RECOMMENDED AWARD FOR NOVEMBER 13, 2014, BOARD AGENDA

| <u>PROJECT</u> | <u>DESCRIPTION</u> | <u>*M/WBE COMMIT</u> | <u>M/WBE ACTUAL</u> | <u>YEAR 2 OF 3</u> | <u>YEAR 3 OF 3</u> | <u>** LOC</u> | <u>AWARDED TO</u> | <u>AMOUNT</u> | <u>BUDGET CHARGE</u> |
|----------------|--|--------------------------|-------------------------|------------------------|------------------------|-------------------|---------------------------------------|----------------------------|--|
| 12-08-04 | RFP / Resilient Flooring Installation & Supplies | A-0% NC-4% | A-0% NC-0% | | X | H H | Westco Ventures, LLC AECO Interior | Not To Exceed \$375,000 | Various School and Department Budgets |
| 13-10-03 | RFP / Kitchen – Production Repairs – Fire Suppression Inspections | C-D C-5% | C-D C-I-7.65% | X | | H H | Api Systems Group FireTron, Inc | Not To Exceed \$200,000 | FDI-35-6249-794-99-976-976 GF1-41-6299-507-99-999-999 |
| 12-09-01 | Third Party Administration and Association services for self-insured Texas automobile liability, out of state automobile liability, general liability, and professional liability claims | C-I-6.75% | C-I-8.16% | | X | H | Broadshire | Not To Exceed \$155,000 | GF1-51-6427-911-99-940-940 |

APPROVAL OF CONTRACT RENEWAL PURCHASES UNDER \$100,000

RECOMMENDED AWARD FOR NOVEMBER 13, 2014, BOARD AGENDA

| <u>PROJECT</u> | <u>DESCRIPTION</u> | <u>*M/WBE COMMIT</u> | <u>M/WBE ACTUAL</u> | <u>YEAR 2 OF 3</u> | <u>YEAR 3 OF 3</u> | <u>** LOC</u> | <u>AWARDED TO</u> | <u>AMOUNT</u> | <u>BUDGET CHARGE</u> |
|---------------------|---|--------------------------|-------------------------|------------------------|------------------------|-------------------|-------------------------------------|---------------------------------------|---------------------------------------|
| 13-10-04 | RFP/ Kitchen – Production Water Softener Equipment - Service | C/D | <u>C-D</u> | X | | H | AquaTex Water Conditioning, Inc. | Not To Exceed \$75,000 | FD1-35-6249-794-99-976-976 |
| 10-08-07 | Furniture District Wide | | | | | H | Wells & Kimich, Inc. | Not To Exceed \$72,850 | GF1-51-6631-698-99-052-999 |

Code Legend

M/WBE - Minority and Women Business Enterprises Percentage Notations

Option A - Certified M/WBE firm; Percentages greater than 100% indicates the M/WBE firm will also subcontract with other M/WBE firms.

Option B - Non M/WBE firm who will subcontract the indicated percentage with an M/WBE firm(s) to meet or exceed the district's goal.

Option C – Non M/WBE firm. If listed with percentage greater than 0%, the awardee will sub-contract with an M/WBE firm for a percentage less than the district's goal. If listed as C//X%, the awardee will participate under an indirect program for the percentage indicated. If listed as C/D, the awardee made direct contact with M/WBE firms regarding subcontracting opportunities but has no costs attributable as either indirect or direct costs with M/WBE suppliers.

Other Status Options

NC) - Non-compliant ; NE) - Not evaluated; NFP) - Non-profit; P) - Pending Certification

LOC – Location

Houston (H); Texas (T); Out of State (O); Out of State with Local Office (OT).

BB

DIR

GSA

HCDE

HGAC

REGION IV

TASB

TBPC

TIPS

TCPN

TPASS

TXMAS

USC

The BuyBoard Cooperative

Texas Department of Information Resources

Federal General Services Administration Schedule 70

Harris County Department of Education

Houston-Galveston Area Council

Region IV Education Service Center

Texas Association of School Boards

Texas Building and Procurement Commission

TIPS/TAPS Region 8 Interlocal Cooperative

The Cooperative Purchasing Network

Texas Procurement and Support Services

Texas Multiple Award Schedules

U. S. Communities

Office of Superintendent of Schools
Board of Education Meeting of November 13, 2014

Office of Chief Financial Officer
Kenneth Huewitt, Chief Financial Officer

**SUBJECT: APPROVAL OF RESOLUTION AND ORDINANCE ADOPTING
EARLY ADDITIONAL PENALTY ON DELINQUENT TANGIBLE
PERSONAL PROPERTY TAXES ON TAX YEAR 2014 FOR THE
HOUSTON INDEPENDENT SCHOOL DISTRICT IN ACCORDANCE
WITH SECTION 33.11 OF THE TEXAS PROPERTY TAX CODE**

The Texas Property Tax Code (Code) contains various provisions allowing a taxing unit to add an additional amount up to twenty percent (20%) of delinquent taxes, penalty and interest owing in order to facilitate property tax collections. Section 33.07 of the Code provides for the additional amount to be added on all accounts remaining delinquent on July 1 that have a delinquency date of February 1 but not later than May 1 each year. Section 33.08 of the Code provides for the additional amount to be added on all delinquent accounts with a delinquency date on or after June 1.

Section 33.11 provides for the additional amount to be added to tangible personal property accounts only that become delinquent on February 1 and remain delinquent 60 days after the date the taxes become delinquent. The purpose of the Section 33.11 additional penalty is to allow earlier turnover of those personal property tax accounts to the delinquent tax collection law firm since many of those personal property assets may no longer be available on July 1, due to businesses closing or properties no longer being available for collection or seizure of assets. The law firm is required to provide additional collection efforts during the Section 33.11 collection period in order to maximize collections of those personal property accounts.

In order for the Section 33.11 penalty to apply, the taxing unit must be under contract with an attorney to collect delinquent taxes. The Houston Independent School District (HISD) is under contract with a delinquent tax collection firm, which complies with the Code requirements. Imposition of these penalties allows HISD to retain all delinquent base taxes plus regular penalties and interest, and to pay the delinquent tax collection law firm from the additional collections imposed under Section 33.11.

The Resolution and Ordinance relating to adoption of the Section 33.11, twenty percent (20%) penalty on delinquent taxes is attached and on file in Board Services.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports HISD Goal 4: Increase Management Effectiveness and Efficiency and is aligned to Core Initiative 4: Data-Driven Accountability.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES NOT ESTABLISH, MODIFY, OR DELETE BOARD POLICY.

RECOMMENDED: That the Board of Education approve Resolution and Ordinance adopting a twenty percent (20%) penalty pursuant to and in accordance with Section 33.11 of the Texas Property Tax Code on tax year 2014 tangible personal property taxes that become delinquent on or after February 1, 2015, effective November 14, 2014.

**HOUSTON INDEPENDENT SCHOOL DISTRICT
RESOLUTION AND ORDINANCE
RELATING TO APPROVAL OF SECTION 33.11 PENALTY
UNDER THE TEXAS PROPERTY TAX CODE FOR TAX YEAR 2014
DELINQUENT TANGIBLE PERSONAL PROPERTY TAXES OF THE
HOUSTON INDEPENDENT SCHOOL DISTRICT**

WHEREAS, Section 33.11 of the Texas Property Tax Code authorizes a taxing unit that has contracted with an attorney pursuant to Section 6.30 of the Texas Property Tax Code to add an early additional penalty not to exceed twenty percent (20%) of the amount of delinquent taxes, penalties, and interest on all tangible personal property taxes that become delinquent on or after February 1, and remain delinquent on the later of the date those taxes become subject to the attorney's contract, or 60 days after the date the taxes become delinquent, which additional penalty is incurred on a date prior to July 1 of the year in which the taxes become delinquent; and

WHEREAS, the Houston Independent School District is under contract with a law firm pursuant to Section 6.30 of the Texas Property Tax Code; and

WHEREAS, the Board of Education of the Houston Independent School District has determined that a twenty percent (20%) penalty shall be added for the 2014 tax year to those delinquent tangible personal property taxes, penalties and interest owed to the Houston Independent School District, and said Board by vote taken and passed on November 13, 2014, has voted to impose such twenty percent (20%) penalty for the 2014 tax year on those Houston Independent School District tangible personal property taxes that become delinquent on or after February 1 and that remain delinquent on the 60th day thereafter, and such penalty is incurred on a date before July 1 of the year in which the taxes become delinquent.

THEREFORE, BE IT RESOLVED AND ORDAINED THAT:

All of the above paragraphs are incorporated and made a part of this Resolution and be it,

RESOLVED and ORDAINED that the Board of Education of the Houston Independent School District has approved and does hereby pass, approve, authorize and declare that all tax year 2014 tangible personal property taxes, that become delinquent on or after February 1, 2015, shall incur an additional penalty to defray costs of collection in the amount of twenty percent (20%) of the taxes, penalties and interest due, pursuant to and in accordance with Section 33.11 of the Texas Property Tax Code.

PASSED, APPROVED, AND ADOPTED this 14th day of November, 2014.

HOUSTON INDEPENDENT SCHOOL DISTRICT

By _____
Juliet Stipeche, President
Board of Education

ATTEST:

Anna Eastman, Secretary
Board of Education

Office of Superintendent of Schools
Board of Education Meeting of November 13, 2014

Office of Chief Financial Officer
Kenneth Huewitt, Chief Financial Officer

SUBJECT: APPROVAL OF THE *COMPREHENSIVE ANNUAL FINANCIAL REPORT* AND THE *SINGLE AUDIT REPORT* FOR THE 2013–2014 FISCAL YEAR AND AUTHORITY TO PUBLISH CONDENSED FINANCIAL STATEMENTS

Section 44.008 of the Texas Education Code requires all school districts to be audited annually by a firm certified with the Texas State Board of Public Accountancy. In April 2014, the Houston Independent School District (HISD) Board of Education approved the contract with Deloitte & Touche, LLP, for the audit of financial records for the fiscal year ended June 30, 2014. Two audit reports have been prepared by the Office of Finance, the *Comprehensive Annual Financial Report* and the *Single Audit Report*. The *Comprehensive Annual Financial Report* contains the fiscal year-end financial schedules, whereas the *Single Audit Report* contains the auditors' report on the district's internal control structure and compliance with federal regulations related to grants and other federal programs. Both audit reports must be completed within 150 days after the end of the fiscal year, approved by the Board of Education, and filed with the Texas Education Agency by November 27, 2014. A condensed version of the district's financial statements must be published in a local newspaper by November 27, 2014, in accordance with Article 29b, Texas Revised Civil Statutes.

The audit reports are on-file in Board Services.

COST/FUNDING SOURCE(S): The total cost of this service is \$397,500 and will be funded by local funds (GF1-41-6212-911-99-940-940).

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports HISD Goal 4: Increase Management Effectiveness and Efficiency and is aligned to Core Initiative 5: Culture of Trust through Action.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES NOT ESTABLISH, MODIFY, OR DELETE BOARD POLICY.

RECOMMENDED: That the Board of Education: (1) approve the *Comprehensive Annual Financial Report* and the *Single Audit Report* for the fiscal year ended June 30, 2014, and (2) authorize publication of the condensed financial statements, effective November 14, 2014.

Office of Superintendent of Schools
Board of Education Meeting of November 13, 2014

Office of Chief Financial Officer
Kenneth Huewitt, Chief Financial Officer

SUBJECT: APPROVAL OF ORDER AMENDING ORDER AUTHORIZING HOUSTON INDEPENDENT SCHOOL DISTRICT LIMITED TAX SCHOOLHOUSE BONDS, SERIES 2014B; AND APPROVING OTHER PROVISIONS RELATING THERETO

On June 12, 2014, the Board of Education authorized the issuance of the District's Limited Tax Schoolhouse Bonds, Series 2014B (the "New Money Bonds") and the District's Limited Tax Schoolhouse Refunding Bonds, Series 2014C (the "Refunding Bonds"). At such time, the Board expected that the New Money Bonds would be issued prior to or concurrently with the issuance of the Refunding Bonds. For various reasons, the issuance of the New Money Bonds has been postponed. The issuance of the Refunding Bonds is proceeding on schedule and, in connection with the pricing of the Refunding Bonds, the series designation for the Refunding Bonds will be changed to Series 2014B.

In the order authorizing the issuance of the New Money Bonds, the Board delegated to certain Authorized Representatives the authority to execute an Officer's Pricing Certificate with respect to the pricing of the New Money Bonds within the parameters established by such order, and provided that such delegation expired on December 12, 2014.

Approval of the order amending the order authorizing the issuance of the New Money Bonds will extend the delegation to the Authorized Representatives with respect to the pricing of the New Money Bonds to May 13, 2015, and will authorize the Authorized Representatives to change the series designation of the New Money Bonds as appropriate, given that they will be issued after the issuance of the Refunding Bonds.

COST/FUNDING SOURCE(S): None. Bond issuance costs are a one-time expense and will be paid from the proceeds of the sale of the bonds.

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports all six goals of the district and is aligned with Core Initiative 4: Data-Driven Accountability and Core Initiative 5: Culture of Trust Through Action.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES NOT ESTABLISH, MODIFY, OR DELETE BOARD POLICY

RECOMMENDED: That the Board of Education approve the order amending order authorizing Houston Independent School District Limited Tax Schoolhouse Bonds, Series 2014B, and approving other provisions relating thereto, effective November 14, 2014.

CERTIFICATE FOR ORDER

STATE OF TEXAS §
COUNTY OF HARRIS §
HOUSTON INDEPENDENT SCHOOL DISTRICT §

The undersigned officers of the Board of Education (the "Board") of the Houston Independent School District (the "District"), hereby certify as follows:

1. The Board of the District convened in regular meeting on November 13, 2014, at the regular designated meeting place, and the roll was called of the duly constituted officers and members of said Board, to-wit:

| | |
|--|------------------------------|
| Juliet K. Stipeche, President | Michael L. Lunceford, Member |
| Rhonda Skillern-Jones, First Vice President | Paula M. Harris, Member |
| Manuel Rodriguez, Jr., Second Vice President | Greg Meyers, Member |
| Anna Eastman, Secretary | Harvin C. Moore, Member |
| Wanda Adams, Assistant Secretary | |

and all of such persons were present except _____, thus constituting a quorum. Whereupon, among other business, the following was transacted at said meeting: a written

ORDER AMENDING ORDER AUTHORIZING HOUSTON INDEPENDENT SCHOOL DISTRICT LIMITED TAX SCHOOLHOUSE BONDS, SERIES 2014B; AND APPROVING OTHER PROVISIONS RELATING THERETO

was duly introduced for the consideration of the Board. It was then duly moved and seconded that such Order be passed; and, after due discussion, such motion, carrying with it the passage of such Order, prevailed and carried by the following vote:

AYES ___ NOES ___ ABSTENTIONS ___

2. That a true, full and correct copy of such Order passed at the meeting described in the above and foregoing paragraph is attached to and follows this Certificate; that such Order has been duly recorded in such Board's minutes of such meeting; that the above and foregoing paragraph is a true, full and correct excerpt from such Board's minutes of such meeting pertaining to the passage of such Order; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of the Board as indicated therein; that each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance of the time, place and purpose of such meeting, and that such Order would be introduced and considered for passage at such meeting, and each of such officers and members consented, in advance, to the holding of such meeting for such purpose; and that such meeting was open to the public, and public notice of the time, place and

purpose of such meeting was given all as required by Chapter 551, Texas Government Code, as amended.

SIGNED AND SEALED this November ____, 2014.

Veronica Mabasa
Manager, Board Services
Houston Independent School District

(SEAL)

ORDER AMENDING ORDER AUTHORIZING HOUSTON INDEPENDENT SCHOOL DISTRICT LIMITED TAX SCHOOLHOUSE BONDS, SERIES 2014B; AND APPROVING OTHER PROVISIONS RELATING THERETO

WHEREAS, pursuant to Chapter 45, Texas Education Code, as amended, Chapter 1371, Texas Government Code, as amended, and an order adopted on June 12, 2014 (the “New Money Bond Order”), the Board of Education (the “Board”) of the Houston Independent School District (the “District”) authorized the issuance of the District’s Limited Tax Schoolhouse Bonds, Series 2014B (the “New Money Bonds”);

WHEREAS, pursuant to Chapter 45, Texas Education Code, as amended, Chapter 1207, Texas Government Code, as amended, and an order adopted on June 12, 2014 (the “Refunding Bond Order”), the Board authorized the issuance of the District’s Limited Tax Schoolhouse Refunding Bonds, Series 2014C (the “Refunding Bonds”);

WHEREAS, in the New Money Bond Order, the Board delegated to the Authorized Representative to execute an Officer’s Pricing Certificate with respect to the New Money Bonds within the parameters established in the New Money Bond Order, and provided that such delegation expired on December 12, 2014;

WHEREAS, at the time of its adoption of the New Money Bond Order and the Refunding Bond Order, the Board expected that the New Money Bonds would be issued prior to or concurrently with the issuance of the Refunding Bonds;

WHEREAS, for various reasons, the issuance of the New Money Bond Order has been postponed;

WHEREAS, the Board wishes to extend the delegation to the Authorized Representative with respect to the New Money Bonds to May 13, 2015, and to authorize the Authorized Representative to change the series designation of the New Money Bonds as appropriate;

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF EDUCATION OF THE HOUSTON INDEPENDENT SCHOOL DISTRICT THAT:

Section 1. Recitals. The recitals to this Order are hereby approved by the Board and incorporated into and made a part hereof.

Section 2. Authorization. The delegation to the Authorized Representative in Section 5 of the New Money Bond Order shall expire at 11:59 p.m. on May 13, 2015. The Authorized Representative is authorized to change the series designation of the New Money Bonds as the Authorized Representative deems appropriate.

Section 3. Definitions. Capitalized terms used herein and not otherwise defined in this Order shall have the same meanings set forth in the New Money Bond Order.

Section 4. Open Meeting. It is hereby officially found and determined that the meeting at which this Order was adopted was open to the public, and public notice of the time, place and purpose of the meeting was given, all as required by the Texas Open Meetings Act.

Section 5. Severability. If any section, paragraph, clause or provision of this Order shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Order.

Section 6. Repealer. All orders, resolutions and ordinances, or parts thereof, inconsistent herewith are hereby repealed to the extent of such inconsistency.

[The remainder of this page is intentionally left blank.]

Office of Superintendent of Schools
Board of Education Meeting of November 13, 2014

Office of Chief Financial Officer
Kenneth Huewitt, Chief Financial Officer

SUBJECT: APPROVAL OF ORDER AUTHORIZING THE EXECUTION AND DELIVERY OF A GENERAL WARRANTY DEED TO THE HOUSTON INDEPENDENT SCHOOL DISTRICT PUBLIC FACILITY CORPORATION RELATING TO THREE TRACTS OF LAND, AS FOLLOWS: APPROXIMATELY 61 ACRES OF LAND LOCATED ACROSS THE STREET FROM THE EXISTING NORTH FOREST HIGH SCHOOL AT 10725 MESA DRIVE, APPROXIMATELY 20 ACRES OF LAND LOCATED AT 9709 MESA DRIVE, AND APPROXIMATELY 12 ACRES OF LAND LOCATED AT 3501 SOUTHMORE BOULEVARD, ALL IN HOUSTON, TEXAS; AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE RELATING TO THE NEW NORTH FOREST HIGH SCHOOL, NORTH FOREST AREA EARLY CHILDHOOD CENTER, AND ENERGY INSTITUTE HIGH SCHOOL; AUTHORIZING THE EXECUTION AND DELIVERY OF AN ASSIGNMENT AGREEMENT RELATING TO CONTRACTS FOR SUCH FACILITIES; AND APPROVING OTHER MATTERS INCIDENT AND RELATING THERETO

Effective July 1, 2013, the Houston Independent School District (HISD) annexed the former North Forest Independent School District (NFISD). Two facilities in the former NFISD are in need of replacement, specifically North Forest High School and the Early Childhood Center. In addition, a permanent location is needed for the Energy Institute High School. Bond proceeds from the 2012 referendum are not available for these projects.

The HISD Public Facility Corporation, a not-for-profit corporation, was created by the district in 1998 to assist in financing facilities. The corporation will finance the purchase of the land and the construction of the projects through the issuance of lease revenue bonds. The corporation will act as "landlord" and accept annual "rent" payments from the district. A trustee will make payments to the bondholders on behalf of the corporation. In order to secure interest from bondholders to buy the bonds, it will be necessary to execute a warranty deed to the corporation, thereby conveying title to the land on which the projects will be constructed to the corporation. During the "rental" period, the corporation will hold title to the land and the facilities. At the end of the lease period, title to the land and the facilities will be transferred back to the district.

The Texas Legislature has approved the use of lease-purchase agreements for school districts to give school districts additional flexibility in funding facilities. All lease-purchase agreements, and the funding sources to pay for the facilities, are reviewed for approval by the Texas Attorney General.

At its October 9, 2014, meeting, the HISD Board of Education approved the publication of notice of its intent to enter into the proposed lease-purchase agreement.

Approval of this item will allow for the execution and delivery on behalf of the district of the warranty deed, the lease, and the contract assignments, and the execution and delivery by the corporation of the bond resolution, fifth supplemental trust indenture, deed of trust, and collateral assignments of agreements to the trustee for the bonds.

COST/FUNDING SOURCE(S): Project costs are not to exceed \$128.665 million.

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports HISD Goal 1: Increase Student Achievement and HISD Goal 4: Increase Management Effectiveness and Efficiency, and is aligned with Core Initiative 4: Data-Driven Accountability.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES NOT ESTABLISH, MODIFY, OR DELETE BOARD POLICY.

RECOMMENDED: That the Board of Education authorize the execution and delivery of a general warranty deed to the Houston Independent School District Public Facility Corporation relating to three tracts of land, as follows: approximately 61 acres of land located across the street from the existing North Forest High School at 10725 Mesa Drive, approximately 20 acres of land located at 9709 Mesa Drive, approximately 12 acres of land located at 3501 Southmore Boulevard, all in Houston, Texas; authorize the execution and delivery of a lease relating to the new North Forest High School, North Forest Area Early Childhood Center, and Energy Institute High School; authorize the execution and

delivery of an assignment agreement relating to contracts for such facilities; and approve other matters incident and relating thereto, effective November 14, 2014.

CERTIFICATE FOR ORDER

THE STATE OF TEXAS §
COUNTY OF HARRIS §
HOUSTON INDEPENDENT SCHOOL DISTRICT §

I, the undersigned officer of the Board of Education (the “Board”) of the Houston Independent School District (the “District”), hereby certify as follows:

1. The Board of the District convened in a regular meeting on November 13, 2014, in the regular meeting place, and the roll was called of the duly constituted officers and members of said Board, to-wit:

- | | |
|--|------------------------------|
| Juliet K. Stipeche, President | Michael L. Lunceford, Member |
| Rhonda Skillern-Jones, First Vice President | Paula M. Harris, Member |
| Manuel Rodriguez, Jr., Second Vice President | Greg Meyers, Member |
| Anna Eastman, Secretary | Harvin C. Moore, Member |
| Wanda Adams, Assistant Secretary | |

and all of such persons were present except _____, thus constituting a quorum. Whereupon, among other business, the following was transacted at said meeting: a written

ORDER AUTHORIZING THE EXECUTION AND DELIVERY OF A GENERAL WARRANTY DEED TO THE HOUSTON INDEPENDENT SCHOOL DISTRICT PUBLIC FACILITY CORPORATION RELATING TO THREE TRACTS OF LAND, AS FOLLOWS: APPROXIMATELY 61 ACRES OF LAND LOCATED ACROSS THE STREET FROM THE EXISTING NORTH FOREST HIGH SCHOOL AT 10725 MESA DRIVE, APPROXIMATELY 20 ACRES OF LAND LOCATED AT 9709 MESA DRIVE, AND APPROXIMATELY 12 ACRES OF LAND LOCATED AT 3501 SOUTHMORE BOULEVARD, ALL IN HOUSTON, TEXAS; AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE RELATING TO THE NEW NORTH FOREST HIGH SCHOOL, NORTH FOREST AREA EARLY CHILDHOOD CENTER AND ENERGY INSTITUTE HIGH SCHOOL; AUTHORIZING THE EXECUTION AND DELIVERY OF AN ASSIGNMENT AGREEMENT RELATING TO CONTRACTS FOR SUCH FACILITIES; AND APPROVING OTHER MATTERS INCIDENT AND RELATING THERETO

was duly introduced for the consideration of the Board. It was then duly moved and seconded that such Order be passed; and, after due discussion, such motion, carrying with it the passage of such Order, prevailed and carried by the following vote:

___ Ayes ___ Noes ___ Abstentions

2. That a true, full and correct copy of such Order passed at the meeting described in the above and foregoing paragraph is attached to and follows this Certificate; that such Order has been duly recorded in such Board's minutes of such meeting; that the above and foregoing paragraph is a true, full and correct excerpt from such Board's minutes of such meeting pertaining to the passage of such Order; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of the Board as indicated therein; that each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance of the time, place and purpose of such meeting, and that such Order would be introduced and considered for passage at such meeting, and each of such officers and members consented, in advance, to the holding of such meeting for such purpose; and that such meeting was open to the public, and public notice of the time, place and purpose of such meeting was given all as required by Chapter 551, Texas Government Code, as amended.

SIGNED AND SEALED this November __, 2014.

Supervisor, Board Services
Houston Independent School District

(SEAL)

ORDER AUTHORIZING THE EXECUTION AND DELIVERY OF A GENERAL WARRANTY DEED TO THE HOUSTON INDEPENDENT SCHOOL DISTRICT PUBLIC FACILITY CORPORATION RELATING TO THREE TRACTS OF LAND, AS FOLLOWS: APPROXIMATELY 61 ACRES OF LAND LOCATED ACROSS THE STREET FROM THE EXISTING NORTH FOREST HIGH SCHOOL AT 10725 MESA DRIVE, APPROXIMATELY 20 ACRES OF LAND LOCATED AT 9709 MESA DRIVE, AND APPROXIMATELY 12 ACRES OF LAND LOCATED AT 3501 SOUTHMORE BOULEVARD, ALL IN HOUSTON, TEXAS; AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE RELATING TO THE NEW NORTH FOREST HIGH SCHOOL, NORTH FOREST AREA EARLY CHILDHOOD CENTER AND ENERGY INSTITUTE HIGH SCHOOL; AUTHORIZING THE EXECUTION AND DELIVERY OF AN ASSIGNMENT AGREEMENT RELATING TO CONTRACTS FOR SUCH FACILITIES; AND APPROVING OTHER MATTERS INCIDENT AND RELATING THERETO

WHEREAS, the Board of Education of the Houston Independent School District (the "District") has found and determined that it is in the best interest of the District to proceed with the construction, acquisition and equipment of a new North Forest High School, North Forest area Early Childhood Center and Energy Institute High School and ancillary facilities (collectively, the "Project");

WHEREAS, pursuant to the notice of intention published in *The Houston Chronicle* on October 11, 2014, the maximum cost of the Project is \$128,665,000, of which \$8,050,000 (as determined by independent appraisals) is the combined fair market value of the approximately 61 acres of land located across the street from the existing North Forest High School at 10725 Mesa Drive, the approximately 20 acres of land located at 9709 Mesa Drive, and the approximately 12 acres of land located at 3501 Southmore Boulevard, all in Houston, Texas (collectively, the "Land") on which the Project will be constructed;

WHEREAS, the District has determined that the sale of the Land at its fair market value and the contribution of the sales proceeds of the Land to the Houston Independent School District Public Facility Corporation (the "Corporation") is necessary to the District's acquisition, construction and equipment of the Project;

WHEREAS, the Board of Education desires to approve (i) the transfer of title to the Land to the Corporation pursuant to a General Warranty Deed, dated as of December 23, 2104 (the "General Warranty Deed") and (ii) the lease of the Project (including the Land) pursuant to a Lease, dated as of December 23, 2013 (the "Lease") with the Corporation;

WHEREAS, in connection with the construction, acquisition and equipment of the Project, the Board of Education desires to approve an Assignment Agreement, dated as December 23, 2014 (the "Assignment Agreement"), whereby the District will assign to the Corporation certain contracts related to the Project;

WHEREAS, pursuant to (1) a resolution (the “Bond Resolution”) expected to be adopted by the Board of Directors of the Corporation on December 11, 2014, (2) a Fifth Supplemental Trust Indenture (the “Fifth Supplemental Trust Indenture”), dated as of December 1, 2014, between the Corporation and The Bank of New York Mellon Trust Company, National Association, Houston, Texas, as trustee (the “Trustee”); and (3) a Bond Purchase Agreement, dated as of the date of execution thereof (the “Bond Purchase Agreement”), between the Corporation and the underwriters named therein (the “Underwriters”), the Corporation will issue its Lease Revenue Bonds (School Projects), Series 2014 (the “Bonds”) to finance the acquisition, construction and equipment of the Project and will pledge its interest in the Lease, and its right to receive the Rental Payments with respect to the Project as provided therein, to the Trustee as security for the payment of the Bonds;

WHEREAS, pursuant to a Deed of Trust, Security Agreement, Assignment of Rents and Leases and Financing Statement, dated as of December 23, 2014 (the “Deed of Trust”) by the Corporation for the benefit of the Trustee, the Corporation will grant a first lien security interest in the Project for the benefit of the Trustee to further secure the Bonds;

WHEREAS, the forms of the General Warranty Deed, the Lease, the Bond Resolution, the Fifth Supplemental Trust Indenture, the Deed of Trust, the Assignment Agreement and the Bond Purchase Agreement have been presented to the Board of Education at this meeting;

WHEREAS, the Board of Education now desires to approve the forms of the General Warranty Deed, the Lease, the Bond Resolution, the Fifth Supplemental Trust Indenture, the Deed of Trust, the Assignment Agreement and the Bond Purchase Agreement, the issuance of the Bonds by the Corporation and the execution and delivery by the District and the Corporation, as applicable, of such documents, and all other certificates and instruments necessary or appropriate to consummate the transactions contemplated thereby;

WHEREAS, the District finds and determines that the Project is necessary in order to carry out the purposes of the District, specifically, instruction of students; and

WHEREAS, the meeting at which this Order is considered is open to the public as required by law and the public notice of the time, place and purpose of said meeting was given as required by Texas Government Code, Chapter 551, as amended.

NOW THEREFORE, BE IT ORDERED BY THE BOARD OF EDUCATION OF THE HOUSTON INDEPENDENT SCHOOL DISTRICT:

SECTION 1. APPROVAL OF DISTRICT DOCUMENTS. (a) The Board of Education hereby approves the construction, acquisition and equipment of the Project in accordance with the authority conferred by and in conformity with the Constitution and laws of the State of Texas, and, subject to subsection (b), the execution and delivery of the General Warranty Deed, the Lease, the Assignment Agreement and the Bond Purchase Agreement, in substantially the forms presented to the Board of Education at this meeting, with such changes thereto as may be required by the Trustee, the Attorney General of the State of Texas or any of the attorneys rendering an opinion as to the validity and enforceability of the Bonds or the Lease or as to the tax exemption of interest on the Bonds. The President, Secretary, any Vice President or

Assistant Secretary of the Board of Education are hereby authorized to execute and deliver the General Warranty Deed, the Lease, the Assignment Agreement, the Bond Purchase Agreement and such certificates regarding the District and the Project as may be required by any of the attorneys rendering an opinion as to the validity and enforceability of the Bonds, the General Warranty Deed, the Lease, the Bond Purchase Agreement or as to the tax exemption of interest on the Bonds. The General Warranty Deed, the Lease, the Assignment Agreement and the Bond Purchase Agreement shall constitute binding obligations of the District in accordance with their terms and conditions.

(b) Notwithstanding any provision herein to the contrary, the District's execution of the General Warranty Deed, the Lease, the Assignment Agreement and the Bond Purchase Agreement shall be subject to and contingent upon the approval of the Bonds and the Lease by the Attorney General of the State of Texas.

SECTION 2. APPROVAL OF CORPORATION DOCUMENTS. (a) The District hereby acknowledges and approves the execution and implementation by the Corporation of the Bond Resolution, the Fifth Supplemental Indenture, the Lease, the Deed of Trust, the Bond Purchase Agreement and the Assignment Agreement, in substantially the forms presented to the Board of Education at this meeting, and the issuance by the Corporation of the Bonds pursuant to the Bond Resolution, the Fifth Supplemental Indenture and the Bond Purchase Agreement, with such changes thereto as may be required by the Trustee, the Attorney General of the State of Texas or any of the attorneys rendering an opinion as to the validity and enforceability of the Bonds, the documents executed by the Corporation in connection therewith or as to the tax exemption of interest on the Bonds.

(b) Notwithstanding any provision herein to the contrary, the Corporation's execution of the General Warranty Deed, the Lease, the Deed of Trust, the Assignment Agreement, the Bond Resolution, the Fifth Supplemental Indenture and the Bond Purchase Agreement shall be subject to and contingent upon the approval of the Bonds and the Lease by the Attorney General of the State of Texas.

SECTION 3. SALE AND DELIVERY OF BONDS. (a) The Bonds shall be sold and delivered to the Underwriters at a price to be set forth in the Bond Resolution and in accordance with the terms of the Bond Purchase Agreement. Upon completion of the terms thereof, the appropriate officials of the District are hereby authorized and directed to execute the Bond Purchase Agreement on behalf of the District, and the President of the Board of Education, Superintendent, Chief Financial Officer, Controller and all other officers, agents and representatives of the District are hereby authorized to do any and all things necessary or desirable to satisfy the conditions set out therein and to provide for the issuance and delivery of the Bonds.

SECTION 4. OFFICIAL STATEMENT. The Board of Education hereby authorizes and approves, in connection with the sale of the Bonds, the Preliminary Official Statement in substantially the form presented to the Board, and the preparation and distribution of a final Official Statement, which shall contain such additional information and amendments to the Preliminary Official Statement as may be necessary to conform to the terms of the Bond Resolution and the Bond Purchase Agreement.

SECTION 5. FURTHER PROCEEDINGS. Incident to the execution and delivery of the General Warranty Deed, the Lease, the Bond Resolution, the Fifth Supplemental Trust Indenture, the Deed of Trust, the Assignment Agreement, the Bond Purchase Agreement and the Bonds by the Corporation, the President and Vice President/Secretary of the Board of Directors of the Corporation are hereby authorized, empowered and directed to do all such acts and things and to execute such documents on behalf of the Corporation and to do any and all things as may be necessary or desirable to carry out and comply with the provisions thereof and are further authorized to take any and all further action to execute and deliver any other documents as may be necessary in Order to successfully complete and operate the Project.

SECTION 6. REPEALER. All orders or resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Order are hereby repealed to the extent of such conflict, and the provisions of this Order shall be and remain controlling as to the matters contained herein.

SECTION 7. SEVERABILITY. If any provisions of this Order or the application thereof to any circumstance shall be held to be invalid, the remainder of this Order and the application thereof to other circumstances shall nevertheless be valid and the Board of Education hereby declares that this Order would have been enacted without such invalid provision.

EXHIBIT A

The Houston Independent School District's (the "District") Lease/purchase contracts (collectively, the "Lease/Purchase Contract") with the Houston Independent School District Public Facility Corporation (the "Corporation") for the use or purchase or other acquisition of real property or improvements to real property, as more fully described below (the "Project").

The Project, including the Land (described below), will be subject to a mortgage and foreclosure in the event the District fails to make payments under the Lease/Purchase Contract. Title to the Project will be retained by the Corporation until the District has made all of the payments due under the Lease/Purchase Contract. The Lease/Purchase Contract shall be payable from available funds of the District, including unencumbered Tier One funds and surplus maintenance tax revenues of the District. The Lease/Purchase Contract will be subject to biennial appropriation of such Tier One funds by the Texas Legislature and annual appropriation by the District.

The Project will consist of:

1. The proposed North Forest High School, a complete new high school facility to accommodate 1,300 to 1,400 students to be located across the street from the current North Forest High School at 10725 Mesa Drive in Houston, Texas, to contain approximately 205,000 of gross square feet, including approximately 35 academic learning centers, eight science learning centers, six special education learning centers, five Career and Technical Education (CTE) learning centers/labs, two Junior Reserve Officers' Training Corps learning centers, five arts learning centers, two gymnasias, an auditorium, a cafeteria/commons area, and related halls, offices, parking, and other spaces. The approximately 61 acres of land on which the proposed North Forest High School will be located is currently owned by the District and will be sold to the Corporation at its fair market value, currently estimated to be \$1,591,388. The District will make a cash contribution to the Corporation in the approximate amount of \$29,591,388 (consisting of the estimated fair market value of the land plus an additional \$28,000,000) to be used to pay a portion of the Project costs. The District also will assign outstanding contracts relating to the high school to the Corporation. The total cost of the proposed North Forest High School is currently estimated to be not more than \$61.8 million.
2. The proposed Early Childhood Center, a complete new early childhood educational center to accommodate approximately 600 students at 9709 Mesa Drive in Houston, Texas, to contain approximately 87,000 gross square feet, including approximately 27 Pre-K learning centers with individual restrooms, a special education self-contained learning center, wet lab, flex lab, visual arts lab, music learning center, a cafeteria/commons, multipurpose activity room, and related halls, offices, parking, and other spaces. The approximately 20 acres of land on which the proposed early childhood center will be located is currently owned by the District and will be sold to the Corporation at its fair market value, currently estimated to be \$504,198. The District will make a cash contribution to

the Corporation equal to the sales price of the Land to be used to pay a portion of the Project costs. The District also will assign outstanding contracts relating to the early childhood center to the Corporation. The total cost of the proposed Early Childhood Center is currently estimated to be not more than \$24.3 million.

3. The proposed Energy Institute High School, a new high school facility to accommodate approximately 800 students at 3501 Southmore Boulevard in Houston, Texas, to contain approximately 110,000 gross square feet, including approximately four learning communities, eight learning centers, four science learning centers, four engineering learning centers/labs, visual arts learning center, a multipurpose activity learning center/fitness center, cafeteria/commons area, and related halls, offices, parking, and other spaces. The approximately 12 acres of land on which the proposed Energy Institute High School will be located is currently owned by the District and will be sold to the Corporation at its fair market value, currently estimated to be \$4,887,500. The District will make a cash contribution to the Corporation in the approximate amount of \$13,887,500 (consisting of the estimated fair market value of the land plus an additional \$9,000,000) to be used to pay a portion of the Project costs. The District also will assign outstanding contracts relating to the high school to the Corporation. The total cost of the proposed Energy Institute High School is currently estimated to be not more than \$42.565 million.

The total cost of the Project is currently estimated to be not more than \$128.665 million.

Office of Superintendent of Schools
Board of Education Meeting of November 13, 2014

Office of Chief Financial Officer
Kenneth Huewitt, Chief Financial Officer

**SUBJECT: AUTHORITY TO NEGOTIATE AND EXECUTE A CONTRACT FOR
THE PURCHASE OF ELECTRICAL POWER**

Electrical power, a \$57-million commodity for the Houston Independent School District (HISD), is currently obtained under contract through July 31, 2015, with Reliant Energy.

HISD has issued a Request for Proposals (RFP) to investigate offers, terms, and conditions from several retail electrical providers (REPs) registered with the Public Utility Commission to sell electricity in the region. The prices quoted on any given day will be sensitive to market conditions prevalent at the time the quote is given. But over time, HISD will determine the leading contenders based upon their qualifications as determined in the RFP evaluation process. Throughout the evaluation process, HISD will be requesting price updates in order to monitor market conditions.

A committee with representatives from the Offices of Finance and Business Operations will analyze opportunities in the marketplace through the RFP process. Once the committee determines that the market conditions are optimal for the execution of a new electrical contract, the leading contenders will be required to present their final offers. Those offers will be highly time-sensitive and will require HISD to make a commitment by a specified time or the offer will be withdrawn by the REP. Due to the time-sensitive nature of locking in prices for electrical power, it is recommended that the superintendent of schools or a designee be authorized to execute the selected supplier's electrical contract at the designated time.

COST/FUNDING SOURCE(S): The total annual cost for this service is estimated to be \$57 million and will be funded by
(GF1-51-6256-XXX-99-E1/S1-170)
school-based funds; and

(GF1-51-6256-911-99-940-940)
districtwide funds.

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports HISD Goal 4: Increase Management Effectiveness and Efficiency, and is aligned with Core Initiative 4: Data-Driven Accountability.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES NOT ESTABLISH, MODIFY, OR DELETE BOARD POLICY.

RECOMMENDED: That the Board of Education authorize the superintendent of schools or a designee to negotiate and execute a new electrical contract to take effect August 1, 2015, effective November 14, 2014.

Office of Superintendent of Schools
Board of Education Meeting of November 13, 2014

Office Major Projects
James D. Hare, Chief Major Projects Officer

SUBJECT: APPROVAL TO SUBMIT FOUR INNOVATIVE-COURSE APPLICATIONS TO THE TEXAS EDUCATION AGENCY TO ESTABLISH AN EMERGENCY MEDICAL TECHNICIAN PROGRAM FOR TWELFTH-GRADE STUDENTS AND TO ESTABLISH A SEQUENCE OF COURSES FOR THE MARITIME ACADEMY

The Houston Independent School District (HISD) Board of Education is requested to approve submission of four innovative-course applications to the Texas Education Agency.

- The Emergency Medical Technician (EMT) - Basic course will provide twelfth-grade students who are engaged in the firefighter coursework an opportunity to learn the principles, theory, and practices associated with firefighting and emergency services leadership and management, as well as prepare students to earn the State EMT Certification. The course has been designed in partnership with the Houston Fire Department.
- The Principles of Maritime Science course is designed to instruct ninth-grade students in the principles of maritime science as outlined by the Code of Federal Regulations directly related to the National Maritime Center and the Merchant Mariner Credentialing Program. Students enrolled in this course will identify specific career opportunities and skills, abilities, tools, certifications, and safety measures associated with maritime careers.
- The Advanced Maritime Studies course will build on the foundational knowledge acquired previously in Principles of Maritime Science. This course is designed to instruct tenth-grade students on advanced aspects of vessel navigation, safety, and voyage planning. Students will learn safety expectations, laws, and environmental and human factors involved in the maritime industry.
- The Bridge Resources Management course will enable eleventh-grade students who complete it successfully to plan and execute safe vessel navigation. Students will be familiar with all bridge navigation equipment and procedures, as well as use case studies and real world simulations to identify the contributing factors involved in maritime accidents.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports HISD Goal 1: Increase Student Achievement and is aligned to Core Initiative 3: Rigorous Instructional Standards and Supports.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES NOT ESTABLISH, MODIFY, OR DELETE BOARD POLICY.

RECOMMENDED: That the Board of Education approve submitting four innovative course applications to the Texas Education Agency, effective November 14, 2014.

Office of Superintendent of Schools
Board of Education Meeting of November 13, 2014

Office of Chief Financial Officer
Kenneth Huewitt, Chief Financial Officer

**SUBJECT: PROPOSED REVISIONS TO BOARD POLICY CRD(LOCAL),
INSURANCE AND ANNUITIES MANAGEMENT: HEALTH AND LIFE
INSURANCE—FIRST READING**

The Houston Independent School District (HISD) local policy on health and life insurance has been reviewed for consistency with state law and CRD(LEGAL). The recommended deletion of text at DISTRICT CONTRIBUTION provides HISD the flexibility to determine contributions to health insurance premiums based on Teacher Retirement System (TRS) membership and/or Affordable Care Act regulations, rather than solely part-time or full-time status of the employee.

The remainder of the text in the policy has been lightly edited for clarity.

The proposed changes are noted in the attached revised policy.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports HISD Goal 4: Increase Management Effectiveness and Efficiency and HISD Goal 6: Create a Positive District Culture and is aligned with Core Initiative 4: Data-Driven Accountability and 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 accept the proposed revisions to Board Policy CRD(LOCAL), *Insurance and Annuities Management: Health And Life Insurance*, on first reading.

INSURANCE AND ANNUITIES MANAGEMENT
HEALTH AND LIFE INSURANCE

CRD
(LOCAL)

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|-------------------------------------|--|
| BOARD APPROVAL | <p>The District's employee group health insurance program and any life or other supplemental insurance program shall be approved by the Board upon their recommendation of the Superintendent. Any insurance programs may be made available on a payroll deduction basis.</p> |
| DISTRICT CONTRIBUTION | <p>The Board annually shall determine its contribution to employees' health insurance premiums as part of the employee compensation and benefits system approved in the budget development and adoption process. The Board may distinguish between full-time and part-time employees, as those terms are defined for other benefits, for purposes of its contribution to employees' health insurance premiums.</p> |
| PAID LEAVE AND FAMILY MEDICAL LEAVE | <p>The District shall continue to contribute any portion of the employee's premium it usually pays for an employee's group health insurance only:</p> <ol style="list-style-type: none">1. While the employee is receiving District-paid leave benefits to which he or she is entitled under law and District local policy; and2. While the employee is using unpaid Family Medical Leave. <p>The District shall not expend public funds for group health insurance coverage of an employee who is not receiving paid leave benefits or compensation from the District, except as required by the Family and Medical Leave Act. [See DEC(LEGAL)]</p> |
| UNPAID LEAVE OF ABSENCE | <p>When an employee is placed on unpaid leave of absence (other than family and medical leave), the employee shall be offered COBRA. [See CRD(LEGAL)]</p> |

Office of Superintendent of Schools
Board of Education Meeting of November 13, 2014

Office of Legal Services
Elneita Hutchins-Taylor, General Counsel

SUBJECT: APPROVAL TO WAIVE BOARD POLICY BF(LOCAL), BOARD POLICIES, AND APPROVAL OF PROPOSED REVISIONS TO BOARD POLICY DH(LOCAL), EMPLOYEE STANDARDS OF CONDUCT—FIRST READING

On March 13, 2014, the Houston Independent School District (HISD) Board of Education approved changes to Board Policy DH(LOCAL) regarding electronic cigarettes, employees reporting child abuse and neglect, and the reference to the Educators' Code of Ethics. In August 2014, the HISD Board of Education approved workplace bullying language in DH(LOCAL). The version of the policy approved by the Board in August did not include the revised language approved on March 13, 2014. This agenda item seeks Board approval to include the approved language from both the March and August meetings as noted in the attached policy. No other changes have been made to text in this policy.

Board Policy BF(LOCAL) states "*Proposed local policies or amendments introduced and recommended to the Board at one meeting shall not be adopted until a subsequent meeting. Emergency adoption, however, may occur in one meeting if circumstances demand an immediate response.*" By waiving the two readings required in BF(LOCAL), the corrected version will be available for immediate publication in the Policy Online manual.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports HISD Goal 6: Create a Positive District Culture and is aligned with 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 waive Board Policy BF(LOCAL), *Board Policies*, and approve the proposed revisions to Board Policy DH(LOCAL), *Employee Standards of Conduct*, on first reading, effective November 14, 2014.

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

DEFINITIONS

For purposes of defining prohibited conduct, the following shall apply:

- “Immorality” is conduct that the Board determines is not in conformity with the accepted principles of right and wrong behavior or that the Board determines is contrary to the moral standards that are accepted within the District.
- “Moral turpitude” is an act of baseness, vileness, or depravity in the private or social duties that a person owes another member of society in general and that is contrary to the accepted rule of right and duty between persons. Examples include but shall not be limited to: theft, attempted theft, swindling, forgery, indecency with a minor, prostitution, and the like.
- “Workplace” is defined as the site for performance of work done in connection with all assignments or duties of one’s employment with the District, including any District building or premise; any District-owned or District-approved vehicle, including any vehicle used to transport students to and from school or school activities; or any off-school property during any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event where students are under the jurisdiction of the District.
- “Electronic media” includes all forms of digital media, such as text messaging, instant messaging, electronic mail (e-mail), and Internet and social media. Electronic media also includes all forms of telecommunications, such as landlines, cell phones, and Web-based applications.
- “Social media” covers Web-based, interactive communication between individuals, organizations, or communities, which includes but is not limited to Web logs (e.g., blogs, electronic forums such as chat rooms, video-sharing Web sites (e.g., YouTube, Vimeo), editorial comments posted on the Internet, and social networking sites including, but not limited to Facebook, Twitter, Google+, Instagram, LinkedIn, Wikispace, and Edmodo.
- “User” is defined as a District employee or District contractor using computers, Internet and social media, e-mail, chat rooms, text messaging, instant messaging, and other forms of electronic communications or equipment for which the District has administrative responsibility. It also applies to any equipment that uses the District’s network to access online resources.

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

GENERAL GUIDELINES Employees shall be courteous to one another and the public, working together in a cooperative spirit to serve the best interests of the District. All District employees shall be expected to adhere to the standards of conduct set out in the Educators' Code of Ethics. [See DH(EXHIBIT)]

Employees wishing to express concern, complaints, or criticism shall do so through appropriate channels. [See DGBA(LOCAL)]

E-RATE MATTERS In the case of E-Rate matters, refer to governance provided at CAA.

EMPLOYEE
RESPONSIBILITIES

Every employee shall be responsible for:

1. Arriving at work on time every day and following attendance procedures;
2. Satisfactorily completing the duties as specified by the job description and/or contract, if any;
3. Relating to colleagues and supervisors with respect, courtesy, and in a professional manner;
4. Spending the workday on work-related activities to the exclusion of personal business;
5. Dressing in a manner that is appropriate for the job assignment, that reflects positively on the District, and that includes the use of all issued safety equipment;
6. Recognizing that employment with the District is not guaranteed, but is dependent on employee performance, budget, and need;
7. Following the established rules of behavior for the District and society in general as defined by local, state, and federal laws;
8. Conducting their duties in a safe manner, following the District's general safety policies and department rules regarding proper use of approved safety equipment and apparel; and
9. Following the directives of the supervisor.

VIOLATIONS OF
STANDARDS OF
CONDUCT

Employees shall comply with the standards of conduct set out in this policy and with any other policies, regulations, and guidelines that impose duties, requirements, or standards attendant to their status as District employees. Violation of any policies, regulations, or guidelines may result in disciplinary action, including termination of employment. [See DCD and DF series]

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

DISCRIMINATION,
HARASSMENT, OR
ABUSE

District employees shall work, supervise others, or be supervised in a work environment free of discrimination, harassment, and abuse. Accordingly, the use of discriminatory remarks and/or epithets regarding an employee's race, sex, age, color, religion, ancestry, handicap or disability, marital status, veteran status, political affiliation, sexual orientation, gender identity, and/or gender expression, or national origin shall not be permitted. Employees shall not engage in prohibited harassment, including sexual harassment, of:

1. Other employees, as defined at DIA.
2. Students, as defined at FFH. [See FFG regarding child abuse and neglect]

While acting in the course of their employment, employees shall not engage in prohibited harassment, including sexual harassment, of other persons, including Board members, vendors, contractors, volunteers, or parents.

An employee shall report child abuse or neglect as required by law. [See FFG]

WORKPLACE
BULLYING

The District considers workplace bullying to be unacceptable and will not tolerate it under any circumstances.

Workplace bullying is defined as engaging in written or verbal expression, expression through electronic means, or physical conduct that occurs in the workplace that: (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 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 (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).

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

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| RELATIONSHIPS WITH STUDENTS | Employees shall not form romantic or other inappropriate social relationships with students. Any sexual relationship between a student and a District employee is always prohibited, even if consensual. [See DIA and FFH] |
| FREEDOM OF SPEECH | The First Amendment of the United States Constitution prohibits the government from creating law that abridges the freedom of speech. Under Article 1, Section 8 of the Texas Constitution, every person shall be at liberty to speak, write, or publish his or her opinions on any subject, being responsible for the abuse of that privilege; and no law shall ever pass curtailing the liberty of speech. This policy is not intended to abrogate any individual's state and federal constitutional right to free speech on matters of public concern or to inhibit an employee's right to participate in political affairs in the employee's community, state, or nation as provided under Education Code 21.407(b). These rights must be exercised responsibly and within the context of the District's right to maintain and secure an effective and efficient workplace and school operations free from disruptions that detract from the District's objective of educating children. |
| SOCIAL MEDIA | The District recognizes the powerful impact that social media can have on education. The user participation and sharing of information inherent in these media can be beneficial to students and teachers; and when used responsibly and safely, they may be effectively integrated into the educational environment to support traditional instruction. |
| SOCIAL MEDIA USE WITH STUDENTS | <p>In accordance with administrative regulations, a certified or licensed employee, or any other employee designated in writing by the Superintendent or designee, may use social media to communicate with currently enrolled students about matters within the scope of the employee's professional responsibilities. All other employees are prohibited from using social media to communicate directly with students who are currently enrolled in the District. For specific procedures on the following, see the administrative regulation [see DH5(REGULATION)]:</p> <ol style="list-style-type: none">1. Exceptions for family and social relationships; and2. Procedures for establishing professional media sites, limitations to communicating with students, content restrictions, administrative monitoring and review, privacy issues, adherence to applicable laws and policies, and site accessibility to parents and administrators. <p>Each employee shall continue to comply with the applicable state and federal laws, local policies, administrative regula-</p> |

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

tions, and the Code of Ethics and Standards for Texas Educators including:

- Compliance with the Public Information Act and the Family Educational Rights and Privacy Act (FERPA), including retention and confidentiality of student records; [See CPC and FL]
- Copyright law; and [See CY]
- Technology resources. [See CQ]

PERSONAL USE OF
SOCIAL MEDIA

An employee shall be held to the same professional standards in his or her use of social media as for any other public conduct. If an employee's use of social media violates state or federal law or District policy, or interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment.

SAFETY
REQUIREMENTS

All employees shall adhere to District safety rules and regulations and shall report unsafe conditions or practices to the appropriate supervisor.

WEAPONS
PROHIBITION

District employees are prohibited from possessing or using any of the weapons defined in Section 46.05 of the Penal Code [see FNCG(LEGAL)] while on District property, while working in the scope of assigned duties, or while attending District-sponsored activities. Any exceptions to this provision shall be specifically authorized by the Superintendent or designee.

TOBACCO USE /
ELECTRONIC
CIGARETTES

Employees shall not use tobacco products, electronic cigarettes, or electronic vaporizing devices in District buildings, in District vehicles, nor in the presence of students at school or at school-related activities. [See DH and GKA(LEGAL)]

ALCOHOL AND DRUGS

A copy of this policy, the purpose of which is to eliminate alcohol and drug abuse from the workplace, shall be provided each employee at the beginning of each year or upon employment.

Employees shall not unlawfully manufacture, distribute, dispense, possess, use, or be under the influence of any of the following substances during working hours while at school or at school-related activities during or outside of usual working hours:

1. Any controlled substance or dangerous drug as defined by law, including but not limited to marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate.
2. Alcohol or any alcoholic beverage.

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

3. Any abusable glue, aerosol paint, or any other chemical substance for inhalation.
4. Any other intoxicant, or mood-changing, mind-altering, or behavior-altering drugs.

An employee need not be legally intoxicated to be considered “under the influence” of a controlled substance.

EXCEPTION

An employee who uses a drug authorized by a licensed physician through a prescription specifically for that employee’s use shall not be considered to have violated this policy.

Each employee shall be given a copy of the District’s notice regarding drug-free schools. [See DI(EXHIBIT)] All employees are subject to reasonable suspicion testing for alcohol and/or drug use. [See DHE(LOCAL)]

NOTICE

An employee who tests positive for prohibited drugs and/or alcohol shall be subject to termination, except when an employee voluntarily admits to alcohol or illegal drug use and commences counseling or rehabilitation prior to an event that leads to the initiation of any alcohol or drug testing. Such an employee must thereafter refrain from using alcohol and/or illegal drugs. [See also DI(EXHIBIT) for Drug-Free Workplace Requirements and DHE(LOCAL) for alcohol and drug testing]

UNAUTHORIZED
PERSONS ON
DISTRICT PREMISES

A District employee shall not bring his or her own relative, personal aide, or hired helper to assist the employee in the performance of duties on District premises or at school-sponsored activities without prior approval from the principal/work location supervisor and/or Human Resources Department. [See also DC(LOCAL) and GKG(LOCAL)]

DRESS AND
GROOMING

The dress and grooming of District employees shall be clean, neat, in a manner appropriate for their assignments, and in accordance with any additional standards established by their supervisors and approved by the Superintendent.

MONEY LENDING

The District prohibits loans made by one employee to another with the intent of collecting interest.

ANNUAL CRIMINAL
HISTORY RECORD
CHECK

An annual criminal background check shall be conducted on all active personnel who do not have electronic fingerprints on file with the Texas Department of Public Safety.

REVIEW COMMITTEE

A review committee will assess the records of employees found to have criminal records that may bar them from continued employ-

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

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| | <p>ment in the District. The committee shall use the standards for reviewing employees and applicants as set out in DC16(REGULATION).</p> |
| <p>CRIMINAL HISTORY RECORD CHECK PRIOR TO PROMOTION OR TRANSFER</p> | <p>A criminal background check shall be conducted on all employees prior to any promotion or transfer to an administrator position, on a campus or within the central office, or as determined by the Superintendent's direct report.</p> <p>Employees shall disclose a prior record when requested to do so at the time of employment. Failure to do so shall result in termination of employment.</p> |
| <p>RESPONSIBILITY TO REPORT CHARGES</p> | <p>Employees are required to notify the District within ten days should they be charged with, convicted of, granted deferred adjudication for, or entered a plea of nolo contendere to any felony or any misdemeanor involving moral turpitude. This notification must be made in writing to the custodian of records in the Human Resources Department. Failure to do so could result in termination of employment.</p> |
| <p>REASSIGNMENT PENDING FINAL DISPOSITION</p> | <p>An employee shall be subject to being temporarily reassigned when the District becomes aware of any pending charge, previous conviction, or deferred adjudication. The decision to reassign an employee shall be made by the appropriate direct report to the Superintendent or designee.</p> |
| <p>DETERMINATION UPON FINAL DISPOSITION</p> | <p>A determination regarding what action, if any, to take will be made after the final disposition of the pending charge(s) or, in the case of a conviction or deferred adjudication, after a recommendation is made to the senior manager, Human Resources (HR) Operations, by the criminal history review committee. In the case of an employee, final disposition of pending charges means a conviction, deferred adjudication, or dismissal of the charges. An employee's completion of probation or other sentencing is not required for a final disposition by the District.</p> |
| <p>REPORTS OF MISCONDUCT</p> | <p>In its Declaration of Beliefs and Visions, the Board expressed its strong confidence in and appreciation for District personnel. The Board desires to provide a uniform system that adequately addresses the needs and concerns of all District employees. The Board therefore encourages employees and others connected with the District to bring forward reports in the form of complaints, comments, and suggestions in order to maintain effective and efficient operations, free from disruptions that detract from the District's main objective of educating children.</p> |

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

This policy applies not only to District employees but is also available to parents, students, patrons of the District, and the general public.

The Board recognizes that there are existing resources through which reports can be made and resolved. These resources include the Employee Hotline, the Employee Assistance Program, the Equal Employment Opportunity, Professional Standards, District Police, and Internal Affairs Departments, as well as other appropriate law enforcement authorities. The Board has designated the senior manager, HR Employee Relations, as the clearinghouse for all reports of wrongdoing and for the coordination of resolutions.

Office of Superintendent of Schools
Board of Education Meeting of November 13, 2014

Office of Legal Services
Elneita Hutchins-Taylor, General Counsel

**SUBJECT: PROPOSED REVISIONS TO BOARD POLICIES DFFA(LOCAL),
REDUCTION IN FORCE: FINANCIAL EXIGENCY, DFFB(LOCAL),
REDUCTION IN FORCE: PROGRAM CHANGE, AND DFFC(LOCAL)
REDUCTION IN FORCE: CONTINUING CONTRACTS—FIRST
READING**

The consecutive appraisal provision from House Bill (HB) 2012 reflected at DFBB(LEGAL), Term Contracts Nonrenewal, and DNA(LEGAL), Teacher Performance Appraisal, prompted a review of the Houston Independent School District (HISD) local policies regarding reduction in force for compliance and revisions as needed. The provision pertains to all evaluated term and continuing contract employees. A reduction in force based on a financial exigency (DFFA), program change (DFFB), or the discharge of an employee on a continuing contract (DFFC) is an employment decision that would fall within the scope of HB 2012.

A summary of the change to these policies, including the rationale for making the change, is shown below:

- Previously these local policies only required the district to look at an employee's most recent formal appraisal when applying the performance criterion. The revised policy language at CRITERIA FOR DECISION additionally requires the district to look at consecutive formal appraisals from more than one year, if available, in making employment decisions. The new policy language applies to all term and continuing contract employees being evaluated under the performance criterion, not just classroom teachers as required by law, so that the criterion is applied consistently to all term and continuing contract employees.

The proposed change is noted in the attached revised policies.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports HISD Goal 4: Increase Management Effectiveness and Efficiency 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 accept the proposed revisions to Board Policies DFFA(LOCAL), *Reduction In Force: Financial Exigency*, DFFB(LOCAL), *Reduction In Force: Program Change*, and DFFC(LOCAL) *Reduction In Force: Continuing Contracts*, on first reading.

REDUCTION IN FORCE
FINANCIAL EXIGENCY

DFFA
(LOCAL)

PLAN TO REDUCE
PERSONNEL COSTS

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

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

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

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

REDUCTION IN FORCE
DUE TO FINANCIAL
EXIGENCY
APPLICABILITY

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

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

DEFINITIONS

Definitions used in this policy are as follows:

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

REDUCTION IN FORCE
FINANCIAL EXIGENCY

DFFA
(LOCAL)

2. "Discharge" shall mean termination of a contract during the contract period.

GENERAL GROUNDS

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

EMPLOYMENT AREAS

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

Employment areas may include, for example:

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

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

1. Combined or adjusted (e.g., "elementary programs" and "compensatory education programs" can be combined to

REDUCTION IN FORCE
FINANCIAL EXIGENCY

DFFA
(LOCAL)

identify an employment area of “elementary compensatory education programs”); and/or

2. Applied on a Districtwide or campus-wide basis (e.g., “the counseling program at [named elementary campus]”).

The Board shall determine the employment areas to be affected.

CRITERIA FOR
DECISION

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

1. Performance: Effectiveness, as reflected by the most recent formal appraisal and, if available, consecutive formal appraisals from more than one year [see DNA] and any appraisal records and other written evaluative information including but not limited to disciplinary information and directives previously issued.

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

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

REDUCTION IN FORCE
FINANCIAL EXIGENCY

DFFA
(LOCAL)

authorized leave shall not be considered an interruption of continuous service.

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

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

BOARD VOTE

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

NOTICE

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

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

CONSIDERATION FOR
AVAILABLE POSITIONS

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

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

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

HEARING REQUEST
NONRENEWAL:
TERM CONTRACT

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

DISCHARGE:
CHAPTER 21
CONTRACT

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

REDUCTION IN FORCE
FINANCIAL EXIGENCY

DFFA
(LOCAL)

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| DISCHARGE: NON- CHAPTER 21 CONTRACT | An employee receiving notice of proposed discharge during the period of an employment contract not governed by Chapter 21 of the Education Code may request a hearing before the Board or its designee in accordance with DCE. |
| FINAL ACTION HEARING REQUESTED | If the employee requests a hearing, the Board shall take final action after the hearing in accordance with DCE, DFBB, or DFD, as applicable, and shall notify the employee in writing. |
| NO HEARING REQUESTED | If the employee does not request a hearing, the Board shall take final action in accordance with DCE, DFBB, or DFD, as applicable, and shall notify the employee in writing. |

REDUCTION IN FORCE
PROGRAM CHANGE

DFFB
(LOCAL)

APPLICABILITY

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

DEFINITIONS

Definitions used in this policy are as follows:

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

GENERAL GROUNDS

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

EMPLOYMENT AREAS

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

Employment areas may include, for example:

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

REDUCTION IN FORCE
PROGRAM CHANGE

DFFB
(LOCAL)

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

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

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

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

The Board shall determine the employment areas to be affected.

CRITERIA FOR
DECISION

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

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

1. Performance: Effectiveness, as reflected by the most recent formal appraisal and, if available, consecutive formal appraisals from more than one year [see DNA] and any appraisal records and other written evaluative information including but not limited to disciplinary information and directives previously issued.

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

2. Extra Duties/Supplemental: Currently performing an extra-duty or supplemental assignment, for example, department or grade-level chair, band director, athletic coach, activity sponsor, and the like that the designee believes would have a detrimental impact on the school. In making the determination of whether this criterion applies, the principal may consider whether a replacement from among campus members, who are not subject to the reduction in force, can be found, who can perform these duties at the same level.
3. Seniority: Length of continuous service in the District, as measured from the employee's most recent date of hire. An authorized leave shall not be considered an interruption of continuous service.
4. Professional Background: Professional education and work experience related to the current or projected assignment.

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

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

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

CONSIDERATION FOR AVAILABLE POSITIONS An employee who has received notice of proposed nonrenewal may apply for available positions for which he or she wishes to be considered. The employee is responsible for reviewing posted va-

REDUCTION IN FORCE
PROGRAM CHANGE

DFFB
(LOCAL)

cancies, submitting an application, and otherwise complying with District procedures to be considered for a particular vacancy. Assignments to new jobs shall be based on matching of skill sets.

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

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

HEARING REQUEST

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

FINAL ACTION

HEARING
REQUESTED

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

NO HEARING
REQUESTED

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

REDUCTION IN FORCE
CONTINUING CONTRACTS

DFFC
(LOCAL)

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| APPLICABILITY | This policy shall apply when a necessary reduction of personnel requires the termination of an employee on a continuing contract. |
| GENERAL GROUNDS | A reduction of personnel may take place when the Superintendent recommends and the Board adopts a resolution declaring a financial exigency [see CEA] or determines another need to reduce personnel on continuing contracts. |
| TEACHING FIELDS | <p>When a reduction of personnel is to be implemented, the Superintendent shall recommend the teaching fields to be affected.</p> <p>Teaching fields may include, for example:</p> <ol style="list-style-type: none">1. Elementary;2. Special education;3. Fine arts;4. World languages;5. Secondary subject areas;6. Career and technical education;7. District administration;8. Campus administration;9. Instructional support;10. Administrative support;11. Ancillary;12. Nurses and other health services;13. Librarian;14. Counselor;15. Physical education;16. In-school supervisors/SRC; and17. Reading programs. <p>The Superintendent's recommendation may address whether any teaching fields should be:</p> <ol style="list-style-type: none">1. Combined or adjusted (e.g., "elementary" and "fine arts" can be combined to identify a teaching field of "elementary fine arts"); and/or |

REDUCTION IN FORCE
CONTINUING CONTRACTS

DFFC
(LOCAL)

2. Applied on a Districtwide or campuswide basis (e.g., “secondary science at [named high school campus]”).

CRITERIA FOR
DECISION

The Board shall determine the teaching fields to be affected.

The Superintendent or designee shall apply the following criteria to the employees within an affected teaching field when the reduction of personnel will not result in the termination of all staff. “Teaching fields” shall have the same meaning as “employment area” under Board policies DFFA(LOCAL) and DFFB(LOCAL). The criteria are listed in the order of importance and shall be applied sequentially to the extent necessary to identify the employees who least satisfy the criteria and therefore are subject to the reduction of personnel. For example, if all necessary reductions can be accomplished by applying the first criterion, it is not necessary to apply the second criterion, and so forth.

1. Appraisal in the teaching field: Effectiveness, as reflected by the most recent formal appraisal and, if available, consecutive formal appraisals from more than one year [see DNA] and ~~any appraisal records and~~ other written evaluative information including but not limited to disciplinary information and directives previously issued.

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

2. Extra Duties/Supplemental: Currently performing an extra-duty or supplemental assignment, for example, department or grade-level chair, band director, athletic coach, or activity sponsor, and the like that the designee believes would have a detrimental impact on the school. In making the determination of whether this criterion applies, the principal may consider whether a replacement can be found from among campus members who are not subject to the reduction in force and who can perform these duties at the same level.
3. Seniority: Length of continuous service in the District, as measured from the employee’s most recent date of hire. An authorized leave shall not be considered an interruption of continuous service.
4. Professional Background: Professional education and work experience related to the current or projected assignment.

REDUCTION IN FORCE
CONTINUING CONTRACTS

DFFC
(LOCAL)

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| SUPERINTENDENT RECOMMENDATION | The Superintendent shall recommend to the Board the termination of the identified employees within the affected teaching fields. |
| BOARD VOTE | After considering the Superintendent's recommendations, the Board shall determine the employees to be proposed for termination. |
| NOTICE | <p>If the Board votes to propose termination of one or more employees, the Superintendent or designee shall provide each employee written notice of the proposed termination. The notice shall include:</p> <ol style="list-style-type: none">1. The proposed action;2. A statement of the reason for the proposed action; and3. Notice that the employee is entitled to a hearing of the type determined by the Board. |
| CONSIDERATION FOR AVAILABLE POSITIONS | <p>An employee who has received notice of a proposed termination may apply for available positions for which he or she wishes to be considered. The employee is responsible for reviewing posted vacancies, submitting an application, and otherwise complying with District procedures to be considered for a particular vacancy. Assignments to new jobs shall be based on matching of skill sets.</p> <p>An employee proposed for termination under this policy shall be considered for positions for which he or she applies and is qualified up until:</p> <ol style="list-style-type: none">1. Final action by the Board to end the employee's contract, if the employee does not request a hearing; or2. The evidentiary hearing by the independent hearing examiner, the Board, or other person designated in DFBB(LOCAL), if the employee requests a hearing. |
| HEARING REQUEST | <p>An employee receiving notice of proposed termination due to financial exigency may request a hearing. The hearing shall be conducted in accordance with DFD or the nonrenewal hearing process in DFBB, if applicable, as determined by the Board and specified in the notice of proposed termination.</p> <p>An employee receiving notice of proposed termination due to a necessary reduction of personnel not based on financial exigency may request a hearing in accordance with DFD.</p> |
| FINAL ACTION HEARING REQUESTED | If the employee requests a hearing, the Board shall take final action after the hearing in accordance with DFBB or DFD, as applicable, and shall notify the employee in writing. |

Houston ISD
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REDUCTION IN FORCE
CONTINUING CONTRACTS

DFFC
(LOCAL)

NO HEARING
REQUESTED

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

Office of Superintendent of Schools
Board of Education Meeting of November 13, 2014

Office of Internal Audit
Richard Patton, Chief Audit Executive

**SUBJECT: PROPOSED REVISIONS TO BOARD POLICY *BAA(LOCAL)*,
BOARD LEGAL STATUS: POWERS AND DUTIES—FIRST READING**

This agenda item seeks Houston Independent School District (HISD) Board of Education approval of revisions to Board Policy BAA(LOCAL), *Board Legal Status: Powers and Duties*. According to BAA(LOCAL), the Chief Audit Executive reports functionally to the board and administratively to the superintendent of schools. At ADDITIONAL POWERS AND DUTIES, the proposed revision clarifies the board's responsibility for evaluating the Chief Audit Executive consistent with standards set forth in the *International Professional Practices Framework* issued by the Institute of Internal Auditors.

Proposed changes are noted in the attached revised policy.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

ORGANIZATIONAL GOALS/IMPACT: This agenda item supports HISD Goal 4: Increase Management Effectiveness and Efficiency and HISD Goal 5: Improve Public Support and Confidence in Schools, and is aligned to Core Initiative 5: Create a Positive District Culture.

THIS ITEM DOES NOT REQUIRE CONSULTATION.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the Board of Education accept the proposed revisions to Board Policy *BAA(LOCAL)*, *Board Legal Status: Powers and Duties*, on first reading.

BOARD LEGAL STATUS
POWERS AND DUTIES

BAA
(LOCAL)

The Board shall be responsible for the leadership, guidance, and direction in educating the youth of the District and shall endeavor to provide the educational programs and physical facilities that best meet community needs at the lowest required cost in all of the schools and other institutions.

The Board recognizes that the Superintendent is responsible under state law for managing the day-to-day operations of the District as its chief administrative officer.

It shall be the policy of the Board to determine and maintain the distinction between activities that are appropriately the responsibility of the Board as the governing body of the District and those activities that are administrative in nature and performed by the administrative staff on duly authorized and delegated authority of the Board. The Board, as a corporate body and as individual Trustees, shall not engage in activities that interfere with the administrative responsibilities of the Superintendent and staff, which include but are not limited to the following:

1. Assignment and evaluations of District personnel, other than the Superintendent and the Chief Audit Executive;
2. Recommendations regarding selection and promotion of District personnel, other than the Superintendent and the Chief Audit Executive;
3. Termination and suspension of an employee, or the nonrenewal of an employee's term contract;
4. Preparation of the proposed budget;
5. Implementation of adopted Board policies;
6. Development of administrative procedures;
7. Organization of the District's central administration except that the Chief Audit Executive shall report functionally to the Board and administratively to the Superintendent;
8. Recommendations for student disciplinary action; and
9. Any other activities included as responsibilities of the Superintendent and administrative staff, including principals.

ADDITIONAL POWERS
AND DUTIES

In addition to exercising the powers and duties conferred by statute, the Board shall:

1. Maintain suitable offices within the administration building for the staff to handle the work of the Board and Board committees and keep the minutes, policies, and Board files current.

2. Adopt broad goals and objectives for each aspect of the District's operation based upon the identified needs of the community. Said goals shall be documented, reviewed, and revised periodically in light of changing community needs and state accreditation guidelines.
3. Establish basic policies to implement these goals and objectives and provide a framework of general rules and guidelines for District administration affecting major educational and financial problems of the District.
4. Act upon all recommendations of the Superintendent as they relate to implementation of Board policies.
5. Evaluate the performance and progress of the District against the stated goals and objectives. The measures used shall be:
 - a. Progress toward objectives;
 - b. Administrative operations within the Board policy;
 - c. Concise and meaningful management reports on current operations provided to Board members by the Superintendent on a regular, recurring basis; and
 - d. Performance of the Superintendent.
6. Evaluate the Superintendent's performance on a continuing basis. Criteria for appraisal shall be specific and communicated to the Superintendent. Performance appraisals based on the stated criteria shall be conducted privately or publicly at his or her discretion. Formal evaluation shall occur annually; informal evaluation shall occur as the parties deem appropriate. [See BJCD(LEGAL) and (LOCAL)]
7. Evaluate the Chief Audit Executive's performance on a continuing basis. Appraisal criteria shall be specific and communicated to the Chief Audit Executive. Formal evaluation shall occur annually; informal evaluation shall occur as the parties deem appropriate. Appraisals shall be consistent with the standards set forth in the *International Professional Practices Framework* issued by the Institute of Internal Auditors. At the discretion of the Board, the Chief Audit Executive's review may be conducted by the Board Audit Committee.
- ~~7.8.~~ Review and act upon the annual operating budget of the District prepared by the Superintendent and staff to provide prudent stewardship of public resources. [See CE(LEGAL) and (LOCAL)]

- ~~8-9.~~ Review and act upon proposed bond issues to finance long-term capital expenditures and approve spending funds derived from the sale of bonds. [See CCA(LEGAL)]
- ~~9-10.~~ Act upon the selection of sites for new school facilities.
- ~~10-11.~~ Act upon architects' plans for new buildings or remodeling of old buildings for the District. [See (LEGAL) and (LOCAL) policies in the CV series]
- ~~11-12.~~ Act upon recommendations for naming schools and other facilities (or portions thereof) in the District. [See CW(LOCAL)]
- ~~12-13.~~ Delegate final authority for selection and employment of all personnel (except the Superintendent and the Chief Audit Executive) to the Superintendent and further delegate final authority to the Superintendent to determine the terms of employment within the District, consistent with the budget approved by the Board and applicable Board policy.
- ~~13-14.~~ Provide leadership in presenting needs of the District to local, state, and federal governments or agencies, the general public, and the media by a planned program of external relations; actively support appropriate regulations, ordinances, or legislation necessary to meet these needs.
- ~~14-15.~~ Review and act upon the recommended attendance boundaries within the District in compliance with state and federal mandates.
- ~~15-16.~~ Authorize expenditures and approve bills presented for payment of said expenditures. [See policies in the CH and CV series]
- ~~16-17.~~ Act upon legal matters with advice from attorneys.
- ~~17-18.~~ Act upon textbooks and courses of study recommended by the Superintendent. [See EFA(LOCAL)]
- ~~18-19.~~ Act as a body of final appeal for employees and patrons appealing a decision of the Superintendent or designee, or of an independent hearing officer in accordance with provisions of the procedures for appeals and hearings established by the Texas Education Agency and applicable federal requirements. [See policies at DFD, DGBA, FNG, and GF]
- ~~19-20.~~ Employ for the District independent auditors, who will be responsible directly to the Board. In accordance with prudent business practices, employment of auditors shall be rotated periodically as required under CFC(LOCAL).